Wilkie D. Ferguson, Jr. Bar Association & The Law Center at Miami Dade College

host

American Bar Association Joint Task Force on
Reversing the School to Prison Pipeline

Miami Town Hall Forum

Thursday, May 14, 2015
3:30 p.m.—5:30 p.m.

Miami Dade College Wolfson Campus
James K. Batten Community Room (Room 2106)
300 NE 2nd Avenue, Miami, FL 33130
PROGRAM

OPENING REMARKS

Leigh-Ann A. Buchanan, President
Wilkie D. Ferguson, Jr. Bar Association

Marvelle McIntyre-Hall, Law Center Director
Miami Dade College Wolfson Campus

PANEL: WHAT ARE THE PROBLEMS? WHAT ARE THE SOLUTIONS? WHAT IS OUR ACTION PLAN?

Colleen Adams, Founder & Executive Director
Empowered Youth

Dwight Bullard, Florida State Senate

Norman Hemming, Special Counsel
Office of the United States Attorney, Southern District of Florida

Ruth Jeannoel, Lead Organizer
Power U Center for Social Change

Carlos Martinez, Public Defender
Miami-Dade County Office of the Public Defender

Arnold R. Montgomery, Administrative Director
Office of Educational Equity, Access, and Diversity, Miami Dade Public Schools

Jason Nance, Assoc. Professor of Law & Assoc. Dir. for Education Law and Policy
Center on Children and Families and the University of Florida Levin College

Hon. Orlando Prescott, Senior Administrative Judge
Eleventh Judicial Circuit Juvenile Division, Miami-Dade County

Maurice Sikes, Sergeant
Coral Gables Police Department

OPEN PUBLIC FORUM

CLOSING REMARKS

Christopher Lomax, Associate
Jones Day

Please download a copy of the Miami Town Hall Program book online at: www.ambar.org/corej
Panelists

**Colleen Adams**  
*Founder and Executive Director of Empowered Youth*

The Empowered Youth Neighborhood Program is an intervention/diversion program that serves inner-city young men between the ages of 12 and 19 years of age, most of whom have been court-ordered to the program.

Colleen’s professional background as an executive in large corporations such as Ralph Lauren, Harper’s BAZAAR Magazine and Perry Ellis International has well prepared her for the challenges of launching a non-profit with a focus on job training and development. The goal of the Empowered Youth Program is train our inner-city young men to become social entrepreneurs, leaders and change-makers in their communities. Empowered Youth is working to create sustainable business models that will continue to train and employ inner-city youth and lift them, their families and their communities out of poverty for many years to come.

Recently four students/graduates from Empowered Youth represented the program on a trip to Washington DC sponsored by Commissioner Sarnoff’s office. Three of those young men went to the White House to meet with Michal Smith, National Director for the My Brother’s Keeper program. From the Court House to the White House is a powerful journey for a young man to make.

**YOUTH TRANSFORMATION THROUGH OPPORTUNITY** is the Empowered Youth mantra.

Colleen left corporate America to focus her time, attention and resources on the development and expansion of Empowered Youth program, and to focus on launching business models that give these young men hope for a better future. Current business models include the Vibe 305 Food Truck, with plans to launch the Vibe 305 Café in Wynwood this fall---which will create 50 new life-saving jobs for our inner-city young men.

Colleen is a recipient of the prestigious President’s Volunteer Service Award and is involved in many community programs, activities and partnerships in her role as the Founder and Executive Director of Empowered Youth, Inc.

**Leigh-Ann Buchanan,**  
*Business Litigation Attorney*  
*(Co-moderator)*

Leigh-Ann A. Buchanan is a business litigation attorney at Berger Singerman LLP, where she concentrates her practice in complex commercial and transnational litigation, white-collar criminal defense and international commercial arbitration. Leigh-Ann’s passion lies in promoting fairness and equality within the legal system through advocacy and by increasing awareness of social justice issues. She was appointed to serve on the American Bar Association’s Coalition on Racial and Ethnic Justice and to lead the ABA’s National Task Force on Stand Your Ground Laws as co-chair.

Leigh-Ann’s local leadership affiliations include serving as the President of the Wilkie D. Ferguson, Jr. Bar Association, Founder & Chair of the International Human Factor Youth Leadership Program, Selections Chair for the Miami Chapter of the New Leaders Council and as a member of the Executive Committee of Friends of New World Symphony. Leigh-Ann has been recognized as a Rising Star by the National Bar Association’s Women Lawyers Division, named one of South Florida’s 40 Under 40 Professionals of Today and Tomorrow by Legacy Magazine, and selected as a finalist for the Greater Miami Chamber of Commerce HYPE Award.
Dwight M. Bullard,  
*Florida State Senator*

State Senator Dwight M. Bullard hails from an esteemed educator, community activist and legislator family. His mother, Larcenia J. Bullard is a former school teacher, administrator, education consultant and member of the Florida House of Representatives from 1992-2000. She was later elected to the Florida Senate in 2002 and has continued to serve since. His father Edward B. Bullard is a former educator, assistant principal, and former member of the Florida House of Representatives from 2000-2008. In 1981, Dwight moved to Miami, where he was raised in the community of Richmond Heights. After graduating from Miami Killian, he continued his education at Florida A&M University where he received his B.S. in history education. Since 2000, Rep. Bullard has been a teacher at Coral Reef Senior High School and was sworn into office as representative of District 118 and was reelected subsequently. In 2012 he was victorious in a bid to become State Senator for the 39th District.

While in the House he served as a member of the agriculture & natural resources policy committee, the prek-12 appropriations committee, prek-12 education policy committee and the economic development policy committee during his first term. Representative Bullard was a member of the justice appropriations subcommittee, the k-20 competitiveness subcommittee, the agriculture and natural resources subcommittee, and the criminal justice subcommittee for the 2011 legislative session and a member of higher education appropriation subcommittee for the 2012 legislative session. Representative Bullard was named democratic ranking member of the preK-12 education policy committee after his first term and became most recently Democrat ranking member of the education committee. Since joining the Senate, Bullard has continued his advocacy for children and the environment.

Norman Hemming III,  
*Special Counsel to the US Attorney, South District, Florida*

Assistant United States Attorney, Civil Division at United States Department of Justice, Bachelor of Arts degree in Government and Public Administration, John Jay College of Criminal Justice, 1988; Juris Doctorate degree, Howard University School of Law, 1991

Ruth Jeannoel,  
*Lead Organizer, Power U Center for Social Change*

Ruth Jeannoel is a mother, wife and a lead organizer with the Power U Center for Social change in Miami, FL. Ruth was born and raised in Cambridge, MA. Ruth has been organizing since the 4th grade with her first boycott around “opting” out of the states standardized test. She continued her organizing work through high school and college in spaces it related to youth voice around access to public education and gender justice. Ruth studied Social Thought- Political Economy & Women’s studies at the University of Massachusetts-Amherst. She has been organizing youth of color around dismantling the school to prison pipeline by providing black and brown youth with the tools to build power in their own communities. In the last two years, Ruth has worked with the Power U Center for Social Change to implement a Restorative Justice model in Miami Dade County Public Schools as a way to address school discipline instead of a punitive discipline models. Ruth is also expanding her thought leadership as a writer for Echoing Ida-A Forward Together program dedicated to developing and amplifying the thought leadership of Black women in the social justice movement. She is a believer in the personal being political and has a strong commitment to developing new leaders to fight for Black Liberation.
Carlos J. Martinez,
Public Defender for Miami-Dade County

Carlos J. Martinez, a native of Cuba, has dedicated his professional life to public service, using his legal talents in service of the poor. He was elected public defender without opposition in August, 2008. Carlos is the first Cuban-American Public Defender and the only elected Hispanic Public Defender in the U.S. As Public Defender, Carlos manages an office of approximately 360 employees, handling approximately 90,000 cases each year.

Arnold R. Montgomery
Administrative Director, Office of Educational Equity, Access, and Diversity
Miami Dade Public School System

Arnold R. Montgomery has worked as a teacher and administrator for thirty years in the Miami-Dade County Public School System (MDCPS).

Mr. Montgomery has served as the principal of North Miami Middle School and Andover Middle School, Regional Administrative Director to the Education Transformation Office (ETO) and recently as the Administrative Director for the Office of Educational Equity, Access, and Diversity (OEEAD). The primary focus of the OEEAD is to monitor the District's compliance responsibilities pertaining to educational equity according to the Florida Educational Equity Act, Section 1000.05, Florida Statutes, and other federal and state legislation relating to equity, access, and diversity in education.

Mr. Montgomery has participated in many leadership programs and enterprises while receiving numerous awards and accolades including participation in the Superintendent's Urban Principal Initiative Program (SUPI) and Harvard's Graduate School of Education Principal Center Leadership Development Program. Additionally, he has attended strategic planning sessions at the National Center for Missing and Exploited Children in Maryland and Virginia, collaborated on a National Special Projects Plan to craft a critical incident plan/memorandum of agreement to coordinate services and information exchange models between support agencies and first response units during emergencies for large metropolitan cities in Wisconsin. He was selected by the Superintendent of Schools to participate in the first class of the Principal's Development Leadership Program offered at Florida International University, selected as 2010-2011 Region Center One's candidate for Principal of the Year, selected as the Miami-Dade Media Specialist Association 2009-2010 Principal of the Year, twice nominated for Region/District Teacher of the Year, nominated for Who's Who in Teaching, and nominated as the 2003-2004 Exceptional Student Education Administrator of the Year.

Mr. Montgomery received his Bachelor's of Science degree in Geology/Geography with a minor in Chemistry from Murray State University. He received a Master's of Science Degree in Computer Science and Technology.
Professor Jason Nance is an Associate Professor of Law and the Associate Director for Education Law and Policy at the Center on Children and Families and the University of Florida Levin College of Law. He teaches education law, remedies, and torts and focuses his research and writing on education law, school discipline, students’ rights, and the school to prison pipeline. In addition to earning a J.D. at the University of Pennsylvania Law School, he earned a Ph.D. in educational administration from The Ohio State University.

Orlando A. Prescott is a judge of the Eleventh Judicial Circuit Court, Juvenile Division, in Florida. He was appointed by former Governor Jeb Bush in 2005 and was most recently re-elected in 2014 without opposition. In 1984, fresh out of University of Florida Law School, Orlando A. Prescott accepted a job offer to join the State Attorney’s Office in Miami. Judge Prescott, spent nearly seven years with the office and gained valuable field experience prosecuting a wide range of offenses. Most importantly, however, the young prosecutor strengthened his own legal philosophy based on equality and fairness under the tutelage of his boss, former Miami-Dade State Attorney Janet Reno.

University of Miami football player 1999-2004 and member of the greatest college football team ever 2001. Defensive Captain’02-’03Police officer since 05, he didn’t decide to become a police officer, he was born one!

Seargent Sikes is currently 1 of only 2 certified DRE (Drug Recognition Expert ) in his department and 1 out of 300 in the state of Florida. His passion is traffic after being trained by Danny Smith whose brother was killed by a drunken driver while on duty. "When everyone’s running from the gun shots, I'll be running in..."
Acknowledgements

HOSTS

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The Law Center at Miami Dade College

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ACLU of Greater Miami

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American Bar Association Joint Task Force on Reversing the School To Prison Pipeline to Hold Regional Town Hall in Miami, Florida

FOR IMMEDIATE CIRCULATION
Contact: (312) 988-5408; rachel.patrick@americanbar.org

The American Bar Association’s Joint Task Force on Reversing the School To Prison Pipeline will hold a regional town hall forum in Miami, Florida on Thursday, May 14, 2015, from 3:30 p.m. – 5:30 p.m. at Miami Dade College Wolfson Campus, James K. Batten Community Room (Room 2106), 300 NE 2nd Avenue.

This event is hosted locally by the Wilkie D. Ferguson, Jr. Bar Association and the Law Center at Miami Dade College.

The “School-to-Prison Pipeline” has become shorthand for the continuing failures in the education system where students of color are disproportionately incorrectly or over-categorized in special education, disciplined more harshly, stigmatized by lower than average achievement levels, and funneled directly from schools into juvenile justice facilities and prisons.

Speakers drawn from local and regional education, community and government stakeholders, judges, law enforcement, prosecutors, public and private criminal defense attorneys, and academicians will explore strategies to reduce referrals to juvenile courts while utilizing alternative or school-based responses to combat disruptive behavior.

Join this collaborative dialogue aimed at highlighting current research, successful programmatic intervention and to develop an action plan to address the School-to-Prison Pipeline crisis in South Florida.

WHO: Wilkie D. Ferguson, Jr. Bar Association & The Law Center at Miami Dade College
WHAT: ABA Joint Task Force on Reversing the School To Prison Pipeline Miami Town Hall
DATE: Thursday, May 14, 2015 from 3:30 p.m. — 5:30 p.m.
WHERE: Miami Dade College Wolfson Campus, James K. Batten Community Room (Room 2106), 300 NE 2nd Avenue, Miami, FL 33130
RSVP: HERE or at: www.miamischoolprisonpipelinetownhall.eventbrite.com

This town hall is free and open to members of the public. Attendees are strongly encouraged to RSVP.

# # #

The Wilkie D. Ferguson, Jr. Bar Association is formerly known as the Black Lawyers of Miami, and for over thirty years, it has served the Miami-Dade community by cultivating excellence and inclusion in the legal profession, promoting diversity in legal education through financial assistance and mentorship and advocating for equal access, equal opportunity and equal justice in the legal system.

The Law Center at Miami Dade College is home to the only paralegal studies program in Miami-Dade County certified by the American Bar Association and features an integrated internship that helps students go beyond the classroom, helping you build professional relationships and gain real-world experience.

The American Bar Association is one of the largest voluntary professional membership organizations in the world, with nearly 400,000 members. As the national voice of the legal profession, the ABA works to improve the administration of justice, promotes programs that assist lawyers and judges in their work, accredits law schools, provides continuing legal education, and works to build public understanding around the world of the importance of the rule of law.
American Bar Association Joint Task Force on Reversing the School To Prison Pipeline

Miami Town Hall Forum

Thursday, May 14, 2015
3:30 p.m.— 5:30 p.m.

Miami Dade College Wolfson Campus
James K. Batten Community Room (Room 2106)
300 NE 2nd Avenue, Miami, FL 33130
Cost: FREE

RSVP: www.miamischoolprisonpipelinetownhall.eventbrite.com

*Pre-registration Required

Speakers drawn from local and regional education, community and government leaders, judges, law enforcement, prosecutors, public and private criminal defense attorneys, and academicians will explore strategies to reduce referrals to juvenile courts while utilizing alternative or school-based responses to combat disruptive behavior.

Join this collaborative dialogue aimed at highlighting current research, successful programmatic intervention and to develop an action plan to address the components of the School To Prison Pipeline crisis in South Florida. You should not miss this dynamic town hall forum!

Co-sponsored by the ACLU of Florida Greater Miami Chapter.
OVERVIEW OF SCHOOL TO PRISON PIPELINE

What Is The School-to-Prison Pipeline?

The "school-to-prison pipeline" refers to policies and practices that push our nation’s at-risk children out of classrooms and into the juvenile and criminal justice systems. Failing public schools and social policies reflect our growing reliance on incarceration over education for more and more students.

Inadequate Public School Systems

The pipeline usually begins with overcrowded classrooms, lack of qualified teachers, and insufficient funding for counselors, special education services, and even textbooks. The failure to meet educational needs breeds disengagement and increases dropouts, which, in turn, increase the risk of later court involvement. Even worse, schools may encourage dropouts in response to pressure from test-based accountability, creating incentives to push out low-performing students to boost overall test scores.

Zero-Tolerance and Other School Discipline

Lacking resources, facing incentives to push out low-performing students, and responding to a handful of highly-publicized school shootings, public schools embraced zero-tolerance policies that automatically impose severe punishment regardless of circumstances. Under these policies, students have been expelled for bringing nail clippers or scissors to school. Schools are suspending and expelling students at a rate more than double that of 1974. In 2006, more than 3.3 million students were suspended out-of-school at least once. Between 2002 and 2006, out of school suspensions increased by 250,000 and expulsions by 15 percent. (Advancement Project [2010]. Test, punish, and push out: how ‘zero tolerance’ and high-stakes testing funnel youth into the School-to-Prison Pipeline, 6.)

Overly harsh disciplinary policies push students down the pipeline and into the juvenile justice system. Suspended and expelled children are often left unsupervised without constructive activities; they also can easily fall behind in their coursework, leading to a greater likelihood of disengagement and drop-outs. All of these factors increase the likelihood of court involvement.

As harsh penalties for minor misbehavior increase, public schools more than ever ignore or bypass due process protections for suspensions and expulsions. The lack of due process is particularly acute for students with special needs, who are disproportionately represented in the pipeline despite the heightened protections afforded to them under law.

Policing Schools

Many under-funded schools become pipeline gateways by placing increased reliance on police rather than teachers and administrators to maintain discipline. Growing numbers of districts employ school resource officers to patrol school hallways, often with little or no training in working with youth. Now children are much more likely to be subject to school-based arrests—the majority of which are for non-violent offenses, such as disruptive behavior—than they were a generation ago. The rise in school-based arrests, the quickest route from the classroom to the jailhouse, most directly exemplifies the criminalization of school children.
Disciplinary Alternative Schools

In some jurisdictions, students who have been suspended or expelled have no right to an education at all. In others, they are sent to disciplinary alternative schools.

Growing in number across the country, these "shadow" systems, sometimes run by private, for-profit companies, are immune from educational accountability standards and may fail to provide meaningful educational services to the students who need them the most. As a result, struggling students return to their regular schools unprepared, are permanently locked into inferior educational settings, or are funneled through alternative schools into the juvenile justice system.

Court Involvement and Juvenile Detention

Youth who become involved in the juvenile justice system are often denied procedural protections in the courts; in one state, up to 80% of court-involved children do not have lawyers. Students who commit minor offenses may end up in secured detention if they violate boilerplate probation conditions prohibiting them from activities like missing school or disobeying teachers.

Students pushed along the pipeline find themselves in juvenile detention facilities, many of which provide few, if any, educational services. Students of color—who are far more likely than their white peers to be suspended, expelled, or arrested for the same kind of conduct at school—and those with disabilities are particularly likely to travel down this pipeline.

Though many students are propelled down the pipeline from school to jail, it is difficult, if not impossible, to reverse the process. Students who enter the juvenile justice system, the vast majority of whom never graduate from high school, face many barriers to their re-entry into traditional schools.

Rates of suspension and expulsion, by race/ethnicity

Black students represent 16% of the student population, but 32-42% of students suspended or expelled. In comparison, white students also represent a similar range between 31-40% of students suspended or expelled, but they are 51% of the student population.
Students receiving suspensions and expulsions, by race and ethnicity

- Enrollment
- In-school suspension
- Out-of-school suspension (single)
- Out-of-school suspension (multiple)
- Expulsions

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>Enrollment</th>
<th>In-school suspension</th>
<th>Out-of-school suspension (single)</th>
<th>Out-of-school suspension (multiple)</th>
<th>Expulsions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hispanic/Latino of any race</td>
<td>51%</td>
<td>3%</td>
<td>40%</td>
<td>36%</td>
<td>31%</td>
</tr>
<tr>
<td>White</td>
<td>4%</td>
<td>3%</td>
<td>3%</td>
<td>36%</td>
<td>36%</td>
</tr>
<tr>
<td>Black/African American</td>
<td>24%</td>
<td>32%</td>
<td>22%</td>
<td>23%</td>
<td>21%</td>
</tr>
<tr>
<td>Native Hawaiian/Other Pacific Islander</td>
<td>16%</td>
<td>0.6%</td>
<td>32%</td>
<td>33%</td>
<td>34%</td>
</tr>
<tr>
<td>American Indian/Alaska Native</td>
<td>5%</td>
<td>1%</td>
<td>1%</td>
<td>1%</td>
<td>1%</td>
</tr>
<tr>
<td>Asian</td>
<td>0.5%</td>
<td>0.2%</td>
<td>0.2%</td>
<td>0.4%</td>
<td>0.3%</td>
</tr>
<tr>
<td>Two or more races</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
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</tr>
</tbody>
</table>

NOTE: Detail may not sum to 100% due to rounding. Totals: Enrollment is 49 million students, in-school suspended students, single out-of-school suspension is 1.9 million students, multiple out-of-school suspension is 1.55 million students, expulsion is 130,000 students. Data reported in this figure represents 99% of responding schools.

Empowered Youth, Inc. is a not-for-profit organization dedicated to enhancing the lives of at-risk youth. We are 501c3 public not-for-profit program.

Our comprehensive 2-phase program offers life and job-skills training; character development, inspiration, support, resources and opportunity to help these youth become contributing members of their families and communities.

- **Phase 1:** the Empowered Youth Neighborhood Program. A community-based Intervention/Diversion Program designed to help youth re-direct their lives and break the cycle of recidivism.
  - The Empowered Youth Neighborhood Program is a 6-month (usually court-ordered) program that consists of a life skills, character-based curriculum, mentors, tutors, referrals for individual, drug and family counseling.
  - Our goal is to provide the support, resources and opportunities to our students that better ensures their successful future.

**Phase 2:** Empowered Youth Entrepreneurs is a job development program founded specifically to provide training and create jobs for Empowered Youth Neighborhood students and graduates.

- The Vibe 305 Food Truck/Café/Catering: a food services division of the Empowered Youth Job Development Program designed to train and employ Empowered Youth students and graduates. The goal is to produce work-ready young men qualified to work in the Culinary/Hospitality industries and to learn how to become successful small business owners. The boys receive classes in Culinary and food truck management skills from professional chefs, on-the-job training on the truck/Café/Catering and are paid a stipend while they learn. They also receive classes in entrepreneurship from the University of Miami.

- **EY SteetWear:** An urban apparel line designed and sold by the graduates of EYN so they can earn money legally and learn entrepreneurial skills.

CONTACT COLLEEN ADAMS FOR MORE INFORMATION: colleen@empoweredyouthusa.org

**YOUTH TRANSFORMATION THROUGH OPPORTUNITY!**
International Human Factor Youth Leadership Program

Kick Off Reception

Thursday, May 28, 2015
6:00 p.m.— 8:00 p.m.

GALLERY 88
237 20th Street, Miami Beach, FL 33139
RSVP ONLINE at: www.miamihumanfactor2015.eventbrite.com
Cocktails and complimentary lite fare.

Please join us to celebrate our generous sponsors, supporters, alumni, and amazing Miami teens selected for the 2015 International Human Factor Youth Leadership Program.

Each year we selects a talented group of diverse teens to participate in an intensive Leadership Workshop lead by prominent members of the South Florida business, civic and legal community, followed by a one-week International Experiential Learning Program. The 2015 class will travel to Costa Rica and our prior class travelled to Ghana.

For more information contact: president@wdfiba.org, or call 305-981-6875. All contributions are tax-deductible. Donate online today.