

**United States Senate Judiciary Committee**  
**Subcommittee on the Constitution, Civil Rights and Human Rights**  
**Senator Richard J. Durbin, Chairman**  
**“Ending the School-to-Prison Pipeline”**  
December 12, 2012

This is the first-ever congressional hearing on what is called the “school-to-prison pipeline.” In the past, this Subcommittee has examined other troubling aspects of our criminal justice system, like solitary confinement and racial profiling. Today, we will discuss another disturbing trend: For many young people, our schools are increasingly a gateway to the criminal justice system. What is especially concerning about this phenomenon is that it deprives our children of their fundamental right to an education.

Beginning in the 1990’s, concerns about school violence and a growing awareness of bullying led many schools to hire police and institute “zero-tolerance” policies. This resulted in a dramatic increase in suspensions, expulsions, and even in-school arrests for misbehavior that is normal for school children.

This school-to-prison pipeline has moved scores of young people from the classroom to the courthouse. A schoolyard fight that used to warrant a visit to the principal’s office can now lead to a trip to the booking station and a judge.

Sadly, there are schools that look more like prisons than places for children to learn and grow. Students have to pass through metal detectors, and police roam the halls.

Suspensions, expulsions, and in-school arrests lead to kids being out of the classroom, and a troubling increase in the number of young people sent to the juvenile justice system. According to one leading study, students who were suspended were two times more likely to repeat a grade and three times more likely to be involved with the juvenile justice system.

Once kids enter the justice system, they are more likely to fail in school, which in turn increases their chances of being arrested in the future. This is a cycle with increased public safety risks for everyone in the community. And the pipeline is expensive. The costs of policing schools and unnecessarily housing juveniles in detention are enormous.

The racial disparities are stark:

- Nationally, African-American students are three times more likely to be suspended and four times more likely to be expelled than their white peers.
- And more than 70 percent of students arrested in school are African-American or Latino.

What’s more, the disparities extend beyond race. Nationally, students with disabilities are suspended at more than twice the rate of students without disabilities. And gay, lesbian, bisexual, and transgender youth are more likely to be disciplined and arrested than their peers.

Let me be clear. We cannot blame teachers and school administrators for the school-to-prison pipeline. Teachers have one of the hardest – and least appreciated – jobs in America, and we have to give them the tools, training, and resources to deal with this problem. With ever-shrinking resources, many public schools are overwhelmed.

I remember when Derrion Albert was killed near his high school on the south side of Chicago in 2009. It was a tragedy for his community and the entire city. In the aftermath of tragedies like that, our first instinct is to protect children, and our number one priority has to be keeping them safe. The challenge is how to accomplish that without over-disciplining students into failure.

Today, our witnesses will explain how we can meet this challenge. Around the country, students, judges, educators, and police have instituted creative reforms. They have made our schools and communities safer, saving millions of dollars in reduced incarceration costs and investing in better futures for our youth.

My home state of Illinois is part of this movement. Redeploy Illinois, a bipartisan initiative, helps counties provide comprehensive services to at-risk youth in their home communities. For an annual cost of \$2.4 million, participating counties have reduced juvenile detention rates by more than 50%, saving the state approximately \$40 million.

And Chicago Public Schools are also taking steps to address the pipeline, like reducing the length of automatic suspensions and encouraging what is known as “restorative justice,” which involves fellow students in mediating conflicts. Just this summer, CPS announced a brand new student code of conduct to promote positive learning environments and limit unnecessary disciplinary actions. Yesterday, I spoke with new Chicago Public Schools CEO Barbara Byrd-Bennet, and I am committed to working with her to build on these positive steps.

I look forward to hearing more about solutions to this pressing national problem from our witnesses today.