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At Risk Youths: Schools, Juvenile Delinquency, and the Prison Industrial Complex

Ashantia M. Day

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Thesis Approval Form

Student Name: Ashantia Day

Thesis Title: "At-Risk Youths": Schools, Juvenile Delinquency, and the Prison Industrial Complex

Name 

Signature 

Date

Douglas Reichert-Powell, Ph.D

Thesis Director

Program Director

Department Chair
"At-Risk Youths": Schools, Juvenile Delinquency, and the Prison Industrial Complex

By

Ashantia M Day

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Abstract

Juvenile delinquency has been a social issue for many decades. While much research has studied the deviant behaviors of the adolescent, little focus has been placed on the degree to which the school environment plays on delinquent behavior. The purpose of this project is to use schools as the subject to contextualize the link between racialized criminalization and the disproportionate rate at which black youths are in contact with the Juvenile Justice System. This work will apply labeling theory, theories of academic tracking/grouping, use of analytic autobiography, critical race theory and a Marxist critique of capitalism to investigate the significant influence of school environment on student behavior and perceptions of what is deemed criminal. This project argues that schools located in low-income, predominantly black neighborhoods practice racial criminalization and thus produce high rates of black juvenile arrest as a result of racial segregation and capitalist ideology.

Keywords: school; labeling; race; class; deviant behavior; socio-economics; Marxism; critical race theory

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I would like to acknowledge the few people I met in 7th grade, who are no longer here as result of gun violence. As I write these words, I pray to keep you in mind as the driving force behind reasons these stories must be told.
Preface

During 2014, a VICE news series premiered a documentary titled, Last Chance High. The documentary sought to capture the daily lives of both, “at-risk students” and staff at what was then, Moses Montefiore Academy of Chicago, Illinois. Much of what was aired consisted of instructors of the ‘special needs’ school taking on the role of counselor, therapist, mentor, teacher, disciplinarian and parent. Cameras followed students in and outside of the school walls, witnessing physical encounters among students in school halls that seemed to come out of nowhere. The footage also captured young black boys paranoia, as they constantly turning to check their surroundings while walking their neighborhood streets. This documentary may have come across as entertainment for some, however it was not far removed from my own grade school experiences. The documentary served as a clear depiction of the problems I could feel but was unable to articulate some ten years ago.

In 1852, the state of Massachusetts passed the United States first compulsory school laws in favor of the efforts of education reformers, Horace Mann and Henry Bernard’s call for free schooling for all children of the country (HowStuffWorks.com). “All” of course excluded racially black children. Ironically, my interest in writing this
project emerged out of memories of my seventh-grade experience at a Chicago Public School called Horace Mann Elementary.

From pre-K through fifth-grade, I attended St. Ailbe Catholic School a predominantly black school, located on 90th and Stony Island in Chicago. The school stands in between the Burnside and Pill Hill sub-neighborhoods of Calumet Heights, only two miles away from my Jeffery Manor home. Many of my classmates lived in the Calumet Heights neighborhood but not everyone. Being that St. Ailbe is a private school, students did not have to reside in the district to attend. My mother describes her choice to send my sisters and I to Catholic school as “a financial sacrifice that I could not afford to not make. The religious structure, community structure and learning experience differed from public schooling. I wanted you and your sisters to be exposed to children who came from different areas. Luella, our neighborhood school (Jeffery Manor neighborhood school, now known as Burnside Math and Science Academy) was not a place I was excited to send you all for 8 hours in the day.”

St. Ailbe prided itself in community and family orientation. This element is not exclusive to private schools but has been highlighted in discussion of private versus public school, due to the selectivity of private school screening process. Being that they are not under government supervision, private schools can select the students they take in, which also effects class sizes. With an average of about 15 students compared to public school classrooms at about 25 students per class, private schools can achieve the
tight-knit family environment much easier. As paying clients, parents have a direct hand
in the curricula and policies that operate within the private school setting. This differs
from public schools which are funded via local taxes. Public schools cannot turn any
child away based on academic performance, religious belief/practice, income or any
other reason. Over the years, I have reflected on the problems surrounding the
exclusivity of a basic right to good education and healthy learning environment.

In 6th grade I attended Sauk Elementary in Richton Park, a south suburb of
Chicago Land Area. My family and I moved here when I was in 2nd grade, but it wasn't
until 6th grade that my parents decided to send my sisters and I to our neighborhood
school. Our neighborhood was diverse, I went to school with students from different
family income and ethnic backgrounds. The community was quiet and there were not
many incidents of public crime. I remember having a pleasant learning experience at
Sauk. Although there were moments of petty fights and teasing, overall I felt safe and I
trusted my fellow classmates and authoritative figures. I genuinely remember learning
new things and making friends rather quickly, being that many of my classmates grew
up from pre-K together.

In 2007, my parents' divorce was finalized and my younger sister and I moved
with our dad to 74th and Chappel. We transferred from Sauk Elementary to Horace
Mann Elementary School, located in the South Chicago neighborhood just a block south
of 79th street. As documented in a 2014 Chicago Homicide Watch interview, the stretch along east 79th street or “the 9” as its often referred to, is plagued with lack of employment and people in situations that become hard to bare mentally and financially. Understanding that there is great complexity when investigating the relationship between poverty and crime, one can most certainly comprehend that crime can be a situational moment. This is to say that offenders are not mindless beings, but perhaps their situation has driven them to the act. The “strip” of east 79th street has over the years has been a hub for illegal affairs as individuals residing in the space have do not have access to employment. Given that public schools are funded by local taxes, if a neighborhood has few businesses, then the property value of that neighborhood is lower and the resources within the school become reflective of this neighborhood struggle.

Many of my classmates at Horace Mann experienced a great deal of what could be considered traumatic events. Some of my closest girlfriends had fathers who were displaced by drug addiction or prison time. I remember witnessing my friends’ annual celebratory ceremonies for cousins who had been killed by gun violence. The process of coping with the harsh realities of community poverty had seemed all too normal. The circumstances that children were dealing with, on top of traveling through crime ridden blocks to and from school, I found to be inexcusable.
I recognize that I was privileged to experience several different neighborhoods and school environments. This work is simply an honest attempt to investigate the ways in which our neighborhood and school environments can shape the trajectory of our lives. Since my attendance at Horace Mann from 2007-2008, I have lost a few classmates and folks I met on “the 9” to gun violence. This work comes from a place of wanting to understand the realities of oppression through a theoretical lens. People are not always allowed the opportunity to choose the spaces they inhabit, from this, it becomes our collective duty to hold the systems that keep many excluded from the necessary means to attaining a healthy life, accountable. In the pages that follow, I present a collection of history as it relates to school, juvenile delinquency, urban segregation, and black experiences within the U.S., all of which will be discussed using various forms of theory such as Marxism, critical race theory and personal reflection.

Introduction

During my attendance at Horace Mann, the behaviors of some of my classmates were, at times, unlike anything I had witnessed in a school setting. There was fighting in the classroom, bathroom, lunchroom, and playground. There were verbal assaults made in front of and even directed at teachers. Many of my classmates were full of anger and hostility. In one specific case, I recall a classmate of mine being asked for by a Chicago Police officer in front of the class. At the start of the school day, this student showed up very late for class with blood and bruises on her arms and face. My classmates and I
were slightly surprised, but this student was notorious for fighting. However common her violent behavior was, this moment should have been met with great sensitivity, specifically, she should have been asked for by a school counselor or medical, not a police officer.

From 2013 to 2014, juvenile arrests in Chicago stood at a high 39,279 with 7,703 of the arrests taking place on Chicago Public School property. (Chicago Youth Justice Project, 2015) Despite data suggesting the overall decline of arrest in recent years, black juveniles have continued to be overrepresented and arrested at a disproportionately high rate. In 2013, a total of 2,942 black youths were arrested inside of a Chicago Public School, while just 110 white youths were. These findings according to a study composed by Project-Nia.org reflect that for every white student arrested, there were 27 black students arrested.

The Chicago Public School (CPS) system is the 4th largest in the nation, with a racial makeup at 37% black and 10% white. Nearly 80% of its students are low-income, however CPS has been criticized for its failure to apply resources to schools where the city’s most vulnerable youths attend (Chicago Public Schools - Stats and Facts, 2015). As part of Chicago Mayor Rahm Emanuel’s 2013 initiative to close 54 public schools, 53 were elementary and 1 was a high school, all of which were located on the city’s South and West Side. Demographically, these areas serve a predominantly black population, hurting these communities the worse. By 2013, the Chicago school board voted to close 50 public schools. More than 88% of black children were affected by the lawmakers' decisions. (Chicago Tribune, 2013) Although said to aid in improving the school system and redirecting its funding, the closures took jobs out of the community, forced children to travel further for school and caused issues of overcrowding. With such a large
number of school closings in one year, a promise was made by the board not to close any more schools for 5 years.

In 2015, Moses Montefiore Academy, CPS’s only therapeutic day school, closed. Located on the city’s Near West Side, the student body consisted of youths who’d been removed from traditional public schools for behavioral issues. Many of the students suffered from Emotional and Behavioral Disorders. According to the Illinois State Board of Education, Emotional Disturbance Disorder is a condition exhibiting, “(B) an inability to build or maintain satisfactory interpersonal relationships with peers and teachers... (C) inappropriate types of behavior or feelings under normal circumstances...and (E) a tendency to develop physical symptoms or fears associated with personal or school problems.” Montefiore students struggled with aggression, hyperactivity, withdrawal, immaturity and a difficulty learning. Causes of the disorder can range from brain disorder, hereditary, family functioning, diet and stress. Challenges such as self-control and ability to focus during lectures were some of the everyday in-school task for students. Outside of the classroom however, these young children are exposed to the loss of friends and family members to gun violence, the absence of a parent to the penal system and the decisions of whether to engage in illegal activities.

In 2014, according to data collect by Catalyst in Depth, Moses Montefiore held the city’s second highest arrest rate. With a demographic make-up of 100% special education, 96% low-income, 74% black, 26% Latino and 0% white (Schoolcuts.org), Montefiore represented many of the fundamental problems with America’s educational system. Children who face a disproportionate amount of emotionally triggering events are being legally punished when their social behaviors do not align with those of the norm.
Understanding the attitudes and actions of general members of a society to be “normal”, according to one definition, delinquency can be defined as anti-social behavior. Because individuals are expected to operate within normal standards, those who do not comply or fit the mode are considered delinquents. Given that impoverished neighborhoods are plagued with unemployment and violence of many forms, how then do the people inhabiting these spaces operate in ways that are considered socially normative? The way in which this work applies the term, delinquency aligns with the definition that refers to the breaking of some law or social norm. This definition then makes juvenile delinquency the committing of crimes by young people under the age 18.

**Double Standard of Criminalization**

*My classmate was only 13 at the time she was asked for by the Chicago Police officer.*  
*Her privacy was not respected as she was pointed out in front of her fellow classmates.*  
*The humiliation of publically criminalizing black youth is not a new happening. Why are black youths overrepresented in media as criminal? Are black children born bad?*

In 2015, a black female high school student was violently attacked by a school resource officer at Spring Valley High School of Columbia, South Carolina. According to an interview conducted by CNN, the student was asked to give her phone over to her teacher, upon refusal the teacher asked the student to leave the class. After the students refusal to leave the class, administrative personnel was brought in to help escort the student out. Once this didn’t work, Deputy Ben Fields entered the classroom and stated to the student, “either you’re coming with me, or I’ll make you”. The victim was then viciously thrown out of her desk by the adult male officer. Given the action taken by the perpetrators officer, the black student must have been
viewed as a treat. There is no documentation that the student posed any intention to physically harm anyone, but given her resistance to abide by those who hold power, she was then treated as that of a dangerous criminal.

Just months before, 21-year old, high school dropout, Dylann Roof was arrested for committing a horrific hate crime. Roof, a white male, savagely shot and killed nine black worshipers at historic Emanuel African Methodist Episcopal Church in downtown Charleston, South Carolina. After being apprehended during a manhunt, Roof was taken to Burger King. According to New York Daily News, roof complained that he was hungry and arresting officers took him to get food. An adult savage killer was treated humanely. In the United States of America, race is regarded as a primary identity, and in the case of these two moments taking place only 119 miles apart, one can see how innocence and criminality are applied differently among race.

Discussions surrounding “childhood” have mostly been considered within social and legal constructs. It is understood that childhood cannot be determined biologically or based on chronological age, thus when investigating the phenomenon of black juvenile delinquency, its social formation must be considered. Childhood and notions of innocence have emerged as unnatural formulations throughout history as directly related to a society’s mode of production. In the closing of the eighteenth century a middle-class began to take form, causing for children to no longer be needed in the workforce. From this, the place of the child moved from the public and into the private sphere. Childhood began to be a place in distance from that of the adult world. Ideas surrounding protection from the adult world and adult knowledge (sex, violence, death, ect.) emerged as childhood became synonymous with innocence. (Bernstein, 2011)
“Childhood became the embodiment of innocence. This innocence was raced white.” (Racial Innocence: Performing American Childhood) Thus, childhood is not a universal concept and differs from society to society and even operates differently within single society’s, given the intersectionality of the concept. Childhood intersects with race, class and gender. When students are arrested, or confronted by police on school grounds, this intersectionality is actualized. Often time, black children in impoverished neighborhood are not allowed to be innocent children, but are surveilled and criminalized their behaviors. This acknowledgement and investigation of intersectionality also sets the base for the comprehension of ways which race operates.

Critical Race Theory

With a necessity for understanding the ways in which race, racism and power function within history, economics, human psyche and group/self-interest, the Critical Race Theory (CRT) movement emerged in the 1970s. A group of intellectual lawyers, legal scholars and activists in the United States saw a great lack in ways to fight against subtler or micro-aggressive forms of racism, following the Civil Rights Movement. Critical race scholarship question at multiple levels “the foundations of the liberal order, including equality theory, legal reasoning, Enlightenment rationalism, and neutral principles of constitutional law.” (Critical Race Theory: An Introduction, 2012)

In the seminal essay “The Fact of Blackness”, Fanon argues that blackness is an inescapably constructed identity that exists to distinguishing between black and white:

“I was responsible at the same time for my body, for my race, for my ancestors. I subjected myself to an objective examination, I discovered my blackness, my ethnic characteristics; and I
Fanon explains that because of his blackness, his identity is based, by others, on a “fixed” model. This model is imbrued with stereotypes which stigmatize him. Before slavery as a form of functioning economy, racial identity did not exist, Fanon suggest that black and white hold no meaning at all outside of the construction of racial oppression. He states that his identity was invented not by himself but by his oppressor. He concludes that the social consumption of “black” as a negative term has led to the association of blackness with negativity. As a result, people of African descent, or those who identify as being black are forced to wear the “uniform” of blackness. Therefore, their identity has been “fixed.”

**Urban Segregation**

Growing up on Chicago’s Southeast Side, my view of the world had always been critical; an eternal questioning of the way things may have come to be. Having been raised in an ethnically diverse family, difference came as no surprise, but was merely my relationship to the larger world. In my early years, I can remember having a conscious understanding of borders and the very violent consequences of defying the limits of them. I can recall spending many summers roaming with my cousins, just a few blocks of my grandmothers’ South Deering neighborhood, Jeffery Manor. A mapping of our playing grounds was laid out very clearly. We were never to wander south of east 98th street, east of south Crandon or anywhere too far from home, without an adult. The dangers of our surroundings were deeply incorporated into our play-time. This rose many
questions for me. Why can’t we travel to our local park? Why don’t my sisters and I attend our neighborhood school? The magnitude of anger expressed by my mother and grandmother when one of us children would wander beyond our playing courters, was simply a love deeply rooted in fear. Our neighborhood, like many other low-income black Chicago neighborhoods, had fallen victim to years of segregation, which is clearly noted through the Chicago Public School system. In 1968, my great-aunt bought her home in Jeffery Manor. This home would become the central courters for my mother, father, aunts, uncles and 30+ cousins and I, as we grew up. Just around the corner, my grandmother bought her Jeffery Manor home in 1986.

Located on Chicago’s far South Side, South Deering is the largest of the 77 official communities in the city, home to 4 sub-neighborhoods: Irondale, Vet’s Park, Slag Valley, and Jeffery Manor (Encyclopedia of Chicago). Originally settled in the 1870s, many Irish, Welsh and English resided in the neighborhood. During the rise in industry, factories were built along the Calumet River, attracting European and Mexican immigrants. With an industrial boom following the Great Depression in the wake of WWII, a demand for housing increased and the Trumbull Park and Jeffery Manor projects were built. These homes were segregated per the Chicago Housing Authority (CHA) and permitted to white tenants only. During this time, many blacks worked in the factories but were not welcomed to settle in the neighborhood. By 1960, the projects housed some 19,000 residents. Around the early 1950’s racial tensions emerged as a white- passing, black woman moved in. After many violent attempts by white residents to push the family out, the CHA allowed non-white residents to move into the community by 1963.
“White-flight” began by the late 1960s, home values decreased and South Deering had become predominantly African-American and Mexican. As my grandmother recalls, “they would say they were going out of town and move out during the night. We would never see them again”, referring to her fleeing white neighbors.

Like many black urban neighborhoods during the late 1970s-90s, Jeffery Manor became extremely poor and economically isolated. More than 1/3rd of the city’s population was African American, with increasing numbers such as, 1 million by the 1970s. (Lyson, Warren 1) Jim Crow laws were not the mandated orders of the North; however, segregation was a very prominent social custom. Many blacks were denied homeownership in particular areas due to the National Real-Estate Association’s advisement not to sell to African Americans. (Coats, 2014) Blacks were looked down upon as a sort of contagion, with ability to lower a neighborhood’s property value.

The ground-breaking work, Black Metropolis: A Study of Negro Life in a Northern City was first published in 1945, examined the origins of urban black spaces and the ways in which they were navigated by its inhabitants. “In the case of Negroes, however, the process stops short of complete assimilation... Residential segregation results in a Black Ghetto... Negroes are expected to complain and to use the ballot, their economic power, and the courts to alter their status if they can.” (Drake & Cayton, 757) This speaks directly to the stigma that come with being an American born black person. Blacks fall short of assimilation as they are subjected to greater systemic limitations. In the Black Metropolis, “free competition” a term explained as one of the two contradictory principles of socialization, describes the acquiesce of blacks participating in political affairs, industry relations and the use of public resources. This “free competition” is actively contradicted by “fixed status” which effects blacks access to quality housing, schooling,
positions of power, and jobs. Once whites feel like their lifestyles being threatened, the free competition is stumped on by fixed status. For African-Americans, race equated to fixed status no matter what, relating directed to what Frantz Fanon so eloquently describes in "The Fact of Blackness."

Many discussions surrounding segregation are problematic in that they tend to assume that if black people lived with whites, then blacks would somehow experience less crime, poverty and violence. This is a very dangerous anti-black, racist idea. Black communities such as the one I grew up in, are not poor and crime stricken because whites no longer live there. They are poor and crime stricken because segregation for black communities mean less, if any, access to resources, topped with racial discrimination and black criminalization. Through the exclusion of economic, political, legal and educational institutions, black communities have overwhelmingly suffered from crime and violence.

As it relates to the topic of black-on-black violence, the process of individuals constructing ideas of self through socialization, is something that takes place across societies. Individuals learn to see themselves based on the ideals of the dominant culture. Members of historically oppressed groups, such as racially black people around the world, experience systemic and institutional racism but also contribute, often time subconsciously, by reproducing racism by internalizing its attitudes. In the 1930s, the Frankfurt School produced theories surrounding the media as an aspect of "culture industry". This theory explained that "all mass-mediated cultural artifacts exhibited the same features as other products of mass production: commodification, standardization, and massification" (Kellner, 2003) They also understood media to act as roles leading to certain cultural, political, social and economic effects.
In relation to hegemonic structures, white supremacy and the process of internalized racism occurs. Stuart Hall refers to this as “the subjection of the victims of racism to the mystification of the very ideology which imprison and define them (the oppressed)” (Hall 1986). Karen D. Pyke recognizes this as a psychological toll racially oppressed individuals experience but are often time unable to define or describe. Thus, the discussion is not solely based on whether my teacher at Horace Mann, or the teachers at Montefiore were black, but rather what hegemonic structures were/are in place and how are they operating.

Conversations surrounding the issue of forms of black-on-black violence often disregard the aggressively harmful “War on Drugs” which aided in destroying black communities throughout the United States. As writer Heather Ann Thompson states:

“As important as it is to rethink the origins of the violence that poor inner city residents still endure, we must also be careful even when using the term “violence,” particularly when seeking to explain “what seems to be wrong” with America’s most disadvantaged communities. A level of state violence is also employed daily in these communities that rarely gets mentioned and yet it is as brutal, and perhaps even more devastating, than the violence that is so often experienced as a result of the informal economy in now-illegal drugs. This is a violence that comes in the form of police harassment, surveillance, profiling, and even killings—the ugly realities of how law enforcement wages America’s War on Drugs.” (2014)

My parents and grandparents feared both, the violence of the state, and the anger that often took form in violence against other blacks, which had festered in our Jeffery Manor neighborhood. This historical and very evident context was in part, reasons my parents chose to send my sisters and I to private, Catholic school. There was a great distrust of state institutions
amongst my family. My immediate thought when discussing the history of white flight and segregation, always considers how children are effected.

**Within the School**

In 1954, the historic Brown v Board of Education Supreme Court case declared the segregation of black and white students in public schools to be unconstitutional. Now, some 60 years later the U.S. school system faces the devastation reality of a new form of separation, “tracking”.

Aside from the genuine concern for students to learn at a speed comfortable to them, teachers have, whether consciously or unconsciously, began to separate students based on subjective factors outside of academic performance. During the 1970s, a study was conducted by Ray Rist where he assessed the kindergarten class at an urban school. After the teacher divided the class into two separate groups, the “fast learners” and the “slow learners”, Rist noticed that the class was actually separated by things such as socio-economics, appearance and behavior. The class teacher would set higher standards and challenge the “fast learners”, often time neglecting students in the “slow learner” group. As one could possibly imagine, this negatively affected the very group the tracking system claimed to aid. Children in the “slow learners” group internalized the way they had been grouped, developing hostile attitudes toward one another, and becoming frustrated with school, growing very disengaged. Receiving good attention and positive reinforcement, the “fast learners” group performed better both academically and socially. (Lumen: Boundless Sociology)
Many think of the process of tracking and grouping as something solely based on test scoring among student performance. In kindergarten, children are not taking standardized test, but are still being tracked based on arbitrary factors. Given that the labeling of students becomes internalized and therefore show up in social and academic performance, tracking groups become hard to change. Many students who are found to be one way or another, often keep that grouping throughout the entirety of their academic careers. Year after year students go on with poor preparation, causing them to fall further and further behind. Schools in low-income areas are often paired with tracking practices, lack of resources and the hiring of teachers unprepared and not certified, causing already vulnerable children to suffer the worse.

_During my time at Horace Mann I don’t recall having access to a school counselor or someone students could see when “acting out”. The absence of therapeutic personnel is a blatant unwillingness to truly understand the origins of problems experienced by students and an idly response to categorize and punish particular children._

Travis Hirschi’s social control theory in the 1969 _Causes of Delinquency_, was amongst the first to focus on the role of family and school in relation to juvenile delinquency. Suggesting that all humans are capable of committing crime, Hirschi was interested in why people conform to socially accepted behaviors to begin with. He believed that people turned to criminal behavior if there was a disconnect between them and society. He stated that, some individuals are “relatively free of the intimate attachments, the aspirations, and the moral beliefs that bind most people to a life within the law” (Hirschi, 23). Thus, he developed the four elements of the bond including; attachment, involvement, commitment and beliefs. For him, it is through strong relationships with parents, school and authority figures within them, that young individuals are
less likely to participate in delinquent behavior. Positive social bonds to school are influenced by relationships with teachers, academic performance, educational expectations/aspirations, access to and involvement with school activities, and an overall belief that the school is working to prepare them for the future. (West)

Research regarding the topic has shown much consistency with the academic performance factor, finding that youths with low academic performance had twice the odds of engaging in delinquent behavior than those with high academic performance. (Maguin and Leober, 151) While most research has been done in assessing the young individual to accumulate findings related to juvenile delinquency, I argue that the teaching methods must be questioned in determining what low academic performance is. What resources and techniques are available and used by the teachers? Given that juvenile delinquency is found at a disproportionate rate amongst impoverished, black and brown neighborhoods, questions about the teachers' attitude toward the school must also be asked.

In 2005 study titled, *Family and School-related Factors Predicting Arrest in Adolescence and Early Adulthood*, Emily M. West mentions that schools with dedicated teachers, smaller classrooms, an organized administration and strong academic reputation all work to provide both students and teachers an environment of motivation and desirable achievement. Schools which possess these qualities are found in wealthier districts and as I suggest, in private schools. Factors as such can be attributed to how students are treated and what is expected of them. The work of Rosenthal and Jacobson (1968), finds that teachers expectations influence student performance. Positive expectations influence performance positively, and negative expectations
influence performance negatively. Rosenthal and Jacobson originally described the phenomenon as the Pygmalion Effect.

Labels and Self-Fulfilled Prophecy

The commonly used term for children like the students of Montefiore has been “at-risk youth” which is defined as “a child who is less likely to transition successfully into adulthood” (Study.com). This “success” is measured by achievements in academic careers, job readiness, future attainment of financial independency and largely, becoming a properly socialized person within a society which operates in the capitalist mode. Within Critical Race Theory (CRT), critiques of meritocracy have been discussed in that it assumes all individuals of a society have the tools to succeed at the will of their own work ethic, drive and intelligence. If that individual fails, they themselves and perhaps their families are then to blame for their failures. As it relates to the labeling of students as ‘at-risk’, critical race theorist have called into the question the very ways in which the educational institution use meritocracy in similar ways as the American Dream ideology. These ways include manipulating the psyche of many, working in the favor the privileged few, and blaming the “failures” for their inability to overcome societal inequalities. In this case, meritocracy ignores or even profits from the ways in which minority children have been pushed out of schools by the invisible hand of the institution itself, thus using the notion individualism to discount the processes of educational hierarchy. Meritocracy completely disregards the pre-existing inequalities of society and in this context, “suggest that universal education in a free society provides every child with the equal opportunity to achieve his or her potential” (Zamudio, Margaret, Bridgeman, Jacquelyn L., Rios, Francisco, Russell, Christopher).
Given that poverty is the greatest predictor for an “at-risk” child, the term should be further dismantled in that it turns a blind eye to the horrors of capitalism by blaming its victims and not the system.

Labeling theory according to Howard Becker, states that being labeled a “deviant”, leads a person to engage in deviant behavior. Berk introduces Edwin Lemert’s 1951 definition of ‘secondary’ deviance, which explains that deviance is produced out of the labeling process. In the instance that an adolescent is labeled ‘deviant’ and therefore treated as such, the chance of that individual exercising deviant behavior is increased by the label alone.

According to The Sentencing Project, Policy Brief: Disproportionate Minority Contact, in 2002 a literature review found that within studies conducted on minority overrepresentation in the criminal justice system, two-thirds reflected negative race effects at more than one stage of contact. “Contact” in the context is defined as a collection of data by federal law of the multiple stages of contact within the juvenile justice system. These stages “include: initial arrest, referral to court, diversion, secure detention, the filing of charges, confinement in correctional facility, and/or transfer to criminal/adult jurisdiction.” (Coalition for Juvenile Justice, 2010) It is understood that the Disproportionate Minority Contact (DMC) exist for a multitude of systemic reasons, including: institutional racism, different opportunities of treatment based on class and socio-economics and the actualizations of attitudes through of difference with the administrative practices.

Juvenile delinquency has been studied as a predictor of criminal activity in adult life. Current research indicate there could be a combination of multiple factors which lead to delinquent behavior. It has been seriously considered that many students displaying excessive
deviant behavior have come from families in the lower class (Kvaraceus, 1944). It is also listed that factors such as social class, family dynamics and the educational system play a major role in contributing to deviant behavior.

The social reproduction theory argues that schools are not institutions of equal opportunity, but mechanisms of perpetuating social inequalities. Previous research has established that deviant behavior and juvenile delinquent students can be linked geographically to neighborhoods with concentrated poverty (Pebley & Narayan 2003).

**PIC and Marx**

The U.S. prison, jail and juvenile detention rate has nearly quadrupled since the 1980s. Peeking at the highest in the world, the United States incarceration rate was 666 prisoners per 100,000 U.S. residents in 2017. 47,000 youths were incarcerated in 2015, 69% of these were youths of color and 73% of the 47,000 youths were detained for nonviolent crimes. In 2010, black youths made up 17% of all juveniles, but 31% of all juvenile arrest. (Puzzanchera, C. and Hockenberry, S., 2013) Throughout the U.S., black are five times more likely to be detained and incarcerated than white youths. These numbers are alarming but the reality of this disproportionate minority juvenile delinquency in nothing new.

In the closing of the Civil War, the 13th amendment abolished slavery except for those considered criminal. In the Constitution of the United States, the 13th amendment reads, “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.” From the loophole emended in the language of this amendment, emerged a new
form of the same exploitative industry as slavery, giving way to mass criminalizing. During the Reconstruction Period, blacks were arrested in grand numbers. In efforts to rebuild the economy formerly sustained by slave labor, the south built a prison system to maintain racial and economic hierarchy.

In 1865 and 1866 a group of laws were passed in the south known as the Black Codes. These codes were constructed to revoke the freedoms granted to blacks by the 13th amendment. Nonviolent acts such as loitering and breaking curfew, were considered criminal and imprisoned many black men and boys. From this, was established a system of convict leasing where plantations owners could purchase prisoners to work their land. Building revenue for the state and profit for the plantation owners, bidders paid out an average of $25,000 a year for leasing human beings. It was not until the 1930s, less than 100 years ago, that convict leasing was abolished.

Today we see the reemergence of these labor exploitation prison industries. Private corporations are leasing factories to prisons and the prisons are leasing its prisoners to the factories. From this, has emerged the Prison Industrial Complex (PIC). This term is used to describe the political influence of private prison companies, the use of prison labor and the rapid growing incarceration rate in the U.S. Incarceration has become a multi-billion-dollar industry, profiting off punishment. Benefiting from the exploitation of labor, the PIC operates well within the capitalist system. Capitalism being the United States current mode of production, the expansion of what is defined as criminal behavior in schools engenders juvenile delinquency as a profitable asset to the prison industrial complex. Because juvenile delinquency has been studied as a gateway to adult crime, it often funnels poor, disproportionately black bodies into prisons.
where the exploitation of labor is legal. An explanation for this can be found in the relationship between the capitalist class and ‘the executive of the modern state’.

Marxism is the analysis of class relations which depend on the epoch of their mode of production. This complex economic and social critique, is based upon political and economic theories deriving from the thought of Karl Marx and Friedrich Engels. Through capitalism’s law and order, Marx recognized a class struggle rooted in the social and economic relations from which people acquire a living. The two classes are represented by the capitalist, being the owner of the productive resources, and the proletariat, whose only significant value is their labor power. Concerned with capitalism as lived beyond just considered, Marx combines both a dialectic and materialist philosophy. This emphasizes the conditions of production during each epoch as integral in the shaping of social consciousness and behavior.

In Marx’s description of the state, he writes:

*The executive of the modern state is but a committee for managing the common affairs of the whole bourgeoisie.*

In the compulsory to represent the interest of every member of the society, the capitalist class uses universality in state ideology and administration of the law to put forth their own ideas as the only rational ones. The state then functions as a tool controlled by the capitalist class, making this relationship significant in shaping social consciousness and behavior.

In 2015, The Bureau of Justice Statistics (BJS) found that more than 2.3 million people were in federal, state or local prisons and jails. Making up both those in jail and those on parole or probation, 7 million Americans were under some sort of correctional supervision. The United States has become heavily addicted and dependent on incarceration. Relating to the cultural
studies reading of capitalist ideology, ideology works to conceal the reality of domination by those in power. This is manifested in the social realities, political interest and economic formations of the U.S. penal system. The owners of the current mode of production, through the process of “Othering”, criminalize the poor and conditions of poverty, removing them from society and placing them in prisons. The process of Othering or (the) Other, is described in the SAGE Dictionary of Cultural Studies as “binaries of difference usually involving a relationship of power, of inclusion or exclusion, in that one of the pair is empowered with a positive identity and the other side of the equation becomes the subordinated Other.” (SAGE Dictionary of Cultural Studies 2004) It is then through the exclusion from political, legal and educational institutions that the process of “Othering” is actualized once a person is deemed criminal. This only further polarizes the nation.

From Here

With a final quote from Black Metropolis:

“Americans are required to appear cheerful and optimistic about a solution, regardless of evidence to the contrary. This is particularly difficult for Negroes who at the same time must endure all the disadvantages of the Job Ceiling and the Black Ghetto, as well as other forms of subordination.”

A collective interest in investigating the troubles faced by our youth must be acquired. We must all be angry when young folks are being criminalized. We must all step back and look at our realities while also considering the humanity of others. Get angry! The problem of social control and the process of racial criminalization and medicalizing is a problem within the United States Educational System. It is a threat to us all and it must be considered and problematized by each of us.
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