

W. Haywood
Burns Institute



Improving Life
Opportunities for
Youth, Families,
and Communities
of Color

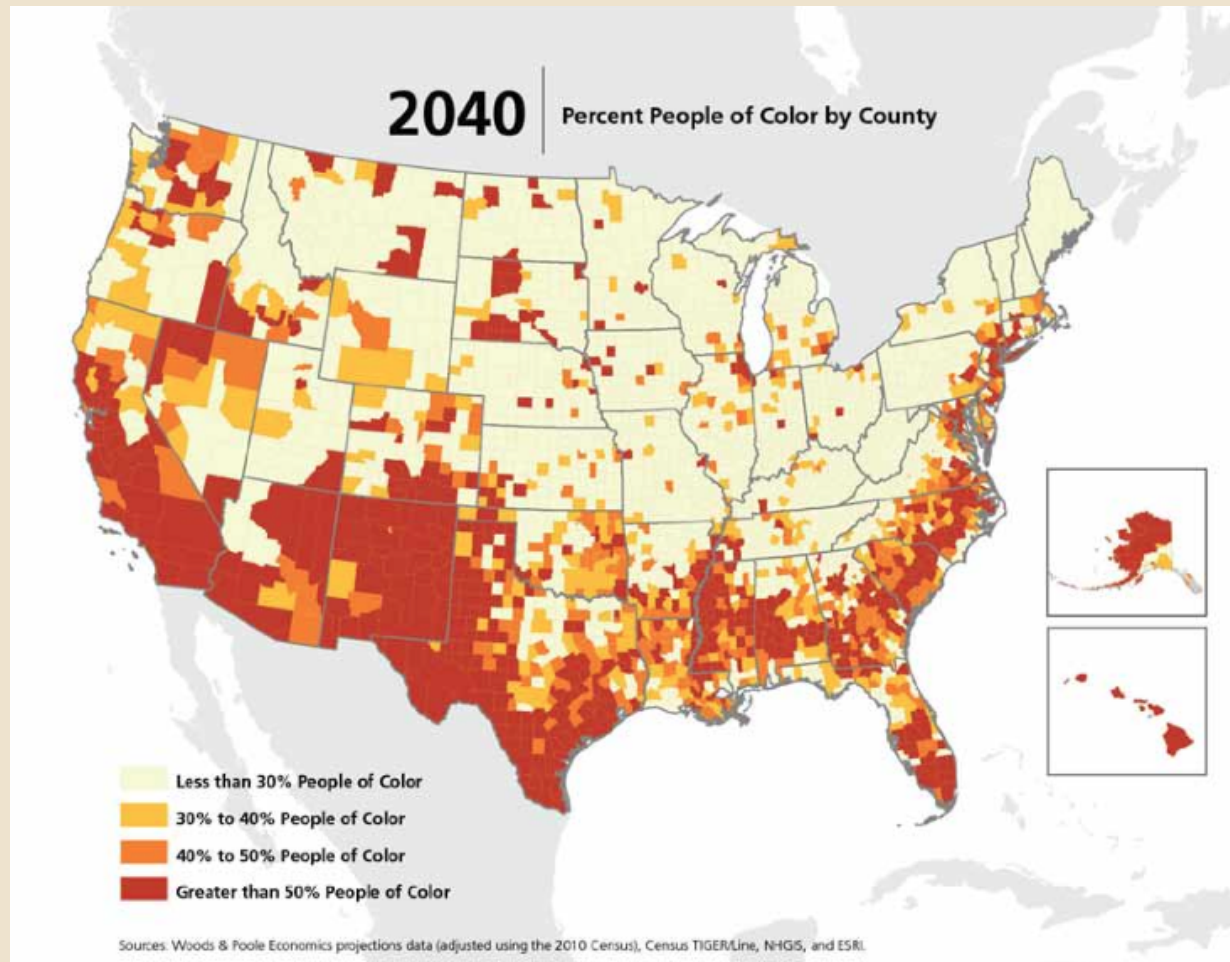
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Reducing Racial and Ethnic Disparities in Justice and Education

Santa Cruz, CA
October 2014

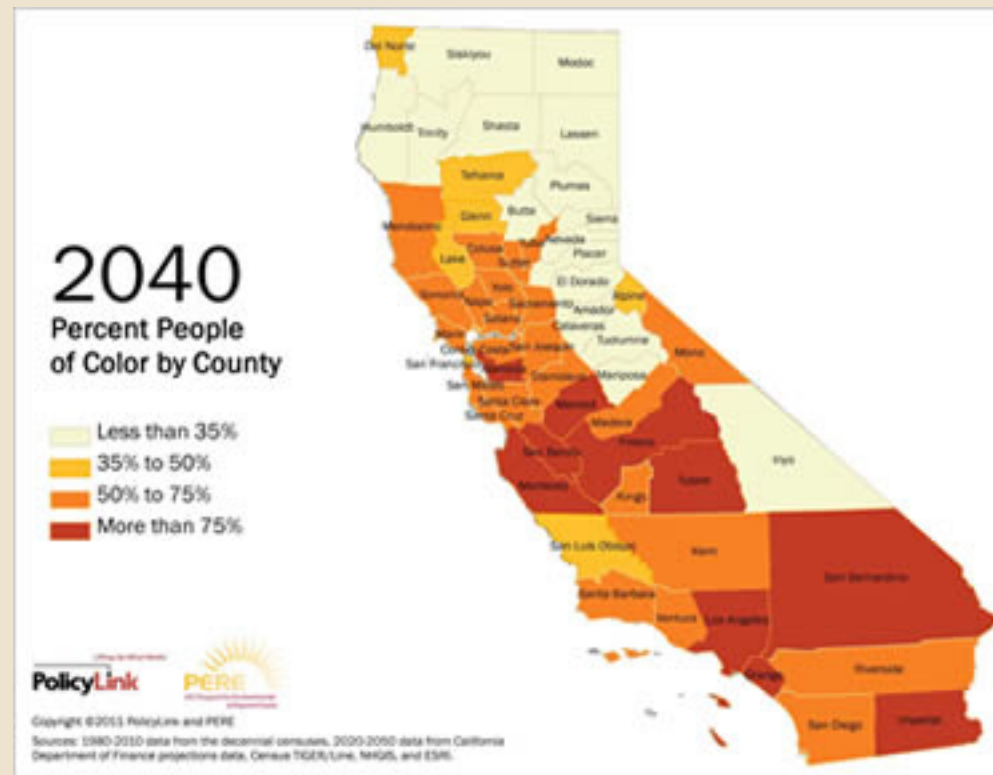
U.S. Demographics

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California Demographics

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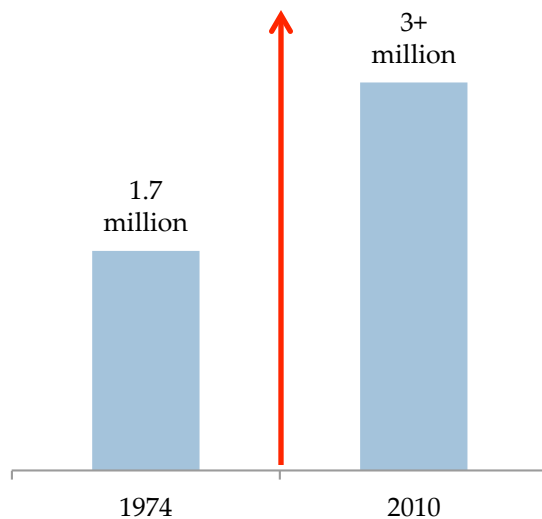


Suspension Data (2009-10 school year)

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Nationwide, more than **3 million** K-12 students were suspended out-of-school at least one time during the 2009-10 school year.

Nationwide, suspensions have almost doubled over the last 35 years



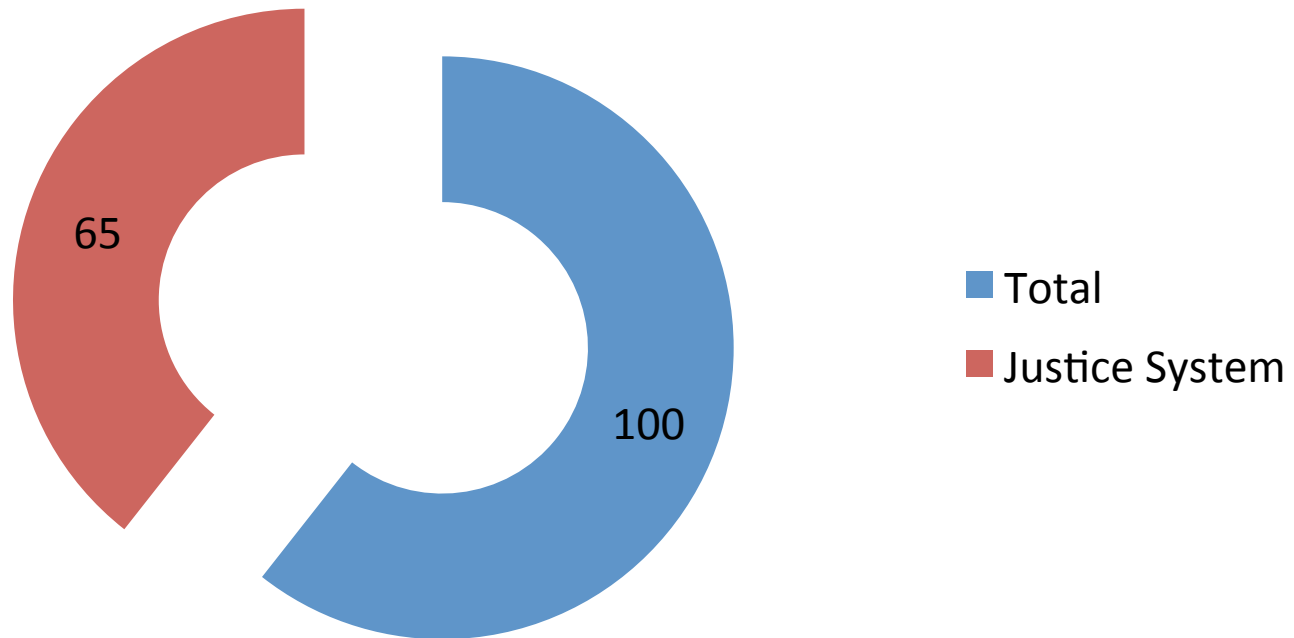
Sources: *Suspended Education in California*, "The UCLA Civil Rights Project, 4/10/12. *Opportunities Suspended: The Disparate Impact of Disciplinary Exclusion from School*, The UCLA Civil Rights Project, August 2012.

Ja'isha Akins

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Over-representation



Losing the Lead

The American Middle Class Is No Longer the
World's Richest

April 21, 2014



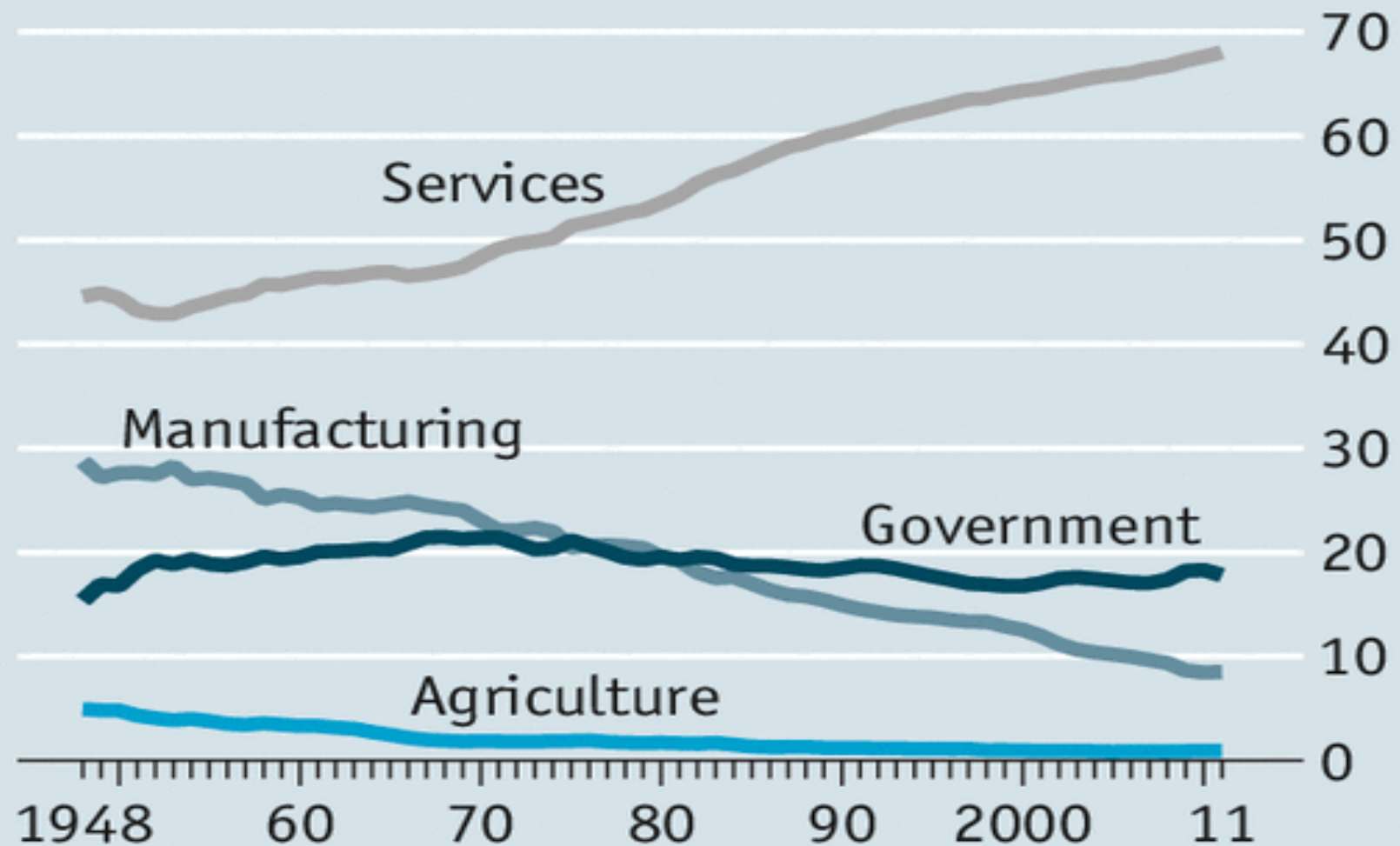
Girls Night Out

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- ❑ Five teenage girls were busted during a "girls' night out" when California Highway Patrol officers pulled them over a Toyota Scion for weaving between lanes on U.S. Highway 101 and found marijuana and alcohol at about 2:20 a.m.
- ❑ Officers found a 15-year-old girl who was driving the car with a learner's permit only. The other girls were ages 14, 16, and two were 17.
- ❑ Officers searched the car and found marijuana and a mixed drink that was concealed in an iced tea bottle.
- ❑ The girls told their parents they were spending the night at each other's houses and instead drove to a bar in San Francisco.
- ❑ Officers issued citations to the girls and they were then released to their parents.

Not what it was

US employment by sector, % of total employment



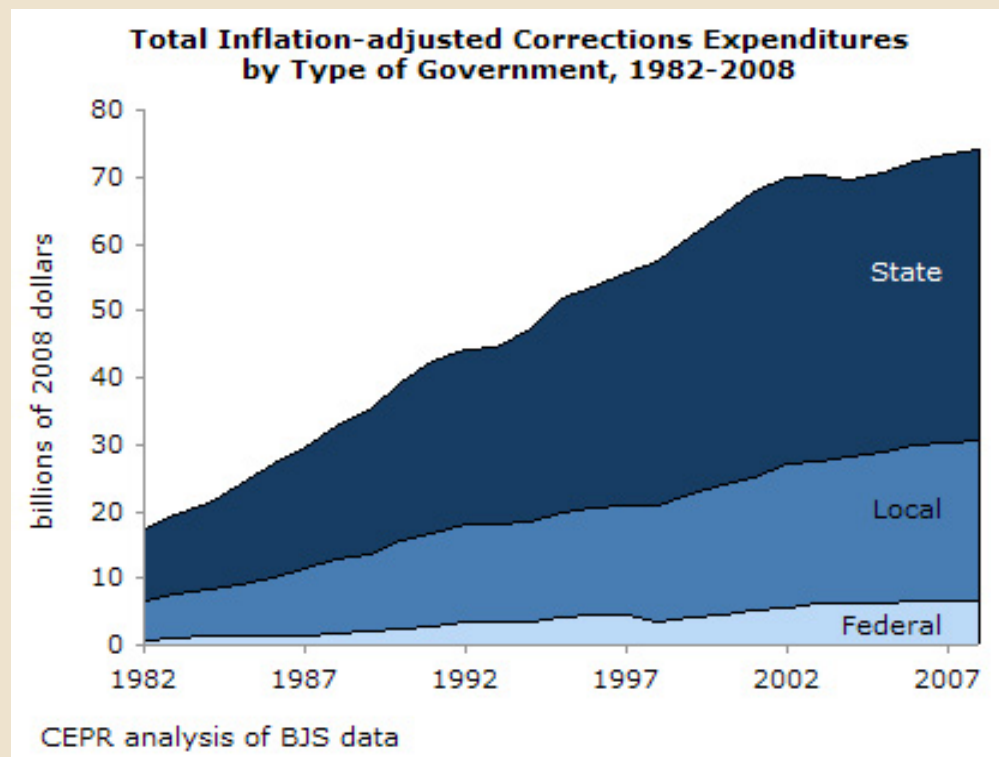
Source: US Bureau of Labour Statistics

Cost of Increased Incarceration

- State correctional spending increased fourfold:

1988 \$11.7 billion

2008 \$47.3 billion



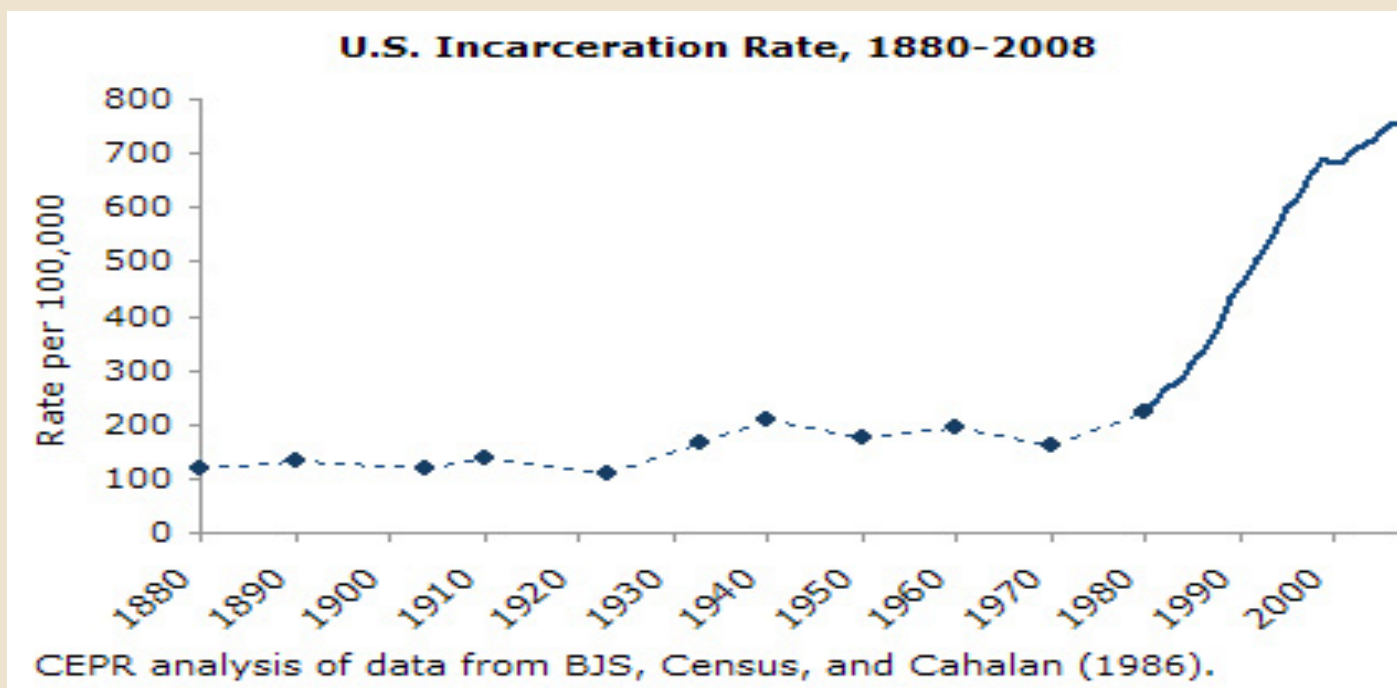
Our Criminal Sentencing Problem

Total Correctional Population Bars

1982	2,194,000
2008	7,308,200

Total Pop. Behind

1982	612,000
2008	2,304,000





**RIGHT
ON CRIME**

THE COMMISSION
Fighting Crime
A project of the Texas

HOME

THE CHALLENGE

THE CASE FOR REFORM

PRICES

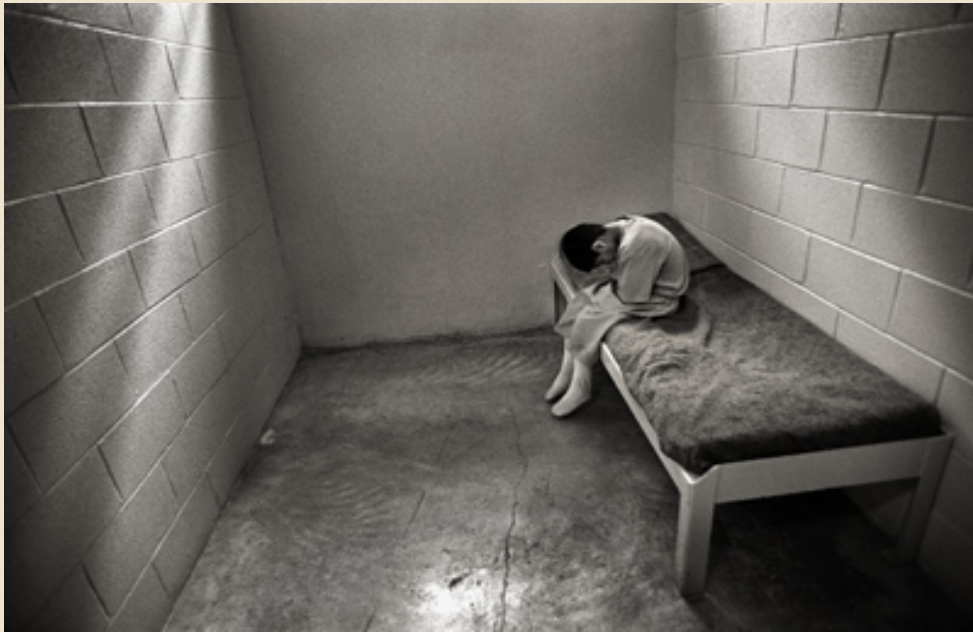
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SEARCH

A

***Why Fewer Prisons
Are Good For
Texas's Economy***





Four core myths that require direct address

- ❑ **Myth 1:** Race categories are biological realities.. we are fundamentally different “types of people.”
- ❑ **Myth 2:** Inequality today is economic, not racial.
- ❑ **Myth 3:** Some groups are smarter than others.
- ❑ **Myth 4:** Achievement is a result of “cultures’” approach to school.

***this means that just sharing disciplinary disparity data is not enough: myths will trump reality!*

Referrals By Race/Ethnicity

□ White Youth

- Smoking
- Vandalism
- Leaving w/o Permission
- Obscene Language

□ Youth of Color

- Disrespect
- Excessive Noise
- Threat
- Loitering

Uses for Data

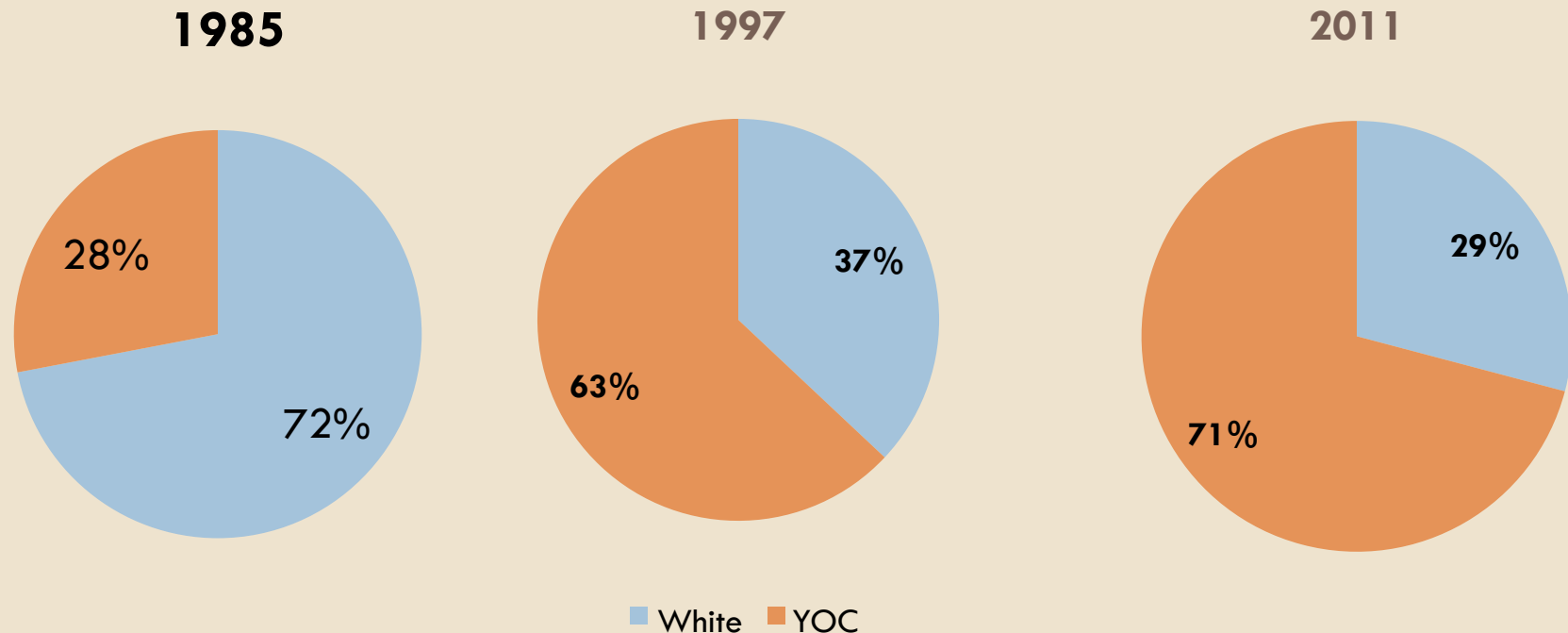
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- ❑ ~~Grant applications~~
- ❑ ~~Reporting requirements (federal or state law)~~
- ❑ ~~Academic studies (testing a hypothesis)~~
- ❑ To Inform and Drive Department Policy
 - ▣ To understand your system
 - ▣ To define and refine the problem
 - ▣ To establish reform goals
 - ▣ To select effective strategies
 - ▣ To track progress



National Data: Shift in Composition of Public Detention Centers

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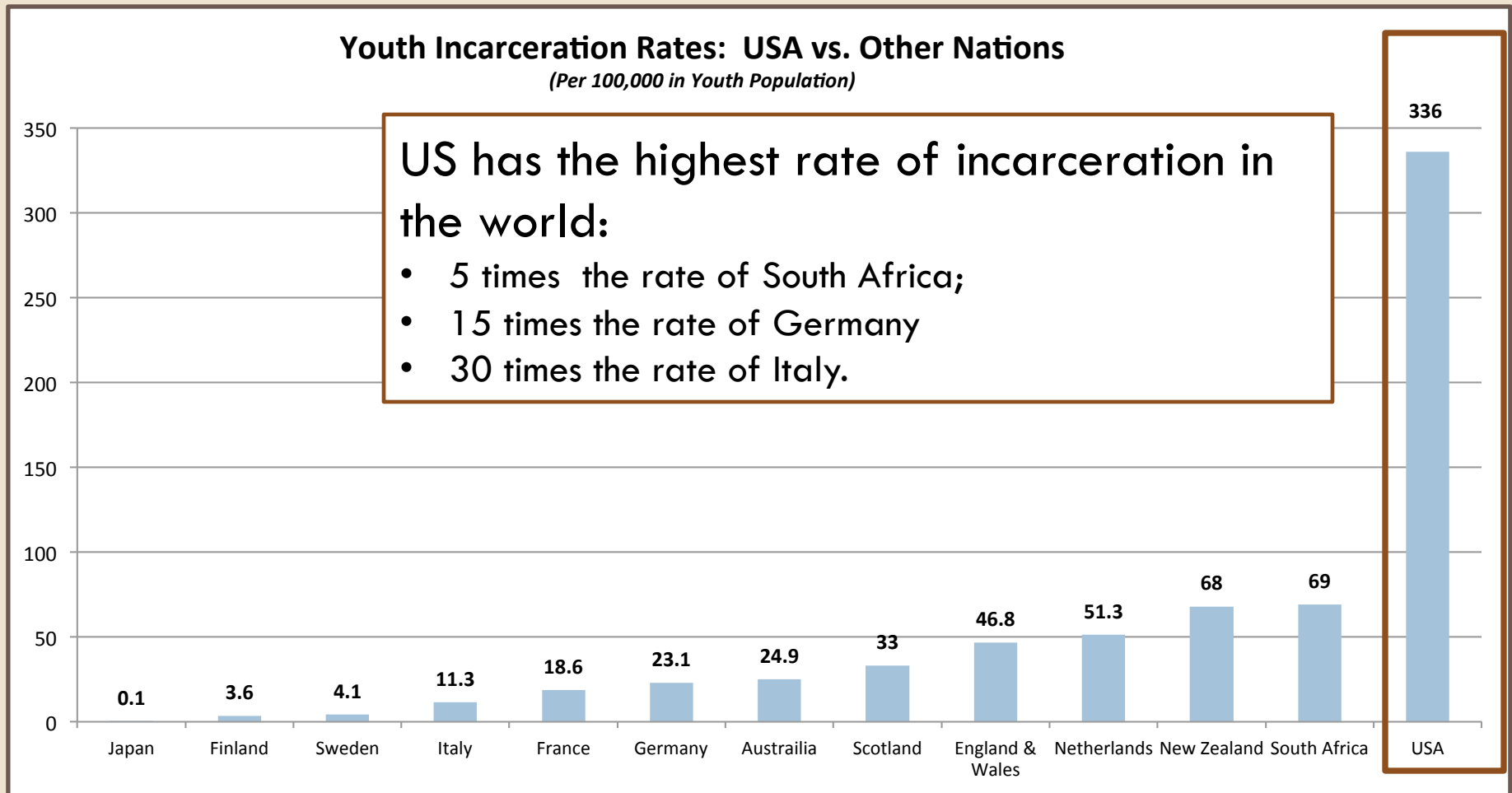


**Detention of youth of color has increased since 1985.
By 2011, 71% of detained youth nationwide were youth of color.**

Source: Census of Public and Private Juvenile Detention, Correctional and Shelter Facilities, 1985.
Census of Juveniles in Residential Placement, 1997 & 2011.

Youth Incarceration Rates

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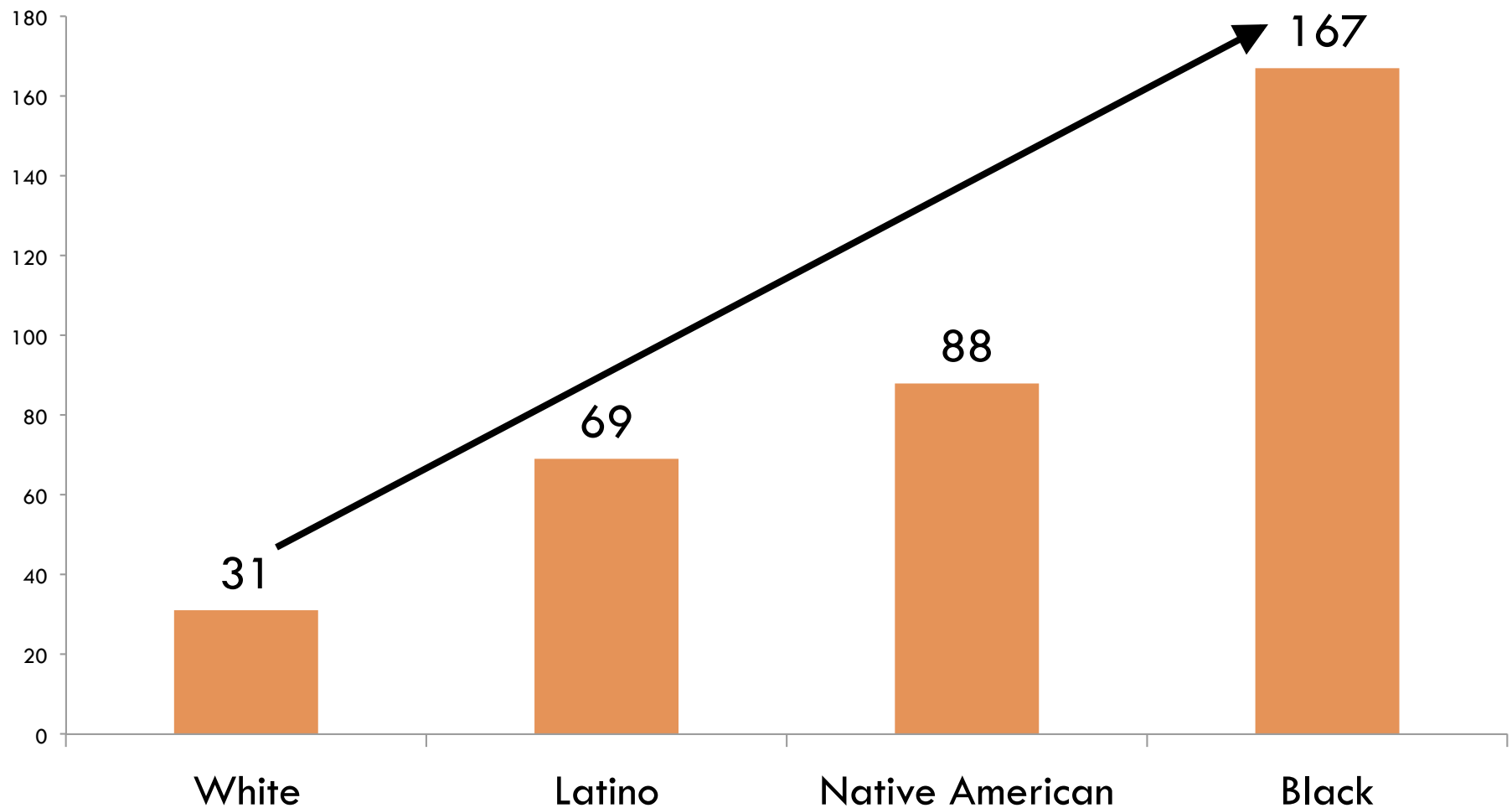


Source: Hazel, Neal, *Cross-National Comparison of Youth Justice*, London: Youth Justice Board (2008) as cited in The Annie E. Casey Foundation "No Place for Kids" (2011).

National Detention Rates

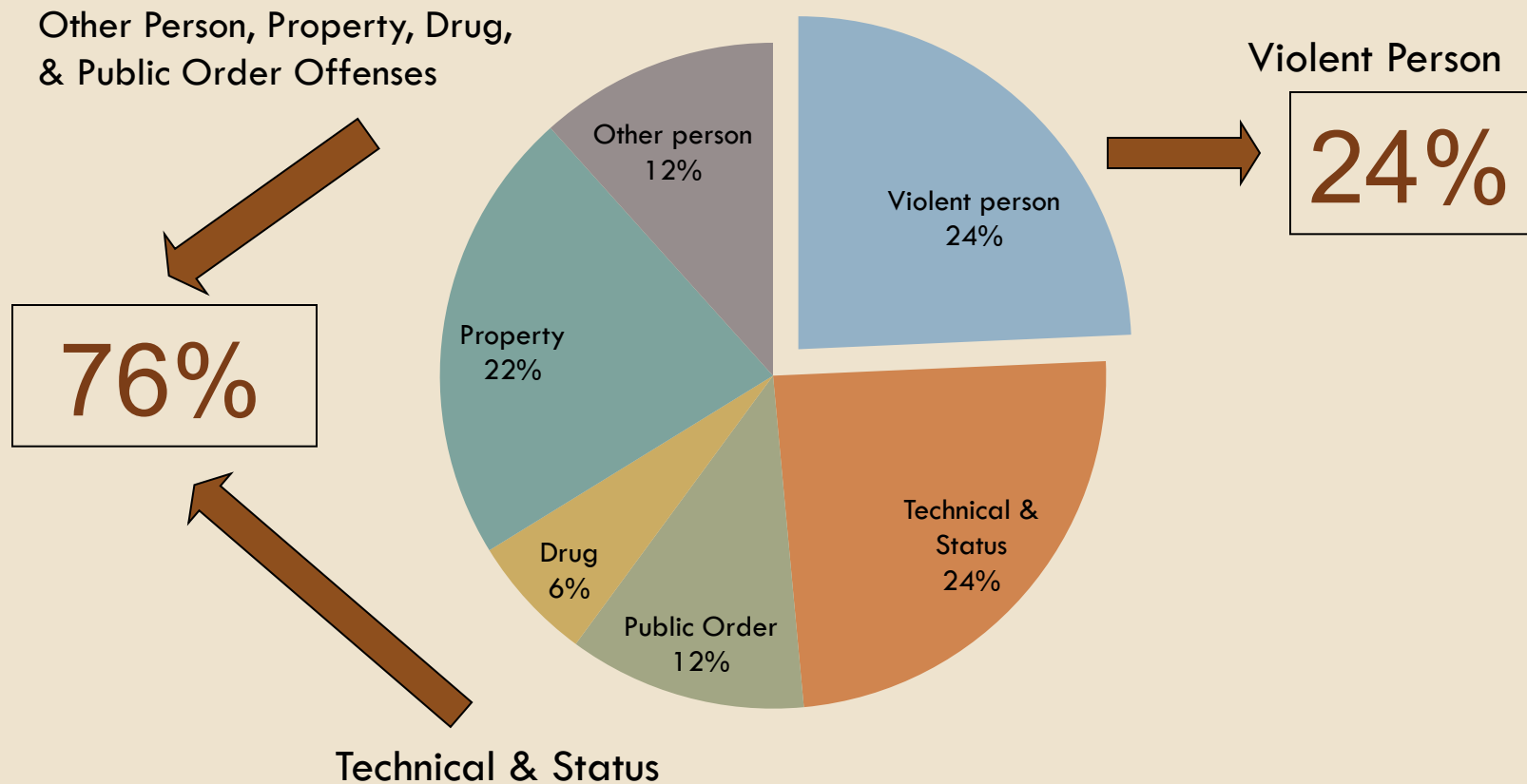
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One Day Count: U.S. Detention Rates (2011)



One-Day Counts in Detention (2011)

By Offense Category

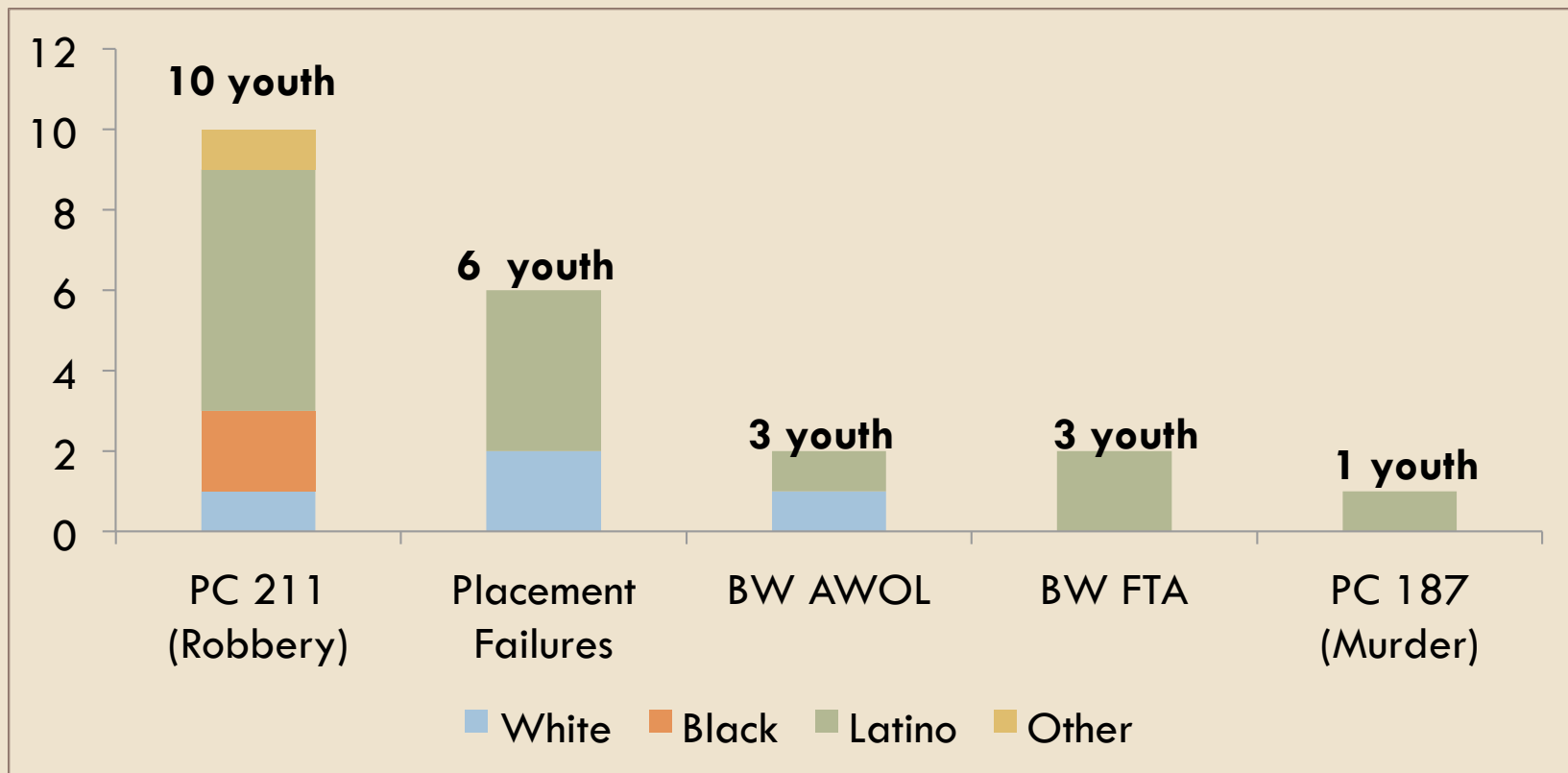


Violent person include homicide, violent sexual assault, robbery and Ag. Assault. Other Person includes simple assault.

Property crimes include burglary, theft, auto theft, arson.

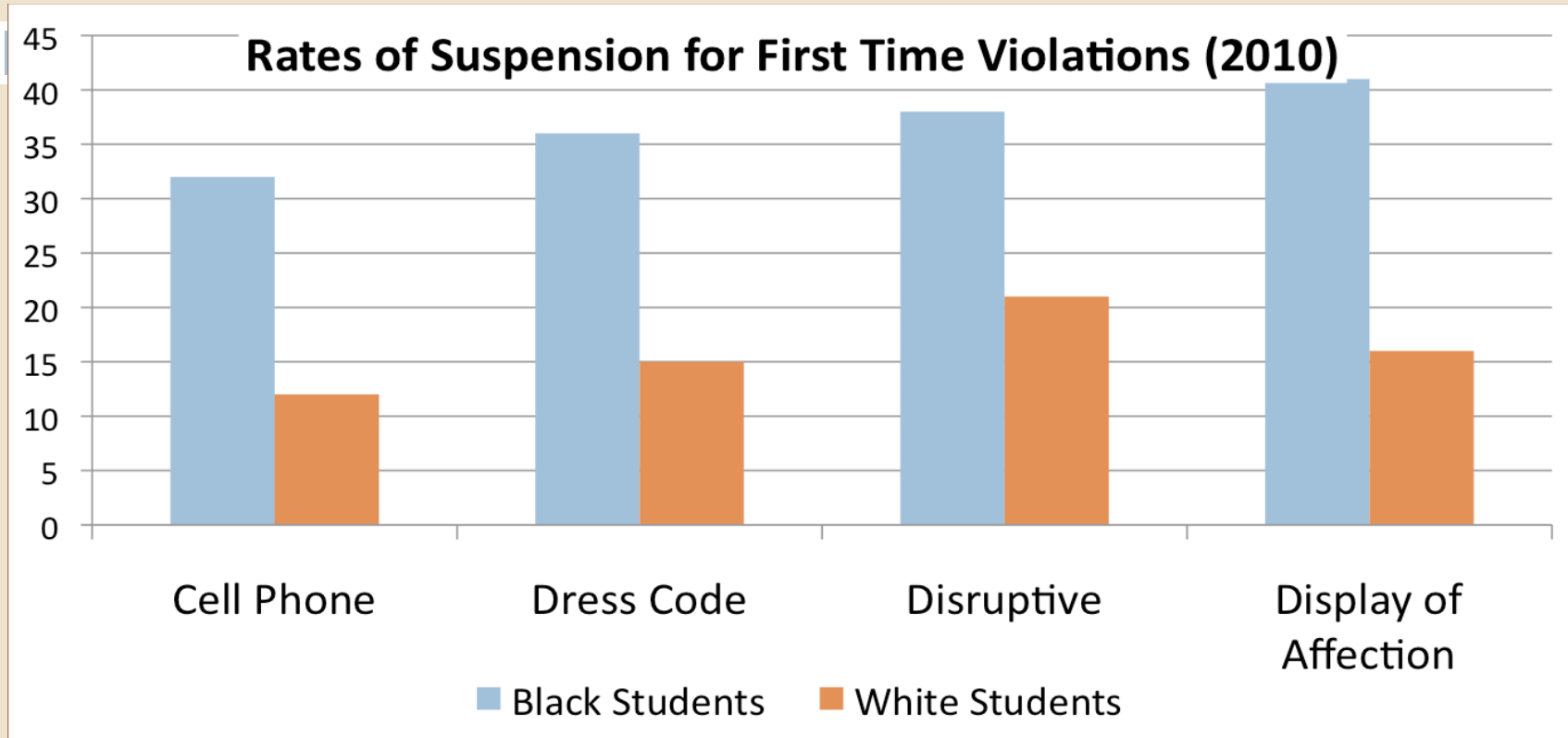
Source: Sickmund, M., Sladky, T.J., Kang, W., & Puzzanchera, C. (2013). "Easy Access to the Census of Juveniles in Residential Placement." Available: <http://www.ojjdp.gov/ojstatbb/ezacjrp/>

Top Five Offenses Contributing to Detention (Q2 2014)



Racial Disparities in School Suspensions

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Black First Time Offenders were suspended at higher rates than White First Time Offenders for the same minor offenses

Source: The data were provided by Jason Langford, Equal Justice Works Fellow and Staff Attorney for Advocates for Children Inc., Wake County, who received the data from the State of North Carolina pursuant to a legal request. The analysis was performed by Daniel Losen and presented in a PowerPoint presentation at the conference, *Safe Schools, Fair Schools: A Community Dialogue about School Suspensions in North Carolina*, at Wake County Community College on November 18, 2010.

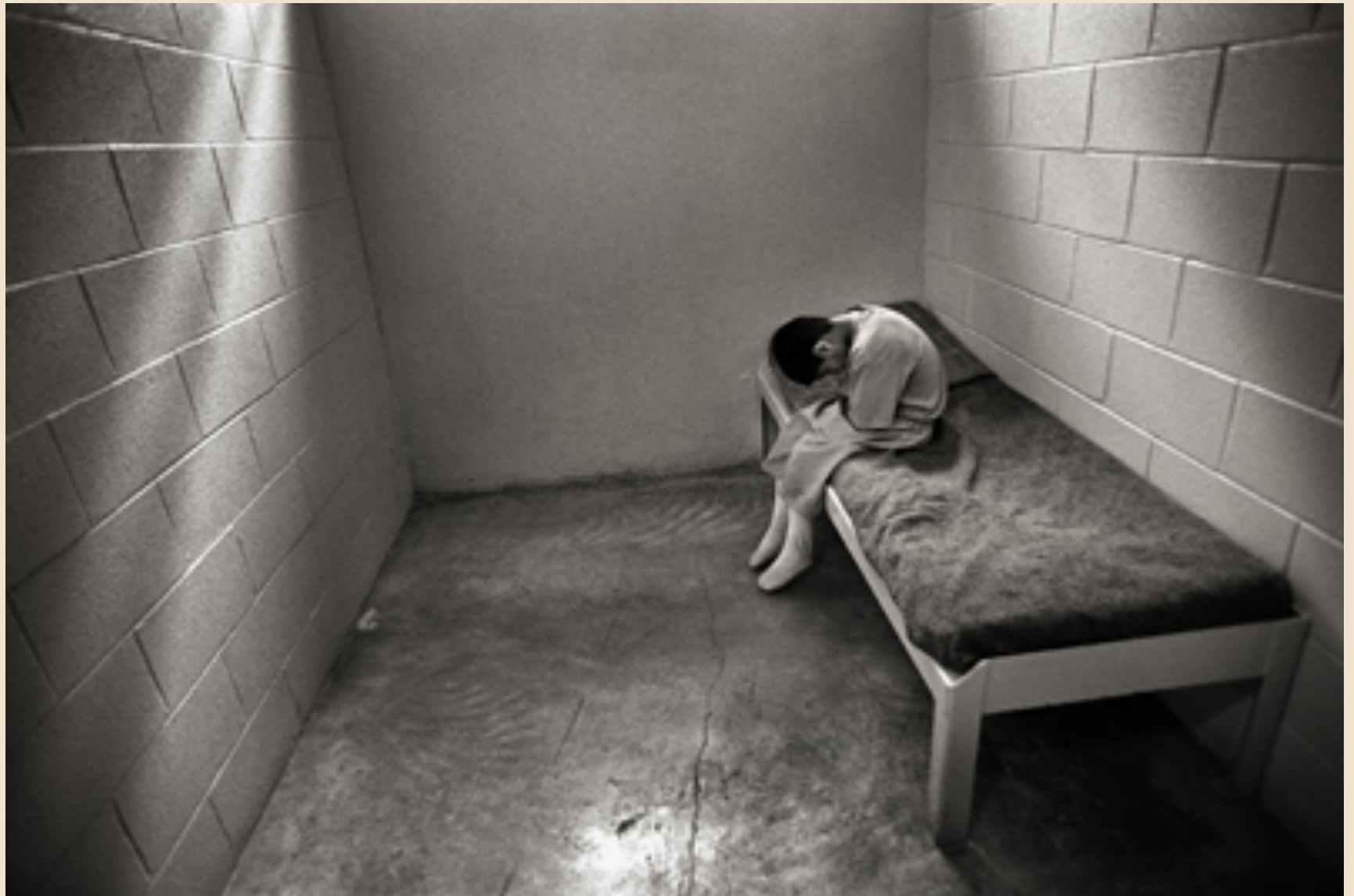
Suspensions Are Not Effective

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Significant negative impact of JJS involvement for youth!

Sources: Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement, July 2011. "Educate Every Child: Promoting Positive Solutions to School Discipline in Virginia," November 2011. Suspended Education in California, The UCLA Civil Rights Project, 4/10/12



Dangers of Detention

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- Detention **does not work** as a deterrent or effective conduit to services.
- Detention has a “**profoundly negative impact** on young people’s mental and physical well being, their education, and their employment.”
- Pre-adjudication detention is one of the best **predictors of commitment to a State juvenile corrections facility**
- On the whole, detention is arbitrary, discriminatory, and ineffective

Source: Holman, Barry and Ziedenberg, Jason, The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Congregate Facilities. Baltimore, Maryland: Annie E. Casey Foundation.

Suspensions Are Not Effective

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- Research indicates suspensions are strongly associated with low achievement/no academic benefit, and increase likelihood of dropping out.

- Suspensions:
 - ▣ Do *not* increase school safety
 - ▣ Do *not* increase parental involvement
 - ▣ Do increase teacher turnover
 - ▣ Do increase likelihood of juvenile justice involvement

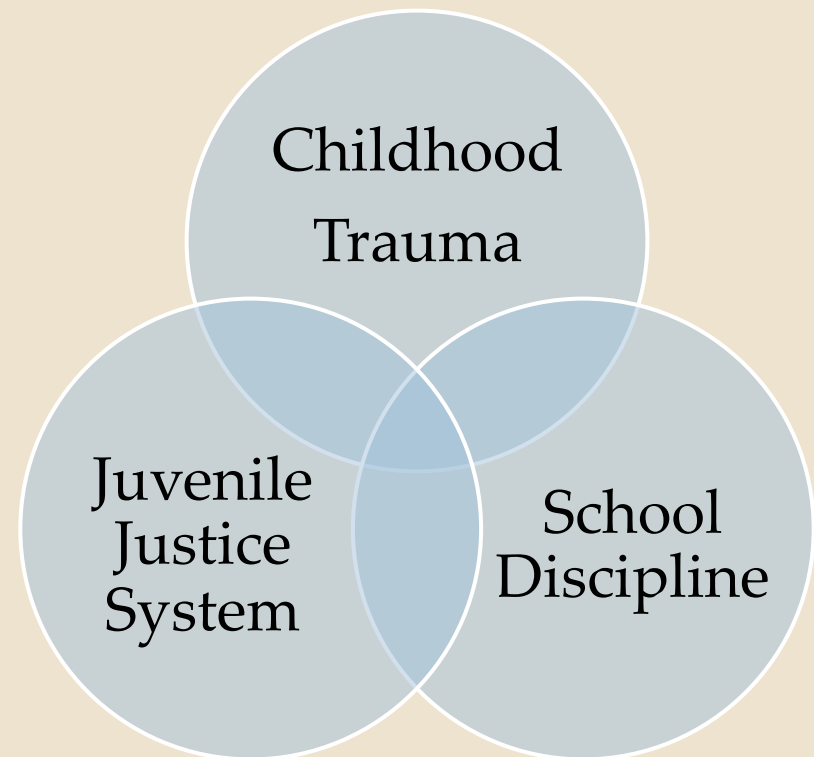
Sources: *Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement*, July 2011. "Educate Every Child: Promoting Positive Solutions to School Discipline in Virginia," November 2011. *Suspended Education in California*, The UCLA Civil Rights Project, 4/10/12

Training Goals

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1. Explore “non judicial drivers” propelling young people of color into the justice system, specifically:
 - a. School Climate & Discipline
 - b. Childhood Trauma
2. Explore Implications for Practice & Solutions

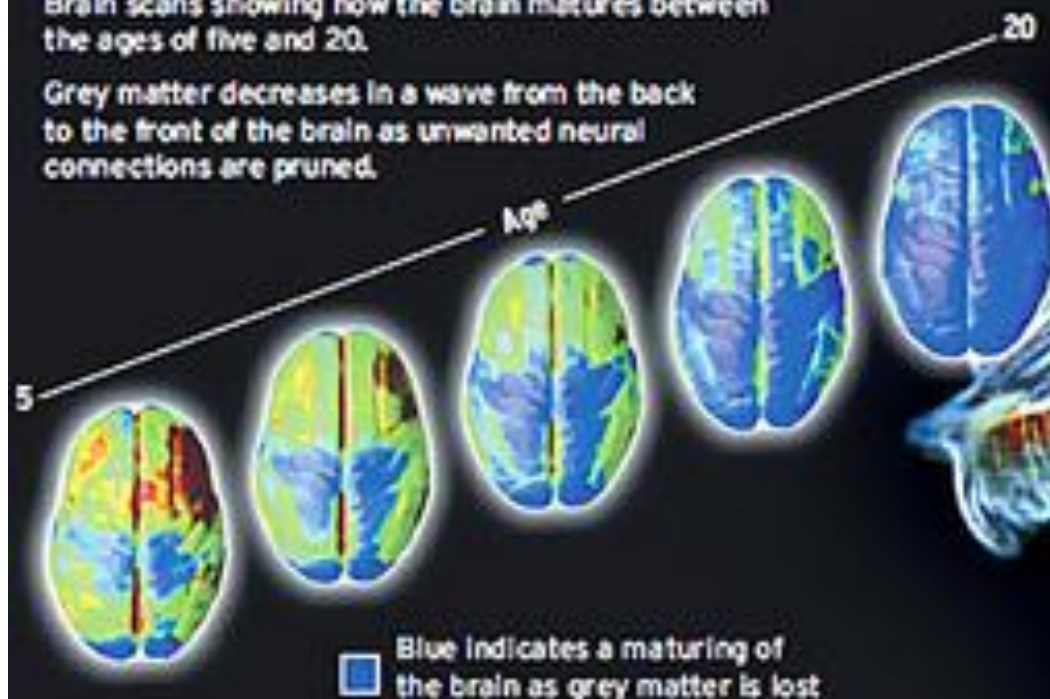
Youth of Color are more likely to experience **all three**



FROM HERE TO MATURITY

Brain scans showing how the brain matures between the ages of five and 20.

Grey matter decreases in a wave from the back to the front of the brain as unwanted neural connections are pruned.



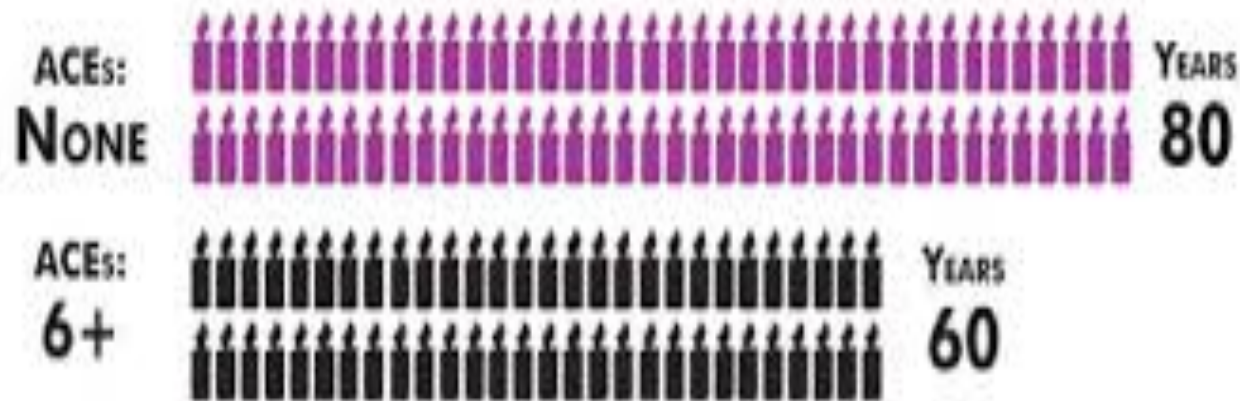
The Adolescent Years

- Greater capacity to learn and create
- Increased risk of damage from drugs and alcohol
- Increased risk of developing addiction
- Increased risk of mental illness
- Increased desire for risk taking
- Parts of brain that control impulses and emotions not yet mature



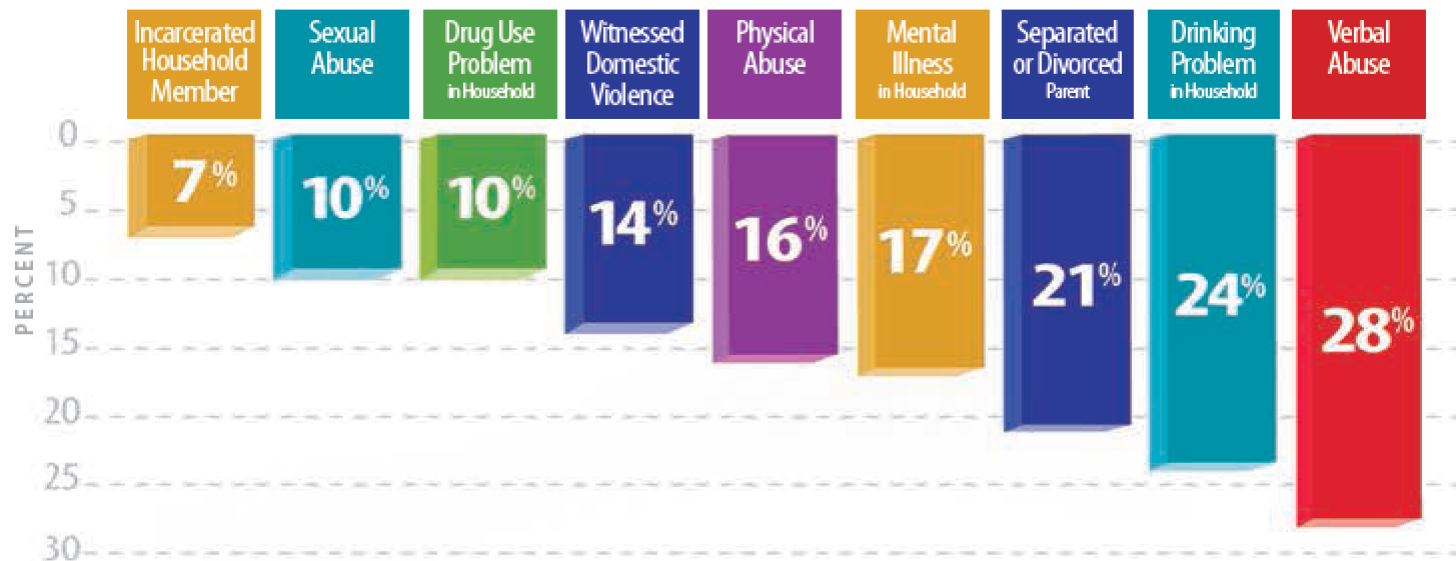
CHILDHOOD TRAUMA'S IMPACT ON LIFE EXPECTANCY

On average, people with six or more ACEs died nearly **20 years** earlier than those no ACEs



PREVALENCE OF INDIVIDUAL ACEs

MINNESOTA 2011



Trauma Symptoms

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Trauma Symptoms

- Indifference
- Defiance
- Aggression
- Risk Taking
- Rule/Law Breaking

In School...

- Indifference
- Defiance
- Aggression
- Risk Taking
- Rule/Law Breaking

In the Community...

- Indifference
- Defiance
- Aggression
- Risk Taking
- Rule/Law Breaking



Suspensions/
Expulsions



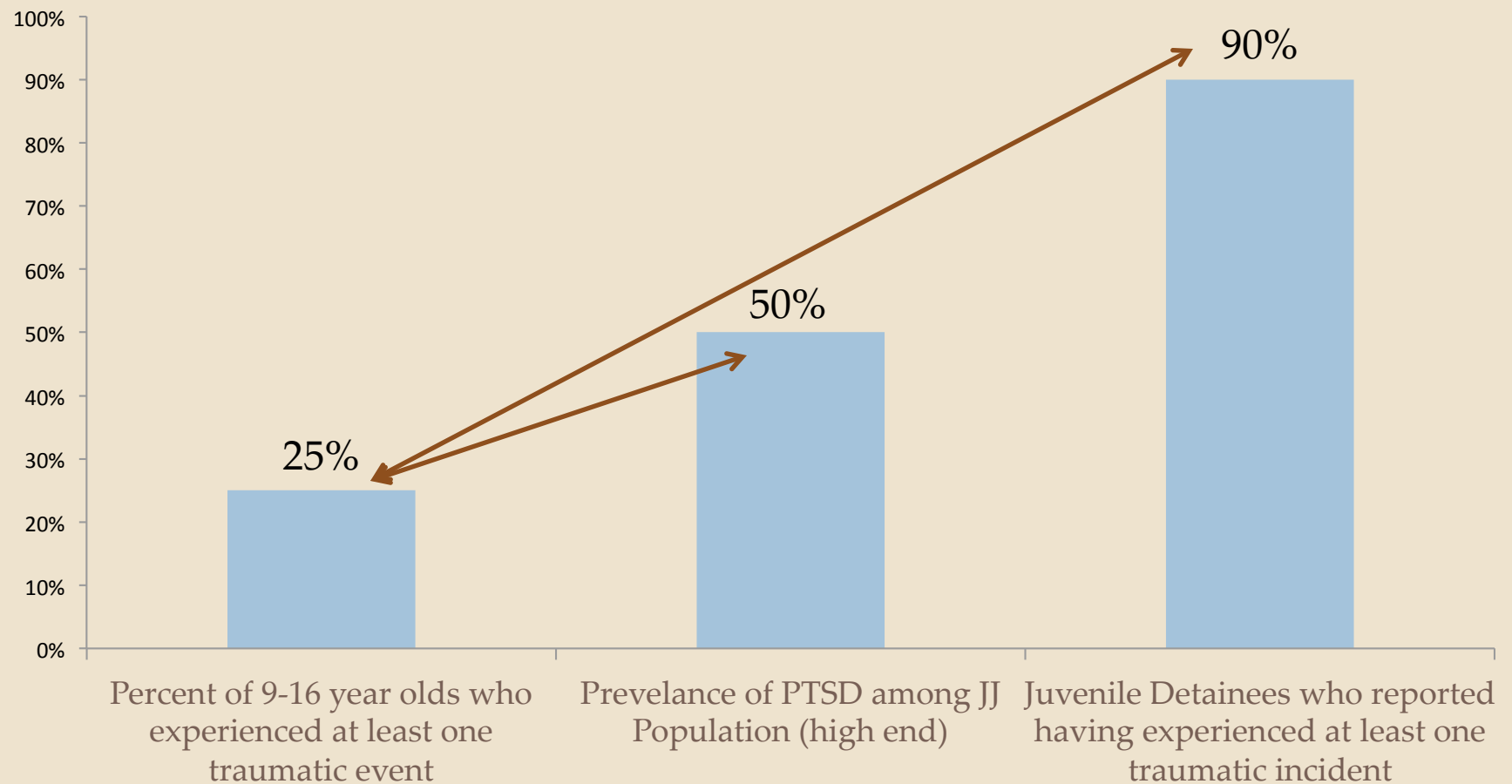
“Delinquency”



Juvenile Justice System

Prevalence of Trauma for Youth in the Justice System

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Source: "Trauma Among Youth in the Juvenile Justice System: Critical Issues and New Directions," National Center for Mental Health and Juvenile Justice (June 2007).

Scholastic Expectations

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- Success in school requires:
 - *Confidence, focus, ability to regulate emotions, skills to understand and negotiate social relationships*

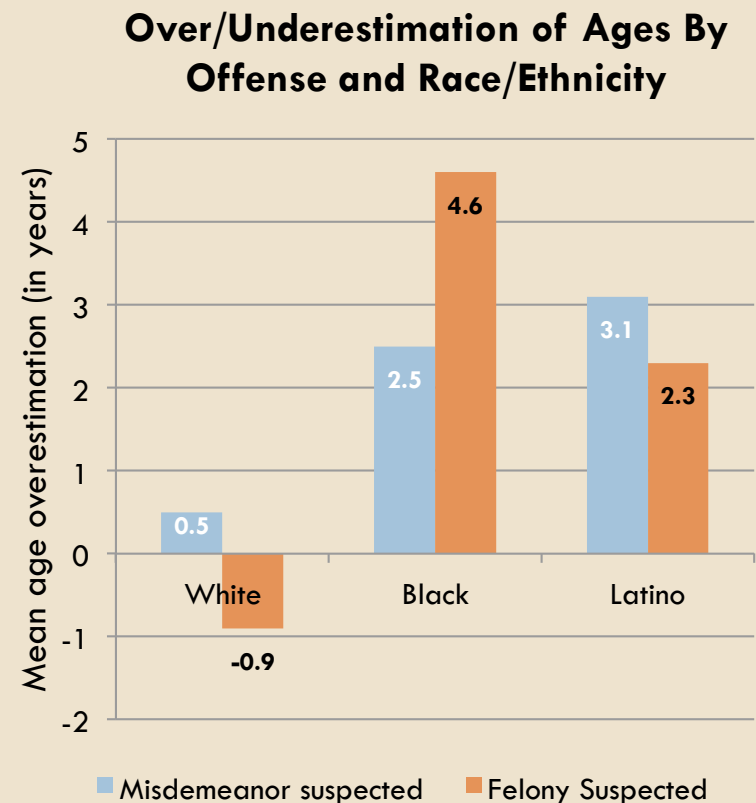
- Coping mechanisms developed in response to trauma (withdrawal/hypervigilance) fundamentally conflict with the skills and focus needed to succeed in school

Source: Ten Things Every Juvenile Court Judge Should Know About Trauma and Delinquency, Kristine Buffington, MSW, Carly B. Dierkhising, MA, Shawn C. Marsh, Ph.D., NCTSN, NCJFCJ, OJJDP, 2010.

Studies on Black Boys and Perceived Childhood by Police Officers

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- Black boys are seen by Police Officers as less “childlike” than their White peers
 - ▣ Older
 - ▣ More Culpable/Less Innocent
- Childhood characteristics are perceived as less relevant to Black boys





- Race Ethnicity Major Factor in Discipline
- Most discipline outside code
- 6 million school and juvenile court records

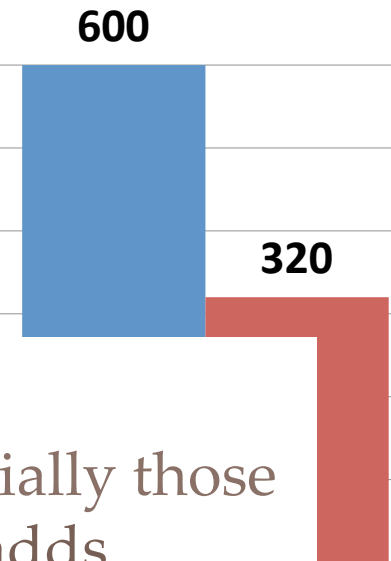
School-Based Interventions for Reducing Disparities

- **Effective schools address disparities *in context*. They consider the conditions for learning and the school climate more broadly.**
- **Effective schools offer equity-oriented prevention and intervention to “*resolve and educate*” not “*deport and discipline*.”**
- ***Preventing discipline disparities:***
 - Offer supportive relationships, academic rigor, culturally relevant and responsive teaching, and bias-free classrooms and respectful school environments
- ***Intervening when conflict occurs:***
 - Problem-solve, engage youth and families, and reintegrate students after conflict.
 - Engage promising practices re: objective decision-making for disciplinary referrals.

Paradigm Shift in Walla Walla, WA School

“Wow, Are you Ok?” approach

dramatically decreased suspensions, expulsions and written referrals



- ❑ Old Philosophy: “Discipline with Dignity”
- ❑ Paradigm Shift: Punishing misbehaviors, especially those borne out of trauma, does not work. It simply adds trauma to an already traumatized kid.
- ❑ New Philosophy: “Wow, Are you ok?”

■ 2009-2010

■ 2010-2011

Sources: Lincoln High School:

Garfield High School

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Timeline of Reform

- '07-'08: PBIS implemented as suspension/expulsion alternative
- '08-'09: Moratorium on suspensions
- '09-'10: Computer-based referral process (COST)
 - ▣ Written Discipline Policy
 - ▣ List of required interventions
 - ▣ School broken into academies
 - ▣ Parent inclusion

Response to Fights Before:

1. Discipline Referral to Dean
2. Suspension

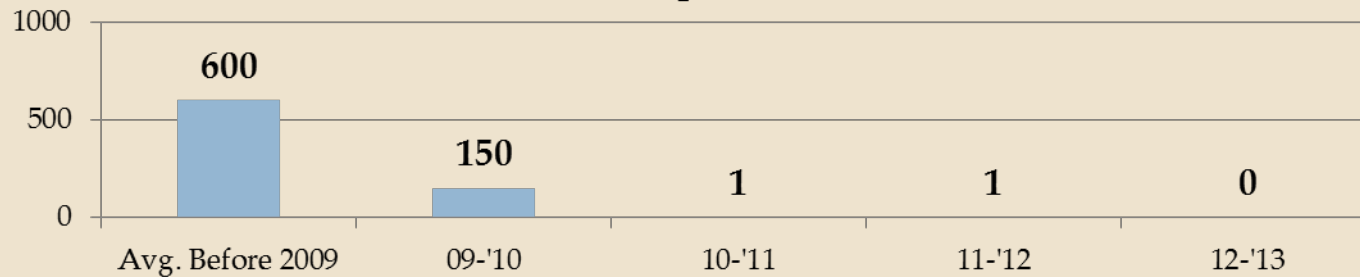
Response to Fights Now:

1. Teacher interventions
2. Counselor interventions
3. Discipline Referral
4. Dean looks at:
 - Attendance
 - Grades
 - Whatever helps determine a reason
3. Response = Education

Garfield High School - Results

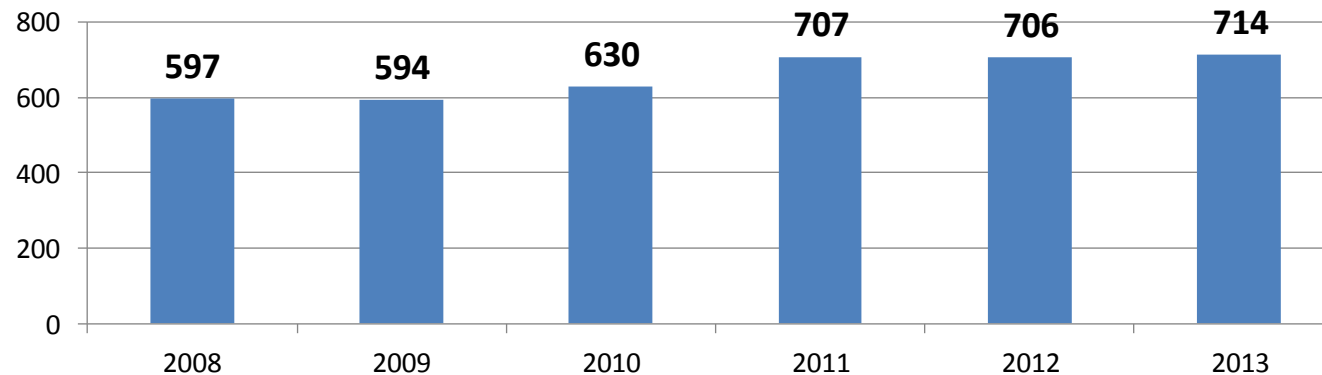
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Suspensions



Suspensions fell
by 100% within
4 years

Academic Performance Index (API)



API score
increased by
20% in 5 years

2012 Graduation rate: 79%

Graduation Rate:
3 points better than CA average
8 points better than LAUSD

Other Strategies

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□ Practice mindfulness

- ▣ meditate or breathe deeply with students for a few minutes at the beginning and/or end of class (Center for Youth Wellness)

□ Enhance predictability

- ▣ Clearly communicate schedule of lessons and activities
- ▣ To avoid triggering reactions, preview new people/places & remind students of rules

□ IEPs can be helpful for children without disabilities who have experienced trauma

□ Systematically integrate “get to know you” activities into instruction

- ▣ Daily morning circles or check-ins about students’ thoughts, feelings and experiences
- ▣ Assign autobiographies or portfolios of students’ interests, skills, and accomplishments
- ▣ Teachers can also share about themselves
- ▣ Relationship between educator and student is incredibly important: this is what creates space for learning

Sources: Center for Youth Wellness; Helping Traumatized Children Learn: A Report and Policy Agenda, p. 61-66; Discipline Disparities: A Research-to-Practice Collaborative.

Contact Us

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