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THE STATE OF BLACKS IN MIDDLE TENNESSEE

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The *Cradle to the Prison Pipeline* in Nashville-Davidson County

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The *Cradle to the Prison Pipeline* describes the cumulative factors that lead to the disproportionate incarceration and marginalization of at-risk youth. The Children's Defense Fund, the nation's leading child advocacy group, states that one-third of black children and one-sixth of Latino children have a chance of going to prison in their lifetime.¹ Children performing poorly in elementary school will likely be incarcerated at some point in their lives. Unfortunately, the Cradle to the Prison Pipeline is a growth industry that disproportionately impacts black children. For example, black children are suspended from school at an alarming rate and there has been an increase in the number of children transferred to adult court despite the overall decline of violent crime in Nashville-Davidson County.² According to a Disproportionate Minority Contact and Confinement (DMCC) Taskforce report, as much as 80% of the local youth transferred to adult court are African Americans. Drawing from personal narratives as former teacher, a one-time case manager with the Department of Children Services, and as Assistant Public Defender in the Juvenile Court of Davidson County,³ I describe how the Cradle to the Prison Pipeline exacerbates the maltreatment of black children. I conclude the essay with a number of recommendations for dismantling the Pipeline system.

CRADLE TO THE PRISON PIPELINE

Six decades after the historic *Brown v. Board of Education* (1954) court decision declared school desegregation as unconstitutional, many black children face a difficult future. In recent years, zero-tolerance measures, family instability, and incarceration have adversely impacted at-risk children and fortified the Cradle to the Prison Pipeline. The risk factors contributing to the Pipeline include illiteracy, poverty, poor health care, domestic violence, mental health issues, teen pregnancy, unemployment, the lack of positive role models, and truancy. Young people from communities with high and interrelated risk factors are more likely to fall victim to the Pipeline system.

One of the most significant indicators of the Pipeline system is the high detention of black youth in the juvenile justice system. This is costly to the individual, the black community, and Nashville-Davidson County. Juvenile Court Judge Betty Adams Green stated, "The people we lock up are not paying taxes.... Do you think you're going to pay now or you're going to pay later." The price of one youth incarceration, Green stated, is \$67,000 per year. It drains society of resources and takes potentially viable young people from their communities.

As an Assistant Public Defender in the Juvenile Court, I see many examples of the devastating impact of the juvenile justice system on families in Nashville. One day I had a case where a child had been transferred from Juvenile Court to Criminal Court. Though he was initially in detention on a minor charge, the child was transferred to the adult criminal justice

¹ Children's Defense Fund, *America's Cradle to Prison Pipeline*, 2nd edition, 2007, p. 4.

² Kyle Mothershead, "Reality Check: Debunking the Myth of the 'Growing Rate of Juvenile Crime in Nashville' and other Fantasies," *Nashville Bar Journal* vol. 10, no. 3 (April 2010): 14-15.

³ The views expressed in this essay are not those of the Metro Public Defender's Office, but from my experience as a mother, community parent, and community organizer/advocate.

system on another charge. I attempted to negotiate an offer with the Assistant District Attorney to have him released early so he could attend summer school. The District Attorney refused even though the child's release date was set just a few days after the start of school. I cried that day. I cried for the child and for his girlfriend who had been my student during my previous job as a substitute teacher. I cried because many of our young people are taught that punishment is valued over opportunity. I cried because our children are continuously taught that they are not good enough.

Equally devastating is that the Pipeline system reproduces a sense of inferiority and anger among black children. I learned this from a troubling conversation with my four year old son. One day as we were dropping off his older sister at school, my son said, "I don't want to be black. I want to be white...black is bad. I don't want to be black." What sparked this statement was the daily presence of a police car at his sister's school, routinely watching over black children. My son observed the invisible signs of inferiority communicated to black children at an early age.

Inferiority and anger cause black children, especially boys, to act out and rebel. They rebel by refusing to comply with orders from educators they feel don't care about them. They rebel by refusing to learn from schools that don't teach their history and self-worth. They rebel against any and all institutions that they perceive as unjust. Yet, nonetheless, as Professor Gilman Whiting points out in his essay, we must teach black boys that unconstructive responses to injustices only hurt them and our community. Thus, we must teach black boys that they don't have to be passive, but can actively resist injustice and inferiority in productive and effective ways.

Suspension, expulsion, and detention (zero tolerance measures) are other components of the Pipeline system. Although zero tolerance measures are used to discipline behavioral problems, studies have shown they are strongly correlated with high drop-out rates, the commission of crimes and incarceration, and poor school performance.⁴ According to a DMCC report, in the 2008-2009 school year, African Americans made up 48% of the Metropolitan Nashville Public School system, but 67% of suspensions and 66% of expulsions, compared to their white counterparts who made up 33% of the student body but 21% of suspensions and 17% of expulsions. Many children are suspended for minor infractions such as arriving late to classes or not wearing the proper uniforms to school. These disciplinary measures are likely to increase with the re-zoning of black children to segregated schools (or what are commonly referred to as "neighborhood schools") in 2009. Many children also face dual punishment as they are suspended from school and then prosecuted in court for the same offense.

RECOMMENDATIONS FOR CHANGE

Despite the prevalence of the Cradle to the Prison Pipeline system, it is important to highlight some recommendations for remedying the crisis. Some positive initiatives are actually taking place inside of MNPS and need to be expanded. One of these is the School-wide Positive Behavior Support framework to address inferiority, anger, and the lack of discipline. It sets

⁴ Civil Rights Project (Harvard University), *Opportunities Suspended: the Devastating Consequences of Zero Tolerance and School Discipline Policies*, Report from a National Summit on Zero Tolerance (Washington, DC, June 15-16, 2000).

expectations that children must abide by, then defines the rewards and consequences of meeting the expectations required for maintaining a positive school climate. This framework, according to early indications, may reduce school suspensions.

Nashville may also look to the SHAPE program in Memphis, which reduces the amount of referrals from schools to the Juvenile Court, and minimizes the risk factors that contribute to the Cradle to the Prison Pipeline. SHAPE keeps children in school and gives them the requisite support, instead of exposing them to the juvenile justice system. The local DMCC Taskforce reinforces this program by reducing the number of citations/referrals that come to Juvenile Court from the schools.

Finally, the Children's Defense Fund has recommendations for dismantling the Cradle to the Prison Pipeline. A modified summary of the recommendations that can be adopted in Nashville are as follows:

1. A coalition of civic groups should establish a network of 2,000 black professionals who will mentor and tutor children from 15 of the lowest performing schools.
2. Civil rights groups should establish election and legislative scorecards that evaluate candidates' positions on child protection/empowerment policies, offer direction to voters about these candidates, and monitor the votes of elected officials once they're in office.
3. Child advocates should coordinate 30 house parties—local gatherings in the homes of concerned residents—to educate others about the Pipeline system, and what they can do to dismantle it.
4. Connect homeless and foster care youth to mentoring and tutoring programs.
5. Organize forums highlighting funding disparities between prisons and education in our nation.
6. Establish support networks that assist single-parents with child care and transportation to job readiness seminars.
7. Beginning with middle school, every school should require their students to attend a “next-educational level activity” that requires them to visit a college promotional activity. For example, every student from North Nashville's John Early Middle School should be required to visit Fisk University or another college, and this activity should be repeated until their senior year in high school.
8. Faith-based institutions such as the Interdenominational Ministerial Fellowship (IMF) should establish a “Cradle Roll” initiative that invites churches to connect children in their congregations to caring adults or mentors.
9. Encourage alternatives to incarceration such as restitution, community service, electronic monitoring, drug rehabilitation treatment, or placement in a “staff secure” (but not locked) community corrections facility. For example, the Juvenile Court may recommend that non-violent youth offenders be supervised by community groups with histories of working with at-risk youth such as Nashville's Dirty Dozen organization.
10. MNPS should adopt child-appropriate discipline policies and procedures. It should further establish a parent education program to inform families about conflict resolution in the home and neighborhoods.

11. Ensure that children in foster care and detention receive high-quality treatment to address their mental, behavioral and emotional needs.
12. Expand “second chance” programs for high school dropouts, ex-offenders, and at-risk youth to secure their GEDs or to assist with job training and employment.
13. Create partnerships with local businesses, schools, and churches to create high-quality exit programs for those leaving the juvenile justice system.

I believe these recommendations, if adopted, can help dismantle the Cradle to the Prison Pipeline, and help create a “Pipeline to Success” for many at-risk youth. They can provide tools to resist injustice, inferiority, and anger. They can help black children realize their power, brilliance, and humanity.