

# Vera Institute of Justice

## Criminal Justice Issues and Prisoners' Rights

### <https://www.vera.org/blog/gender-and-justice-in-america/how-the-criminalization-of-adolescence-fuels-the-school-to-prison-pipeline>

## Public Facing Advocacy Writing

In her new play on the school-to-prison pipeline, [Notes from the Field](#), actress and playwright Anna Deveare Smith reenacts interviews with 17 people from the education and criminal justice systems. The school-to-prison pipeline is a national trend in which children are pushed out of public schools and into the juvenile justice system. Smith's play highlights this issue most powerfully when she tells the story of Shakara, a 16-year-old girl who was filmed being dragged across a South Carolina classroom by a school resource officer (SRO).

The incident, which occurred when Shakara was caught using her phone in class and refused to give it to her teacher, went viral shortly after the footage was shared online. Because disrupting school is a [crime](#) in the state of South Carolina, a misdemeanor punishable by up to 90 days in jail, former SRO Ben Fields came into the classroom to apprehend Shakara (her last name has not been released because she is a minor). Fields also removed Shakara's classmate Niya Kenny from class for filming the event on her own phone. Kenny, who was 18 years old at the time, was [ultimately suspended, arrested, and sent to a detention center](#).

Last August, the ACLU filed a federal [lawsuit](#) on behalf of Kenny and other students, challenging South Carolina's disturbing schools law, under which [hundreds of students](#) as young as seven years old have been charged. On November 28<sup>th</sup>, the Department of Justice filed a [statement of interest](#) in the case, explaining that the law is unconstitutionally vague and contribute[s] to the school-to-prison pipeline, the cycle of harsh school discipline that brings young people into the justice system and [disproportionately affects, among others, students of color and students with disabilities](#).

[Research](#) from Columbia University shows that girls of color, particularly black girls, are subject to harsher and more frequent punishment than their white peers. Additionally, black girls are six times more likely to be suspended than white girls, a disparity much deeper than that between white boys and black boys, according to the study using data from the Department of Education's Office of Civil Rights. Lindsay Rosenthal, senior program associate at Vera's Center on Youth Justice (CYJ) and co-author of a groundbreaking report on the criminalization of girls of color who have experienced sexual abuse and trauma, says, "For girls of color, who are stereotyped as promiscuous, loud, and aggressive, even wearing a tank top to school can count as disturbing school under these vague statutes."

Disturbing school is currently illegal in 22 states including South Carolina, but some schools are taking steps to rethink the use of discipline on campus. We want the default response to be to call for a guidance counselor or social worker, not law enforcement, Rosenthal says.

Recently, new solutions have emerged, emphasizing the importance of connecting families with social services in their communities instead of relying on courts to handle student misconduct. Mahsa Jafarian, a program associate in CYJ and author of an upcoming report on status offenses and the criminalization of youth misbehavior, says, "These cases don't belong in the justice system. We have too often turned to cops and courts to take care of problems that aren't about public safety, and that we otherwise can't or won't address. But our reactive and punitive responses cause harm to kids. These adolescent misbehaviors call for support and guidance, and we're now seeing schools and communities come together to create policies and services that can actually help kids do better."

Vera is working to address these issues and reduce the numbers of girls in the juvenile justice system, including through a project funded by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to end girls' incarceration in New York City. Additionally, Vera's [Status Offense Reform Center](#) (SORC) has worked with schools across the country to transform the system into one that is less punitive and more community-based and family-focused. To do this, the SORC has developed a [Toolkit for Status Offense System Reform](#), which provides resources for policymakers and practitioners to create alternatives to keep youth out of the juvenile justice system.

Smith's play, like Kenny's video, is one of the many ways the public is learning to question the role of punishment in education and dismantle the school-to-prison pipeline. In the final lines of the first act, Smith, playing Kenny, is asked why she filmed the officer throwing Shakara from her desk. She looks out at the audience and replies, "How can you mind your business? That seems like something you should make your business."

Through the [Gender & Justice in America](#) blog series, Vera will explore issues facing justice-involved women and girls in the fields of adult corrections, youth justice, immigration, victimization, substance use, and mental health.

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