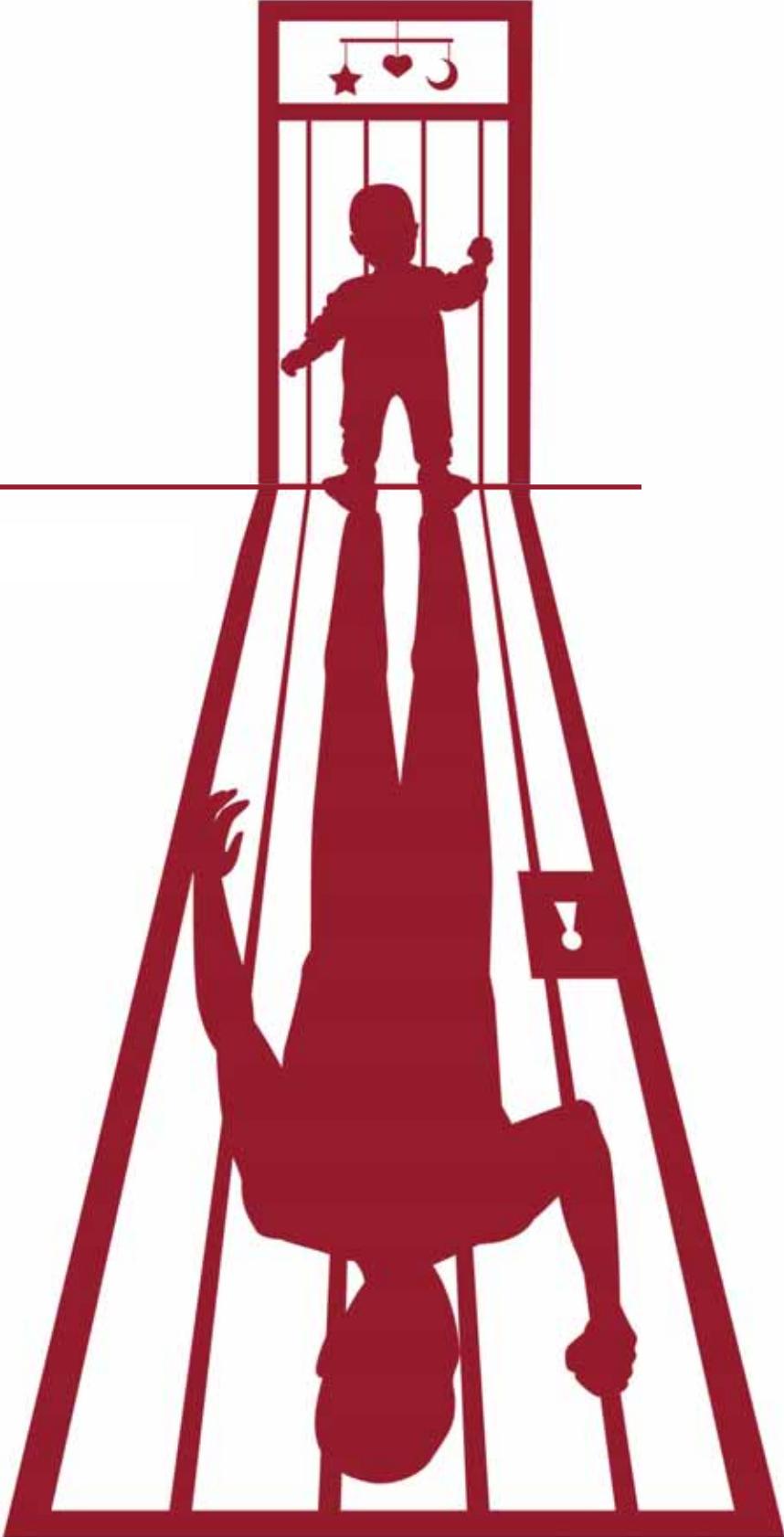


# Part I

## Chapter 1



# **An Overview of Key Factors Contributing to America’s Cradle to Prison Pipeline® Crisis**

***“Tell them we need hope.”***

– a Katrina child’s plea to America

***“It is easier to build strong children than to fix broken men.”***

– attributed to Frederick Douglass

## **Children Born into the Pipeline**

### ***Baby Eric***

*Eric came into the world on April 26, 2004, in Cincinnati, Ohio, and already is in the Pipeline to Prison before taking a single step or uttering a word. In early May, when he was two weeks old, he was a tiny brown bundle lying across the lap of his 19-year-old mother in the Wynton Terrace housing project on the north side of the city. She was staying temporarily in a unit rented by one of her sisters because the electricity and gas had been turned off in her aunt’s house, where she had gone with Eric and his brother, 19-month-old Tae, when she left the hospital. She doesn’t have a phone or child care or access to a car so “it’s kind of hard to do anything.” The closest store is ten blocks away. She said she would like to finish high school and get a job. She liked school but “I had a lot of problems. I was running away all the time. I wasn’t getting along with anybody,” she explained, describing ongoing fights between her and her siblings and her mother, who once called the police to take her to juvenile detention. She lived with the boys’ 26-year-old father until he punched her in the stomach when she was eight months pregnant with Eric. She called the police and he went to jail. “He didn’t get as much time as I thought because his lawyers said he had some kind of mental illness.” He does not have a job and has been in jail before.*

*At two weeks old, Eric should have all possible futures open to him in America, a culture that believes life outcome is determined by the individual alone. In reality, this infant boy already is not in the trajectory that leads to college or work; he’s at the beginning of the pathway to prison—or, if not incarceration, a life on the margins. If Eric is imprisoned 18 years from now, no one is likely to look at the risks he faced in his early years or the disadvantages of his childhood circumstances. He will be another bad youth to be punished for his criminal acts. It will be too late then to think*

*of what could have been done back when Eric lacked stimulation and proper nurturing at two weeks old or when he began having behavioral or emotional problems at school or when he fell behind, got suspended and dropped out, or when he received little positive attention or guidance from the adults in his community. It will be too late then to realize that interventions known to make a difference might well have neutralized the risks and put him on the path to a productive life.*

Meet Eric and others in Cass's and Curry's case studies in Part II.

### **Frankie**

*I watched the flow of children through my courtroom. But it took some time for me to actually understand the interplay (complicity, if you will) of two primary feeders into the Pipeline: the juvenile justice system and the child welfare system. Let me tell you about Frankie who first came before me at the age of 10 (now presumed to have the capacity to commit a crime). He was charged with Assault 4 (a misdemeanor). Frankie was born into the child welfare system. Removed from his mother at birth, Frankie spent his first eight years moving from foster home to foster home, getting angrier and more depressed. His angry outbursts landed him in a “therapeutic foster home” placement for kids with behavioral problems. Of course once he was placed, he continued to demonstrate his behavioral issues. He hit staff. The police were called. He was arrested and charges were filed. It is clear that the therapeutic foster home is using the courts to “enforce the rules” and provide much needed respite care. But this created a criminal record for Frankie. Over the next five years, this pattern repeats itself several times. I last saw Frankie six months ago. He presented on two counts of Robbery 2 (felony charges). His lengthy criminal history (created from his behavior in placement) counts to increase his score for the purpose of sentencing. Frankie was facing 206–258 weeks in juvenile state “prison.” By the time he is released, Frankie will be almost 18. He has literally been moved through the Pipeline from the cradle—next stop, the adult prison system.*

—Chief Judge Patricia Clark of the Juvenile  
Division of King County Superior Court, Seattle, Washington

The United States of America does not value and protect all of its children equally or ensure them the basic hope, health care, safety, education and family supports all children need to envisage and achieve a productive future.

- **A child is abused or neglected every 36 seconds, over 880,000 a year.** This is more than the combined populations of Cleveland and Cincinnati. A child dies from abuse or neglect every six hours, about 1,460 a year.
- **A child is born into poverty every 36 seconds.** Our 13 million “other America” poor children far exceed the combined populations of Haiti and Liberia. Our 5.6 million children living in extreme poverty equals the combined population of seven U.S. states: Wyoming, Vermont, North Dakota, Alaska, South Dakota, Delaware and Montana plus the District of Columbia—the cap-

ital of the “free” world. Children who live in households with annual incomes less than \$15,000 are 22 times more likely to be neglected or abused than those with incomes of \$30,000 or more.

- ***A baby is born without health insurance every 47 seconds; 90 percent of the nine million uninsured children live in working families*** and a majority in two parent families. Forty American states each have fewer than nine million people.
- ***A child or teen is killed by a firearm about every three hours—almost eight a day.*** Every four days 32 children and teens die from guns in an invisible, relentless stream of violence equivalent to the tragic Virginia Tech massacre but without the outcry. Over 200 million guns saturate our nation’s communities and homes, leaving none of us safe.
- ***Every minute a baby is born to a teen mother.*** Children having children would fill up the city of Atlanta each year.
- ***Every two minutes a baby is born at low birthweight.*** The U.S. ranks 24<sup>th</sup> among industrialized nations in infant mortality and 22<sup>nd</sup> in low birthweight babies. Yet our political leaders in both parties continue to refuse to ensure *all* pregnant women prenatal and postpartum care to help assure all children a healthy start in life.

These statistics reflect children of every race, place and family type. There are more White poor children and victims of gun violence than Black or Latino children. But minority children fare far worse and are at greatest risk of being sucked into the Cradle to Prison Pipeline. ***The most dangerous place for a child to try to grow up in America is at the intersection of race and poverty.***

## **Pervasive Poverty and Racial Disparities**

Poor children of color are the canaries in America’s deep mines of child neglect and racial and economic injustice. At critical points in their development, from birth through adulthood, millions of these children confront a multitude of disadvantages and risks including poverty and its many stresses: single, teen or unstable families; no or poor health care; lack of early education and enrichment; child abuse and neglect; failing schools that don’t teach them to read, write or compute; grade retention, suspension and expulsion; questionable special education placements or dropping out; unaddressed mental health problems; absent fathers or incarcerated parents; violent neighborhoods; and disproportionate involvement in the child welfare and juvenile justice systems. These accumulated and convergent risks form a Cradle to Prison Pipeline,

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*A Black boy born in 2001 has a 1 in 3 chance of going to prison in his lifetime; a Latino boy a 1 in 6 chance; and a White boy a 1 in 17 chance.*

trapping these children in a trajectory that leads to marginalized lives, imprisonment and often premature death.

- Black babies are almost four times as likely as White babies to have their mothers die in childbirth and are more than twice as likely as White babies to be born at very low birthweight and to die before their first birthday.
- Black children are more than three times as likely as White children to be born into poverty and to be poor, and are more than four times as likely to live in extreme poverty. One in 3 Latino babies and 2 in 4 Black babies are born into poverty; 1 in 4 Latino children and 1 in 3 Black children are poor. Between 2000–2006, poor Latino children increased by more than 500,000 (to 4.1 million) and poor Black children increased 132,000 (to 3.8 million).
- Latino children are three times as likely and Black children are 70 percent more likely to be uninsured than White children.
- Nine in 10 uninsured Latino children and 3 in 4 uninsured Black children have a working parent. Almost three-quarters of Latino children and more than half of Black children have a parent who works full-time throughout the year.
- Twice as many Black children are in foster care as we would expect given their representation among all children. They represent 16 percent of the general population but 32 percent of the foster care population.
- Children who age out of foster care are less likely to graduate from high school or college, experience more serious mental health problems, including post-traumatic stress disorder, than children generally; are less likely to receive adequate health and mental health care; are more likely to experience homelessness; and to be involved in the criminal justice system.
- A Black boy born in 2001 has a 1 in 3 chance of going to prison in his lifetime; a Black girl has a 1 in 17 chance. A Latino boy born in 2001 has a 1 in 6 chance of going to prison in his lifetime; a Latino girl has a 1 in 45 chance.
- About 580,000 Black males are serving sentences in state or federal prison, while fewer than 40,000 Black males earn a bachelor's degree each year. One in 3 Black men, 20–29 years old, is under correctional supervision or control.
- Black juveniles are about four times as likely as their White peers to be incarcerated. Black youths are almost five times as likely to be incarcerated as White youths for drug offenses.
- According to a Harvard Civil Rights Project and Urban Institute report, only 50 percent of Black and 53 percent of Latino students graduated from high school on time with a regular diploma in 2001.
- When Black children do graduate from high school, they have a greater chance of being unemployed and a lower chance of going directly to full-time college than White high school graduates.

- *Only 14 percent of Black, 17 percent of Latino and 42 percent of White 4<sup>th</sup> graders are reading at grade level; and only 11 percent of Black, 15 percent of Latino, and 41 percent of White 8<sup>th</sup> graders perform at grade level in math.*
- Homicide is the leading cause of death among Black males 15–34. Black males ages 15–19 are almost four times as likely as their White peers to die from a firearms injury and are six times as likely to be homicide victims. Young White males are twice as likely to commit gun suicide as young Black males.
- Of the 1.5 million children with an incarcerated parent in 1999, Black children were nearly nine times as likely to have an incarcerated parent as White children; Latino children were three times as likely as White children to have an incarcerated parent.
- A child with an incarcerated parent is six to nine times as likely as a child whose parent was not incarcerated to become incarcerated him/herself.

### **A Need for a Comprehensive Continuum of Support from Birth to Adulthood**

Children and families do not come in pieces or neat packages that fit one or another “program” or “strategy.” They are a complex amalgam of biological potential and environmental realities, of culture and family and community role models, of assets and risks. Analyzing causes and effects, and understanding the links among all these factors, requires separating them into subject areas, systems or knowledge areas. That is how data are gathered and kept, professionals are trained, programs are funded, budgets are made and services administered. But we must not lose sight of the whole child.

Like an insurance company’s actuarial chart, it is possible to predict from “risk factors” the likelihood of a child ending up stuck in the Cradle to Prison Pipeline. Much research and Cass’s and Curry’s case studies show major risk factors to be:

- poverty, especially extreme poverty;
- family composition where single parents, teenage parents, alcohol- or substance-abusing parents, a parent in prison, a parent abandoning the home—all predict increased delinquency;
- lack of health care, from prenatal care for pregnant women to preventive screening for children and youth of all ages to detect illnesses that block learning, hearing, seeing or concentrating;
- babies born at low birthweight, which is a risk factor for later physical, developmental and learning problems;
- abuse or neglect during childhood that goes unnoticed or untreated and fueled by poverty;

- ❑ foster care placements when families break down (especially in families not related to the children) risk abuse, neglect, sexual exploitation, low self-esteem, anger and poor social relationships;
- ❑ poor school quality where not reading at grade level, failing or acting out are met with police intervention, and suspensions or expulsions leading to dropping out altogether;
- ❑ few timely and quality mental health program interventions in communities to provide care in a timely manner to prevent or interrupt negative behavior or remediate problems causing children to get into trouble;
- ❑ the juvenile justice system which cements many children's sense of hopelessness and offers too few positive programs, too late, to change the Pipeline's trajectory; and
- ❑ throughout all these major risk factors is the disparate treatment of children of color.

Research also shows that if a child has one or a few of these risk factors, while potentially harmful, there's a good chance that the child's resiliency and some intervention by a teacher, a counselor, a mentor, a relative, a pastor or some other adult offering encouragement, assistance and guidance can save that child from falling into or staying in the Pipeline. CDF's *Beat the Odds* celebrations of and scholarships for children overcoming unbelievable obstacles attest to the power of one caring adult in a child's life. *But a young child exposed to six or more of these risk factors is ten times as likely to commit a violent act by age 18 as one who experiences only one or a few risk factors. In a hospital nursery, behind the glass of newborns in 2001, that one in three Black boy babies and one in six Latino boy babies will end up in the Pipeline and in prison is a national tragedy. Unless it is addressed head on, it will disempower the Black and Latino communities and undermine family stability and child socialization. The challenge for each of us and for the nation is to prevent it—for preventable it is.*

## **Case Study Findings in Ohio and Mississippi: A Guide for Action**

Julia Cass's and Connie Curry's investigations of children in the Pipeline in Ohio and Mississippi in 2003 and 2004 and our research underscore the critical need to devote attention and shift resources from locking up children and youth to getting them on the right track and helping them stay there. They found:

- Many of the young men and women in the juvenile justice system never were in the pipeline to college. They were not derailed from the right track; they never got on it.
- Intervention is important in early childhood while the brain is still growing and behavioral patterns are being formed. A lot of a child's future life story is written by the third or fourth grade.
- Many Black and Latino children are behind when they enter kindergarten.
- Mental health and emotional problems are a major gateway to the Prison Pipeline. When school, family or community resources aren't there to help, these children are dumped into the juvenile justice system.

- Children who have not learned self-control by the age of eight are at high risk of delinquency and incarceration. Teachers know who they are, but there is no structure for getting help. These children are more likely to be suspended.
- Children know by about the third grade whether they are part of the mainstream or of another, more marginal world. Those who are routinely disciplined or struggle with schoolwork mentally drop out at this point. They actually leave school in the ninth grade, the major exit ramp from the path to college. The ninth grade is also the school year when many youth commit their first criminal offenses.
- The behavior teachers see as disruptive and disrespectful may be difficult to manage but knowing the children makes their behavior understandable and reveals other ways to work with them.
- Truancy—being out of school—is the number one predictor of delinquency. When teenagers drop out of school, they put themselves at the bottom of the economic ladder, probably for life, and are much more likely to be detained and incarcerated, especially if they hang out on risk saturated street corners.
- Zero tolerance school discipline policies don't improve school achievement or teach a lesson to the offender; they contribute to the Pipeline to Prison by pushing students out of school.
- School systems are criminalizing school misbehavior, with police officers stationed at schools arresting students for behavior that used to be handled in the principal's office.
- America's deeply ingrained philosophy that just getting tough is the way to stop misbehavior rarely works, especially with children. The political pendulum swings from more to less punishment but the paradigm itself is worn out and a new one has not taken its place.
- Despite the image of super predators and dangerous hallways, most students suspended from school and most juveniles in detention did not commit violent offenses or put the safety of others at risk.
- Anger runs like a river through the stories of virtually all the children profiled and of many of their parents.
- Teenagers will seek respect wherever they can find it.
- Young people may be serviced and diagnosed but they also need real relationships, not just required ones. Thousands of children grow up without a single adult, apart from a mother or grandmother, taking a sustained interest in guiding them and sharing their joys and sorrows.
- The juvenile justice system is clogged with cases that don't belong there. Judges and veteran public defenders say that perhaps 30 percent of cases that now are brought to court used to be resolved within families, neighborhoods or schools.

- Youth prisons don't have to be abusive to be effective. Community- and family-based programs are more effective in changing a juvenile's course.
- The deeper a youth gets into the Prison Pipeline, the harder it is to get out. Not only do they have fewer choices, they don't see the choices that do exist.
- Even with sincere resolve to change and stay out of trouble, it is difficult to separate from an existing network and identity. Youth coming back from incarceration need a lot of support.
- Racial disproportion runs through every system—the children behind in kindergarten, those who are suspended and expelled, those who drop out and don't graduate, and those who go to juvenile detention and adult prison. It is possible to identify decision points when disparate treatment takes place.

## **An Ounce of Prevention Is Most Cost-Effective in Long Run**

Education costs less than ignorance, preventive health care far less than emergency rooms, preventive family services less than out-of-home care, and Head Start much less than prisons.

- The average annual per child cost of a mentoring program is \$1,000.
- The cost of providing a year of employment training for unemployed youths is \$2,492.
- The annual per child cost of a high quality after-school program is \$2,700.
- The average cost of ensuring that a low-income family has affordable housing is \$6,830.
- The average annual per child cost of Head Start is \$7,028.
- The annual per child cost for a high quality comprehensive full-day, full-year early childhood education program is \$13,000.
- The average annual per prisoner cost is \$22,650. States spend on average almost three times as much per prisoner as per public school pupil.

It's time for America to do the right and cost-effective thing by investing in children now. That will happen only when advocates for children stand up together and make it happen.

## **2015 Millennium Development Goals: A Policy Agenda for Dismantling the Pipeline**

Millions of our children are bleeding from many wounds that we have the means but not the love and will as a nation to prevent and heal. Our Creator did not make two classes of children. It is our responsibility and within our power to make our nation see and protect all our children as the sacred gifts they are and not just as fodder for war, the prison industry or as a consumer market. We adults must regain our moral bearing and teach our children that the most important things in life are not things but

love, justice, respect, service and integrity. We must challenge ourselves, our families, religious, cultural, media and government leaders, and citizens to make our children's health, safety, education, family and community life our overarching national purpose. Nations of the world have agreed on Millennium Development Goals (MDGs) to, among other things, reduce child and maternal mortality and end extreme global poverty by 2015. We hope the United States will lead in assuring their achievement and set and honor similar goals in our nation for our own poor, uninsured and poorly educated children. **Every citizen must demand that our leaders commit, as a condition of our vote, to:**

- Ensure every child and pregnant woman in America health insurance for all medically necessary services now.
- Lift every child from poverty by 2015; half by 2010.
- Get every child ready for school through full funding of quality Early Head Start and Head Start, child care and new investments in quality preschool education for all.
- Protect all children from neglect, abuse and other violence and ensure them the permanent families they need when their families break down.
- Make sure every child can read by fourth grade and can graduate from school able to succeed at work and in life.
- Provide every child safe, quality after-school and summer programs so they can learn, serve, work and stay out of trouble.
- End child hunger through adequate child and family nutrition investments.
- Ensure every child a place called home and every family decent affordable housing.
- Ensure families the supports needed to be successful in the workplace, including health care, child care, education and training.
- Create jobs with a living wage.

All of these achievable goals will be costly but we *can* afford it. We do not have a money problem in America, we have a values problem. Repealing and not extending the tax cuts for the top one percent of the wealthiest taxpayers could provide \$57 billion of the entire estimated \$75 billion policy agenda listed above. The war in Iraq already has cost over \$450 billion through 2007.