

Black Students in Chicago: Pathways to Equity Law Enforcement Practices

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Abstract

This research investigates the relationship between historic redlining, disparity in family wealth, and over-policing in CPS, with a particular focus on the adverse effects of "zero tolerance" policies and school-to-prison pipelines. Students of color face extremely high suspension, expulsion, and arrest rates which disrupt academic achievement and exacerbate psychological challenges. The paper draws on historical and psychological analyses, critiques the role of police in CPS and proposes policy reforms aimed at reducing racial discrimination. Key recommendations include removing police from schools, implementing restorative justice practices, and increasing equity in school funding. While financial redress is explored as a possible solution, the paper wraps up by stating that structural reforms in the policy of schools can dismantle systemic racism in CPS. Drawing upon several models of schools that successfully divested from police, the paper reiterates the need for similar urgent measures on the part of Chicago schools to provide a safe and healthy learning atmosphere to the school students.

Introduction

Chicago is known for many things: its unique food, its prevalent music influenced by Black culture, and its modern architecture. However, most prominently, it is known for being a center of crime in the United States and for its notoriously violent and aggressive police force, the Chicago Police Department. As Simon Balto, assistant professor of African American studies at the University of Iowa, explains, the enduring harsh power of the police department is rooted in racial bias, as Chicago is a "Black metropolis," or a city with a significant Black population [1]. Due to years of systemic racism, Black people in the United States have faced oppression and abuse from the criminal justice system. In "Modern Day Consequences of Historic Redlining: Finding a Path Forward," Leonard E. Egede, a Professor of Medicine, along with colleagues from the Medical College of Wisconsin argue that policies initiated during the New Deal era unequally distributed home ownership through redlining—a practice of withholding financial ser-

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vices to segregate housing. This pushed Black families into lower-value regions, entrenching wealth disparities [2]. Policing is often much more aggressive in these neighborhoods that are occupied by majority-Black families. Over policing in Chicago extends to children and teenagers, especially in school environments. Each year, the Chicago Public School system arrests, suspends, and expels tens of thousands of students; Black students are disproportionately affected by this. This aggressive policing and discipline in schools not only leads to disproportionately severe punishments but also undermines trust between students and teachers, exacerbating psychological harm. The legacy of structural racism in the United States and its lasting impacts in educational, policing, and wealth disparity by race poses the question: how best can systemic racial inequality in Chicago schools be dismantled? Addressing the numerous ways systemic racism shapes racial discrimination in CPS highlights the urgent necessity of ending the oppression faced by students of color in school discipline.

Over Policing in Schools

In the United States, the heavy policing of Black children in schools results in aggressive, law-enforced discipline that disproportionately targets Black students, as described by Dr. Christopher A. Mallett, a professor of Social Work at Cleveland State University. Dr. Mallet identifies this phenomenon as the school-to-prison pipeline, or the idea that some students, specifically Black students, hindering their access to quality education [3]. Adira Siman, Doctorate of Law from Cornell Law School, builds upon Dr. Mallet's argument, asserting that "zero tolerance" policies are the primary drivers of this issue [4]. "Zero tolerance" policies are school policies that, without nuance, aggressively punish students for all school offenses, often including law enforcement. These policies, as described by Siman, include extreme punishment for nonviolent rule-breaking, such as general misbehavior, possession of "potential" weapons such as paper clips, and possession of drugs, even including Tylenol or Aspirin [4]. These policies are disproportionately implemented in Black-majority schools and, while purportedly intended as safety measures, they significantly disrupt the education of affected students [4]. As a result of these policies, the presence and role of police is augmented in schools with Black-majority students. The wide range of potential offenses that allow suspension, expulsion, and arrest allow the policing system in Chicago to maintain unjust power and

continue the cycle of over policing of Black students and unfair treatment by the criminal justice system.

Chicago Public Schools

In *Education on Lockdown: The Schoolhouse to Jailhouse Track*, the chapter titled “Chicago, Illinois,” created and published by the Advancement Project—a policy and legal action organization in partnership with Northwestern University School of Law—examines the most prominent aspect of this issue through the lens of the Chicago Public School (CPS) system and its students: the use of police. In 2003 alone, 8539 students were arrested in Chicago public schools, with almost 10

Removal of the Police

Due to the numerous negative effects of the integration of police into the Chicago Public School system, the solution to the racial discrimination in the school system as well as in the criminal justice system is the removal of Chicago police from Chicago Public Schools. Michelle Mbekeani-Wiley, policy advisor for the Cook County State’s Attorney’s Office, asserts that the negative effects of the police’s involvement in Chicago schools far outweigh the purpose they are meant to serve. She explains that guidelines regulating when police should be involved—such as prohibiting their use in non-emergency situations or for nonviolent disruptive students—are frequently ignored by both school staff and police officers [5]. The Honorable Jay Blitzman, former First Justice of the Massachusetts Middlesex County Juvenile Court Division, supports Mbekeani-Wiley’s argument, emphasizing that schools must either remove police entirely or severely limit their role [6]. Additionally, Blitzman argues that these aggressive measures should be replaced with supportive interventions such as “collaborative problem solving, emotional support, and restorative justice” in cases of nonviolent offense [6]. The removal of police will allow students, especially Black students, to feel safer in educational environments and focus on education as opposed to receiving discipline. Additionally, students will not be victim to psychological distress that is caused by over surveillance and aggressive policing.

Potential Economic Roots

Still, many experts believe there are economic roots for the racial disparity in policing of students. Michael Leachman and Eric Figueroa, senior leaders in state fiscal policy at the Center on Budget and Policy Priorities, and Kathleen Masterson, editor of climate and environment at Boston University Radio, argue that states are withdrawing funding from school districts, leaving local governments unable to compensate for these financial losses [7]. Additionally, they argue that as local governments are much more responsible for school funding, property tax differences cause great divides in quality of education, often accentuated by race. Leachman et al. propose that if states assumed greater responsibility for school funding, financial resources would be distributed more equitably among students of all races [7]. Due to this aspect of the problem, a counterargument through an economic solution can be seen. One such alternate solution is through the lens of Elouise Cobell's fight for financial redress, as presented by Melinda Janko. Cobell, a Blackfoot Indigenous woman, filed a monumental class action lawsuit against the United States Department of Interior, fighting for and eventually winning financial redress for her community [8]. Cobell's case, however, is not unique. In 2002 in the United Kingdom, the Race Relations Act 2000 was passed [9]. According to Field and Roberts, this legislation enabled citizens to sue local governments for instances of racial discrimination and to seek financial redress for wrongful actions by police [9]. A similar law in Chicago could provide a mechanism for addressing the effects of wrongful police intervention in schools by holding local governments accountable through financial compensation.

Downsides of Financial Redress

While financial redress is often considered an effective solution, it is unlikely to have as significant an impact as changes to school policies. Although racial discrimination in the policing of students in the United States is deeply rooted in wealth disparity, a financial solution would not address the systemic issues as effectively as policy reform. Stephen Winter, Associate Professor of Political Theory at University of Auckland, compares the benefits and drawbacks of distributing wealth to affected populations of historic and systemic racism. Winter concludes that while financial compensation is necessary in some cases—such as Elouise Cobell's lawsuit and

the implementation of the Race Relations Act 2000—it does not guarantee the resolution of present-day oppression [10]. A more effective approach would be to prioritize reducing the aggressiveness of disciplinary measures and limiting police presence in schools.

Limitations and Implications

The removal of police forces from Chicago Public Schools (CPS) is necessary to promote racial equity within the education system. Black students face systemic discrimination from both school officials and police, while restrictions on police use in schools are largely ineffective, perpetuating mental harm and academic struggles caused by over-surveillance and police involvement. A significant limitation of outright removing police from school systems such as CPS is that the solution discounts the potential benefits police provide in schools. Barbara Raymond, M.A. in Education Public Policy from Seattle University, asserts that there have been many benefits of the instating of police in schools in Boston, Canada, and the United Kingdom, citing reduction of crime, reduction of truancy, and improved relations with police [11]. However, Raymond’s analysis lacks sociological nuance regarding race, as schools in predominantly Black communities often experience higher levels of police abuse and misconduct. While the examples Raymond cites do not share the same racial and socio-economic contexts as Chicago, her argument is less applicable in this case. Conversely, many majority-Black school systems in the U.S. have successfully ended their contracts with police departments. Kara Yorio, senior editor of the *School Library Journal*, and Courtney Shannon, Esq., LL.M from University of Florida, Fredric G. Levin College of Law, both describe the chain of school systems that removed police from their schools in 2020 and 2021. They describe how the Minneapolis School Board, the Oakland Unified and West Contra Costa Unified School Boards, the Denver Public School Board, the Madison School District, and the Milwaukee Board of School Directors cut their contracts with their cities’ police departments in response to prevalent “Defund The Police” movements; since then, these schools have not seen rises in crime and instead report students feeling more safe at school [12].

Conclusion

Black students in Chicago are disproportionately subjected to systemic racism within schools and the broader Chicago Public School System. The over-surveillance and over-policing of these students are not only academically and psychologically damaging but also have long-term physical and social repercussions. Racial bias in the school system is perpetrated among multiple domains, from school policy to funding. While local and district funding is influential to racial discrimination, redress would not be the most effective solution to this issue. It is necessary and imperative to completely remove the Chicago Police Department in Chicago Public Schools. Chicago Public Schools must follow the lead of numerous other school districts and close their contract with police in order to reduce discrimination and extreme, aggressive force by policing against police. Every day, Chicago students are arrested and every day, Black students in Chicago are subject to systemic racism. Police must be removed from schools to make students safer.

References

1. Balto, S. *Prologue: The Promised Land and the Devil's Sanctum: The Risings of the Chicago Police Department and Black Chicago*. Accessed 14 April 2024. 2019. http://www.jstor.org/stable/10.5149/9781469649610_balto.6.
2. Egede, L. E. *et al.* Modern Day Consequences of Historic Redlining: Finding a Path Forward. *Journal of General Internal Medicine* **38**. Accessed 17 March 2024, 1534–1537 (2023).
3. Mallett, C. A. *The Punitive Generation* Accessed 17 March 2024, 1–14 (Springer Publishing Company, 2016).
4. Siman, A. Challenging Zero Tolerance: Federal and State Legal Remedies for Students of Color. *Cornell Journal of Law and Public Policy* **14**. Accessed 17 March 2024, 327–365. scholarship.law.cornell.edu/cjlp/vol14/iss2/4 (2005).
5. Mbekeani-Wiley, M. *Handcuffs in Hallways: The State of Policing in Chicago Public Schools* Accessed 1 April 2024. 2017. www.povertylaw.org/wp-content/uploads/2020/07/handcuffs-in-hallways-amended-rev1.pdf.
6. Blitzman, J. *Shutting Down the School-to-Prison Pipeline* Accessed 17 March 2024. Oct. 2021. www.americanbar.org/groups/crsj/publications/human_rights_magazine_home/empowering-youth-at-risk/shutting-down-the-school-to-prison-pipeline/.
7. Leachman, M. *et al.* *A Punishing Decade for School Funding* Accessed 17 March 2024. 2017. www.cbpp.org/sites/default/files/atoms/files/11-29-17sfp.pdf.
8. Janko, M. *Elouise Cobell: A Small Measure of Justice* Accessed 17 March 2024. 2013. www.americanindianmagazine.org/story/elouise-cobell-small-measure-justice.
9. Field, S. & Roberts, P. Racism and Police Investigations: Individual Redress, Public Interests and Collective Change After the Race Relations (Amendment) Act 2000. *Legal Studies* **22**. Accessed 17 March 2024, 493–526 (2002).

10. Winter, S. Uncertain Justice: History and Reparations. *Journal of Social Philosophy* **37**. Accessed 24 March 2024, 342–359 (2006).
11. Raymond, B. *Assigning Police Officers to Schools* 2010.
12. Yorio, K. *Police-Free Schools Advocates Earn Big Wins; Movement Has National Momentum* Accessed 6 April 2024. June 2020. www.slj.com/story/police-free-schools-advocates-earn-big-wins-movement-has-national-momentum.