

Exit Exams, the Prison Pipeline and Getting Tough Anyway

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It has become a truism that there is a close connection between school failure and juvenile crime, as demonstrated by literally hundreds of studies over the past 100 years. As if to remind us once again, here comes yet another study, this one by the California Dropout Research Project at UC Santa Barbara. As reported in the [Los Angeles Times](#), dropping out of school costs the state \$1.1 billion each year and if we decreased the number of dropouts by half it would save \$550 million per year. This study also found that for each group of 20-year-olds (about 120,000 per year) the total economic loss is about \$46.4 billion.

Looking more carefully at the actual [report](#) reveals that compared to high school graduates dropouts “earn lower wages, pay fewer taxes, are more likely to commit crimes, are less likely to be employed, are more likely to be on welfare, and are less healthy.” Not surprisingly, race enters the picture in a predictable way. For example, black male dropouts have a 60% change of being incarcerated (the report did not show the incarceration rate for other races). Another [report](#) called “Ethnic and Gender Differences in California High School Graduation Rates” shows that black youths have the lowest graduation rates (59%) with Hispanics only slightly better (60%), and females of all races the most likely to graduate.

Related reports (go to same link - [report](#)) show that graduation rates in this state have declined since the required testing (called the California High School Exit Exam - CAHSEE) took effect during the 2005-2006 school year. These “exit exams” have been a growing phenomenon all over the country in recent years (“[High school exit exams on the rise](#)”).

A closer look at some of the other studies conducted by the UC Santa Barbara project reveal that dropout rates have increased significantly for those in the 12th grade, while the rates for those in grades 9-11 have declined. The report suggests that this coincided with the test requirement’s starting point. A [study](#) by two university professors from Stanford and UC-Davis

found some very negative effects of the testing requirement. Specifically they found that the CAHSEE requirement “had no positive effects on students’ academic skills, and a large negative impact on graduation rates that fell disproportionately on minority students and on female students.” A study by the [University of Minnesota](#) found the tests had “no measurable impact on 13- to 17-year-old students' reading or math achievement levels.” Another study from this university found that students “who had earned diplomas in states that required exit exams experienced the same chances of employment and the same wage rates as those who were not required to pass exit exams.” A 2008 [review](#) of the research concludes that “Exit exam policies now influence the education of 65% of U.S. public high school students, yet colleges report increasing need for remedial education. Federal statistics indicate that 40% of college students take at least one remedial course, reducing their probability of graduating.” Given the high costs of using such exams, critics wonder if the money could be better spent elsewhere in the educational system.

Many states have begun to question the need for such exams. In Maryland, for instance, some critics are saying that it is “hard to tell whether the exams are improving instruction or just making adults and students better at gaming the tests to get better scores,” according to a story in the [Washington Post](#). A 2004 [study](#) found that “exit exams administered by 24 states have had no net effect on graduation rates.” At least two states have decided to abandon exit exams altogether, [Alabama](#) and [Texas](#).

Still another report from the UC Santa Barbara Dropout Research Project found that dropout rates were highly concentrated rather than spread around the state. Specifically, the “10 districts with the highest number of dropouts accounted for 36% of all the dropouts in California.” More specifically, the highest dropout rates occur in what are known as “non-

traditional schools,” such as “charter schools, continuation schools, community schools, California Youth Authority schools and a variety of other alternative schools.” The more traditional schools had a dropout rate of only 1% compared to a rate of 12% in non-traditional schools (Statistical Brief 8, “Which California School Districts Have the Most Dropouts” - [report](#)).

One of the reports (Statistical Brief 3, “Early Predictors of High School Graduation and Dropout”) quoted a national longitudinal study of 8th graders and found that the most important predictors of dropping out were having the following risk factors: (1) being from a single-parent home; (2) having at least one parent who did not graduate; (3) having an older sibling who dropped out; (4) spending 3 or more hours alone after school; (5) having limited English-speaking skills; (6) coming from a low income family. (The study was “[Coming of Age in the 1990s: The Eighth-Grade Class of 1988 12 Years Later.](#)”)

The “Prison Pipeline”

Are “exit exams” another way to weed out the poor and minority students? Do such exams help process such students toward the prison system, becoming part of what the Children’s Defense Fund has called the [prison pipeline](#)? Their study, published earlier this year, argues that millions of children face, from the day they are born, multiple high risk factors that lead, like a “pipeline,” directly to prison. Starting at a very early age millions are both with low birth weight to teen mothers (who are unmarried, never completed high school and are living in poverty) without health insurance, which is followed by being the victims of abuse and neglect. These factors begin to multiply until they start to fall behind in school, which in turn leads to hanging out with peers who have also fallen behind, which in turn leads to expulsions and suspensions, ending in just giving up and not going to school at all. These risk factors accumulate and the pipeline leads

them inevitably into the arms of the law at a very young age, with short periods of time in detention, then perhaps foster care, followed by more times in detention, leading to months or even years in juvenile prisons and finally, inside the adult prison system.

Ignore the Evidence and Get Tough

Despite such evidence, policymakers continue pursuing the same old policies of “getting tough.” Indeed, during the last two decades of the 20th century, a turning point in the history of juvenile justice emerged. Politicians, policy-makers and the general public began demanding that juveniles take responsibility for their actions and began to call for punishments typically reserved for adults. The movement is toward allowing more and more juvenile offenders to be prosecuted in the adult criminal court. Such a movement may eventually take us back to the kind of punishments that occurred before the end of the 19th century, when the “child saving movement” sought to soften the response to juvenile crime, ushering in an era of rehabilitation within the newly established juvenile court. Court waivers (or “certification”) of juveniles to the adult system reflect, in our views, draconian policies that can only make matters worse. Moreover, these policies have specifically targeted African-American and other minority youth, while more lenient policies have been reserved for their white middle class counterparts. In growing numbers of states, a “zero tolerance” policy has widened the net to such an extent that even the most minor of offenses result in an arrest and jailing in already overcrowded detention centers.

Yet another study has just been released by the Lyndon B. Johnson School of Public Affairs at the University of Texas-Austin. The study illustrates once again the punitiveness that remains an essential feature of American society. The title of the study is [“From Time Out to Hard Time: Young Children in the Adult Criminal Justice System.”](#)

The study began when the University of Texas Law School Supreme Court Clinic agreed to represent Christopher Pittman, a 12-year old boy who had killed his grandparents, was tried as an adult and given a mandatory minimum sentence of 30 years without possibility of parole. The Clinic undertook a comprehensive research project involving law students and graduate students.

The 134 page document is worthy of a careful review. It contains the most up-to-date literature and facts from a variety of sources, along with excellent graphics. Among the key findings include the following:

- In more than half the states it is legal for children under age 12 to be treated as adults. In 22 states plus the District of Columbia, children as young as 7 can be prosecuted and tried in adult court.
- In many states a child charged with a crime in adult court may be held in an adult jail while awaiting trial and may be sent to an adult prison upon conviction. On a single day in 2008, 7,703 children under age 18 were held in adult local jails and 3,650 in adult state prisons.
- The United States stands almost alone in the world in the punitiveness toward children. The researchers found no instances where countries handed down 20 and 30 year sentences for children under 13.
- Research clearly shows that treating children this young in the adult system creates nothing positive – neither for the children nor for public safety.
- While judges in the adult system often have little discretion in sentencing children, those in the juvenile court system have many different options. Juvenile courts are fully capable of handling even the most serious young offenders.
- Taxpayers save money by treating children within the juvenile justice system (one researcher found that \$3 was saved for every dollar spent on the juvenile system).

The researchers give a number of specific policy recommendations that should be given serious consideration by policy makers. It is time for the United States to cease being mired in 19th century thinking and move into the 21st century.

The report highlights some of the most extreme sentences given to children under 13. In addition to Christopher Pittman, there was Lionel Tate, a 12-year-old who got a life without

parole sentence for killing a 6-year-old girl while trying out wrestling moves; Evan Savoie was a 12-year-old who received a 26-year sentence for killing a mentally disabled playmate; Ian Manuel, a 13-year-old with a traumatic life history who was sentenced to life without parole for inflicting a nonfatal gunshot wound during a robbery; 12-year-old Djinn Buckingham tried as an adult for arson and murder of his 11-year-old cousin; and Latasha Armstead, a victim of gang rape at age 12, who received a life sentence for being a party to a murder committed by her much-older boyfriend when she was 13. There are many more examples given in this study.

Politicians often run on platforms of “educational reform” and talk about their concern for “our children.” When it comes to annual budgets however they complain about the “costs” and about “overpaid” teachers. When times are bad (as they are today) education is usually the first place they look to save money, especially special needs programs, dropout prevention programs, recreational programs and the like. Yet they don’t hesitate to spend money on the criminal justice system to process those who have failed. They apparently have forgotten the old saying “an ounce of prevention is worth a pound of cure.”