

Long Term Implications of School Suspensions on Adult Crime

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ABSTRACT

“Education is what remains after one has forgotten what one has learned in school”

-Albert Einstein

A good education is the basis of a number of important life skills. It is not only the foundation of knowledge, but also the development of social skills. Suspensions from school were associated with a negative school and criminal justice outcomes. Suspensions can be perceived by students as a rejection, and this can lead to lack of trust between students and their teachers. Schools face important policy tradeoffs in monitoring and managing student behavior. Strict discipline policies may stigmatize suspended students and expose them to criminal justice system at young age. The use of school suspensions as a disciplinary measure has come under increased scrutiny due to its potential long term consequences on student's lives. While suspension are often employed as a means to address disruptive behavior in schools, emerging research suggested that they may have far reaching effects extending into adulthood, particularly in relation to involving criminal activity.

A research has shown that higher suspension rates have significant negative long term impacts. Students at schools are 15-20 percent more likely to be arrested and incarcerated as adults. The negative impacts on educational attainment of high suspension school are largest for males and minorities.

Keywords: Education, Disciplinary, Adulthood, Suspension, Stigmatize, Disruptive, Negative, Consequences

INTRODUCTION

Among all the social institutions, schools are one of the most important for adolescents. In addition to being key institutions of social control that influence adolescent development, schools are critical socializing agents that can produce either conforming or deviant behaviors. Fair and consistent school discipline can promote pro social outcomes for adolescents, including decreased bullying and victimization experiences.

It is essential to recognize that school suspensions are not isolated incidents but rather part of a broader disciplinary approach within educational institutions. While intended to maintain order and ensure a conducive learning environment, the use of suspensions may inadvertently exacerbate existing challenges faced by students, particularly those from marginalized backgrounds. Individuals who experience school suspensions are at an increased risk of involvement in criminal behavior later in life. This correlation raises a question about the effectiveness of punitive disciplinary measures in addressing underlying issues and fostering positive outcomes for students. Moreover, it underscores the importance

of considering the long term consequences of disciplinary actions in shaping individuals trajectories beyond their school years.

Understanding the link between school suspensions and adult crime requires a multifaceted approach that considers individual experiences, systematic issues within the education system, and broader societal factors. By acknowledging the complex interplay of these factors, stakeholders can work towards developing holistic strategies that support students, promote equity, and reduce the likelihood of involvement in criminal behavior later in life.

LITERATURE REVIEW

- **The effect of school and neighborhood peers on achievement, misbehavior and adult crime by Stephen B Bilings and Mark Hockstra:**

This paper talks about the importance of school and neighborhood peers in shaping educational achievement adolescent misbehavior, and adult crime. Results indicate that 5% point increase in school peers linked to paternal arrest reduces educational achievement by 0.016 standard deviations and increases adult arrests rates by 5%.

- **School suspensions do more harm than good by Brenda Alvarez :**

This paper talks about that suspending students does little to reduce future misbehavior for the disciplined students or their peers, nor did it result in improved academic achievement for peers or perceptions of positive school climate. Plus, the more severe the exclusionary discipline, the greater its negative effects were on a student's future academic performance, attendance, and behavior.

- **The development of delinquency by Joan Mc Cord, Cathy Spatz Widom:**

This paper talks about the research over the past few decades on normal child development and on development of delinquent behavior has shown that individual, social, and community conditions as well as their interactions influence behavior.

- **The effect of school discipline on offending across time by TJ Mowen:**

This paper talks about the unraveling link between school punishment and offending behaviors requires theoretical advancements that draw from multiple perspectives.

- **Restrictions on suspending students from school show evidence of being effective by Sarah D. Sparks:**

This paper talks about the evidence on the benefits of district and state restrictions on exclusionary discipline as part of the society. The studies show that states have started to roll back bans on exclusionary discipline following spikes in student misbehavior and social-emotional issues in recent years.

RESEARCH GAP

While there is a correlation between school suspensions and adult crime, there is a lack of comprehensive understanding regarding the mechanisms through which suspensions contribute to later criminal behavior. Additionally, it is needed too explore the mediating factors such as academic disengagement, social exclusion, and mental health challenges that may link school suspensions to increased risk of involvement in criminal activity.

RESEARCH OBJECTIVE

- To deepen our understanding of the complex relationship between school suspensions and adult

crime.

- To identify the factors that contributes to adverse outcomes of school suspensions for students involving in criminal behavior later in life.

RESEARCH METHODOLOGY

Doctrinal Research:

It refers to a systematic procedure of observing and describing what a subject does without influencing them. It includes surveys, interviews, case studies and observations. It aims at getting answers to what, when, where and how of and achieve an in depth information about the title. It is used best for accumulating unbiased data that reveals behaviors or recurring phenomenon.

Diagnostic Research:

It determines the root cause of the problem and finds the most effective solution. It is used in targeting the area of improvements and potential opportunities for growth. It is used for underlying the causes of an issue and how to address it.

ANALYSIS AND DISCUSSION

“The great aim of education is not knowledge but action”

-Herbert Spencer

Experiencing school suspensions can significantly increase the likelihood of involvement in adult crime. When students are excluded from school, they lose valuable educational opportunities and support systems, increasing the risk of academic failure and disengagement. This in turn, can contribute to social alienation and involvement with delinquent peer groups, ultimately leading to higher rates of criminal behavior in adulthood. However, it is significant to understand the meaning of adult crime before we begin this research.

Adult crime: There are two types of criminal system, one being the juvenile crime system and the other being the adult crime system. Adults are prosecuted for committing crimes while juveniles are prosecuted for committing delinquent acts. If the delinquent acts are extremely serious, such as extreme crimes of violence such as murder the court system may decide to charge the juvenile as an adult, in which case they would be tried in the adult crime system.

The minors are tried in another legal proceeding called adjudication hearing which fails to be final trial as it does not carry everything that adults do. The competency of the juvenile court hearing brings the magistrate before the available information and hence a conclusion whether the offender is or is not a delinquent. It is for the judge to determine whether the defendant is indeed worthy of juvenile status or not. The juvenile justice system is different from adult system which is geared towards punishment. The focus is rather on correction and rehabilitation and ultimately the best interest of child is observed. This way measures vary widely depending on certain type of detention method they are used with. Consequently, probation, parole are options.

An example of such situation took place in Goa, Panaji in August 20, 2023 where five students of class XI of Shree Shantadurga Higher Secondary School, Bicholim were suspended for a month. The Goa State Commission for Protection of Child Rights on Saturday recommended that the education department revoke the suspension as it could negatively affect the student's life and its future and is also a violation of their rights. The chairperson said that they understand school has the right to impose reasonable sanctions if a student misbehaves action like a month suspension is likely to be the least

effective way of managing behavior and could have a negative impact in later life. He said that in this situation these students will face humiliation and will become disengaged by the punishment that is given which clearly is a violation of their rights. He further added that discipline must be administered in a way that respects child's human dignity, with a greater focus on the psychological needs of students. Students face numerous complex stressors that the school administration needs to understand better in order to help them successfully navigate their school years.

The impact of school suspension on adult crime is a complex and multifaceted issue that has garnered significant attention from policymakers to educators. Several studies have examined this relationship and highlighted various ways in which school suspension can contribute to increase involvement in adult criminal behavior-

- Disruption of educational continuity
- Social and emotional consequences
- Increased risk of delinquency
- Involvement in the juvenile justice system
- Disproportionate impact on vulnerable populations
- Long term consequences

Disruption of educational continuity:

School suspensions disrupt student's educational continuity by removing them from the classroom environment, often for extended periods. This disruption can lead to academic disengagement, falling behind in coursework and ultimately, higher dropout rates. Research consistently shows that individuals with lower levels of educational attainment are more likely to engage in criminal behavior as adults. A more detailed exploration of this aspect:

Negative impact on learning- School suspensions is associated with lower academic achievement and higher dropout rates. When students are repeatedly suspended or experience prolonged absences from school, they miss out on valuable instructional time and opportunities to develop critical skills and knowledge. This academic setback can hinder they ability on long run.

Underlying factors contributing to criminal behavior- Academic disengagement and dropping out of school are significant risk factors for involvement in criminal behavior. Individuals with lower levels of educational attainment are more likely to engage in delinquent and criminal activities, including substance abuse, property crime, and violent offences.

Lack of supervision- During school suspension, students may have increased unsupervised time, which can provide opportunities for involvement in criminal behavior. Without t e structure and oversight provided by school attendance, students may be more susceptible to engaging in risky behaviors or associating with individuals involved in criminal activities.

Social and emotional consequences:

Experiencing school suspension can have detrimental effects on student's social and emotional well being. Being excluded from school can lead to feelings of alienation, stigmatization, and social isolation. These negative experiences may contribute t the development of antisocial behaviors and maladaptive coping strategies, increasing the likelihood of involvement of criminal activity later in life. The in depth exploration of this aspect is-

Psychological distress- Experiencing school suspension can be emotionally distressing for students, particularly if they perceive it as unjust or unfair. The disruption of routine, social relationship, and academic progress can trigger feelings of anxiety, depression and frustration. These psychological stressors may manifest in various ways, including behavioral problems, emotional outbursts and difficulty regulating emotions. Without adequate support and coping mechanisms, students may struggle to navigate these challenges, increasing their vulnerability to navigate outcomes, including involvement in criminal behavior.

Development of anti social behavior- School suspension disrupts students socialize and exposes them to potentially harm influences outside of the structured school environment. During periods of suspensions, students may have more structured time and limited supervision, increasing their susceptibility to engaging in risky pr antisocial behaviors. Without the positive social bonds and pro social influences found in school settings, suspended students may be more likely to associated with delinquent peer groups or engage in activities that deviate from societal norms, including substance abuse, vandalism, and other delinquent acts.

Addressing social and emotional consequences of school suspension requires a holistic approach that prioritizes support or student's mental health and well being. Implementing restorative justice practices, providing counseling and mental health services, promoting positive peer relationships and fostering a supportive school climate can help mitigate the negative effects of school suspension and reduce the likelihood of involvement in adult crime. By addressing the underlying social and emotional needs of students, schools can create environment that promotes resilience, empathy and positive decision making, ultimately contributing to a safer and more inclusive communities.

Increased risk of delinquency:

School suspensions have been linked to an increased risk of involvement in delinquent behavior during adolescence, which can set individuals on a trajectory towards adult criminality. Disconnected from the structured environment of school, suspended students may have more unstructured them and increased exposure to deviant peer influences leading to higher rates of delinquent behavior. A detailed exploration of this aspect is:

Opportunity for unsupervised activities- School suspension disrupts student's daily routines and exposes them to potentially harmful influences outside of the school setting. With increased free time and limited supervision, suspended students may be more inclined to engage in unsupervised activities that increase their risk of involvement in delinquent behavior, such as substance abuse, vandalism, theft and other criminal acts.

Long term consequences- The increased risk of delinquency resulting from school suspension can have long term consequences for student's involvement in adult crime. Their involvement in delinquent behavior is a strong predictor of continued involvement in criminal activity during adulthood. Thus, the disruption of educational continuity and exposed to negative influences associated with school suspension can set individuals on a trajectory towards involvement in adult crime, perpetuating cycles of delinquency and criminality over the life course.

Limited future opportunities- Delinquent behaviors during periods of school suspension can have long term consequences for student's futures, including limited educational and employment opportunities. Individuals with s history of delinquency are more likely to experience socio economic disadvantage and involvement in criminal activities as adults, perpetuating a cycle of crime and incarceration.

Involvement in the juvenile justice system:

Involvement in the juvenile justice system has been linked to higher rates of adult criminal behavior. The school to prison pipeline phenomenon describes the process by which exclusionary disciplinary practices in schools contribute to the funneling of students into the criminal justice system. A detailed exploration of the aspect is:

Entry point into the criminal justice system- School suspension can serve as an entry point into the juvenile justice system for many students, particularly those from disadvantaged backgrounds or marginalized communities. Once involved in juvenile justice system students face a range of consequences, including formal charges, court appearances, and potential adjudication or placement in juvenile detention facilities. The experience of being processed through juvenile justice system can have profound effects on student's attitudes, behaviors and life trajectories, increasing risk of continued involvement in criminal behavior during adolescence and adulthood.

Increased exposure to risk factors- School suspension often occurs in conjunction with other risk factors associated with delinquency, such as poverty, family instability, and exposure to violence. When students are suspended from school, they may have increased unsupervised time and limited access to positive influences, making them more vulnerable to engaging in delinquent behaviors and coming into contact with the juvenile justice system.

Disproportionate impact on vulnerable populations:

School suspensions disproportionately affect students from marginalized and vulnerable populations, including racial and ethnic minorities, students with disabilities, and those from low income backgrounds. These disparities exacerbate existing inequalities on the criminal justice system and contribute to the overrepresentation of certain demographic groups in the adult criminal population.

Students with disabilities- Students with disabilities are also disproportionately affected by school suspension. They may face challenges in meeting behavioral expectations or accessing support services, which can lead to higher rates of disciplinary action. Without adequate support these students may be at increased risk of disengagement from school and involvement in delinquent behaviors that can lead to contact with the criminal justice system.

The disproportionate impact of school suspension on vulnerable populations requires targeted interventions that address the underlying factors contributing to disparities within the education system. This includes implementing culturally responsive disciplinary practices, providing access to support services and resources, and addressing systematic inequities that perpetuate disparities in school discipline. By promoting equity and inclusivity within the education system, communities can help mitigate the impact of school suspension on vulnerable populations and reduce the likelihood of involvement in adult crime.

Long term consequences:

The negative consequences of school suspension can extend into adulthood, with suspended students facing barriers to employment, housing and other opportunities due to their disrupted educational trajectories and involvement in the juvenile justice system. These barriers can perpetuate cycles of poverty and criminality, making it difficult for individuals to break free from the cycle of crime and incarceration.

The long term consequences of school suspension on adult crime requires a comprehensive approach that focuses on prevention, intervention, and support for at risk individuals. This includes implementing alternative disciplinary practices that prioritize restorative justice and positive behavior interventions, providing access to educational and vocational opportunities for suspended students, and addressing systematic inequalities within the education system that perpetuate disparities in school discipline. By addressing the underlying factors contributing to school suspension and promoting positive outcomes for individuals, can help mitigate the long term impact of school suspension on adult crime.

REPORT OF NATIONAL CRIME RECORDS BUREAU (NCRB)

- In the year 2022 over **32%** jump in cases pertaining to children in conflict with law in Uttar Pradesh. It recorded cases 976 in the year 2019 but in 2021, it registered a rise of 32.6% with 1330 cases.
- In the year 2012, police in India has charged **27,936** juveniles for alleged involvement in serious crimes including banditry, murder, and rape and rioting. According to NCRB data, among those who faced JJB (Juvenile Justice Board) in 2012, two thirds were between the age group of 16 and 18 years.
- From the year 2002-2012 there has been an increase of **143%** in the number of rapes by juveniles. It has also revealed that the figure of murder has also gone up by 87% while at the same time there has been an alarming increase of **500%** in the number of kidnapping of women and girls by minors.

PROMINENT REASONS FOR SUCH ACTS

Sangeeta Sharma a child right activist attributed the rise in cases of children in conflict with law their staying at home for a long period. She says she has seen minors who were arrested for crimes were sitting idle as their schools were closed.

A child right activist **Yamini Abde** has said that the urge to do something different, daring, extraordinary filled with thrill is one of the driving forces behind the minors getting involved in heinous crimes like rape and murder. Peer pressure, desire for easy money, access to internet videos on crimes and pornographic material. Increase in aggression and sexual activity in youngsters and the knowledge of the fact that they will not be punished under the criminal system for them being juveniles. This absence of fear with regards to punishment has led to an increase in the crime rate among juveniles.

SIGNIFICANT CASE LAWS

- ***Mukesh and anr V. State for NCT of Delhi and ors.(Nirbhaya Rape Case)***

On 16th of December 2012 the capital witnessed the most heinous crime whereby a physiotherapy student was brutally gang raped in a moving bus in which she was travelling with a male friend. One of the co-accused was under age. This was one of the prominent cases that brought out the flaw with the then juvenile system.

- ***Vijay Jadhav V. The State of Maharashtra and anr.(Shakti Mills Gang Rape Case)***

Another heinous crime which saw the involvement of minors who were of 17 years age at the time of committing the sexual offence. In July/August 2013, out of seven persons arrested in two separate gang rape cases committed upon a photo journalist and a telephone operator in Shakti Mills Compound were two minors.

- ***State of Assam V. Bishnu Prasad Sinha and anr. (Hatigaon rape Case)***

In September 2013, a group of five boys in the age category of 12 years raped a 12 year old girl by

dradd9ng her to an abandoned place and raping her through the night. These boys were neighbors of the victim minor girl.

- ***Dinesh Kumar and ors. V. State (Govt. of NCT of Delhi) & anr. (Mayur Vihar Murder Case)***

In November 2013, a gang of five minors allegedly murdered a jeweler's wife in Delhi's Mayur Vihar and fled with gold and cash.

- ***Shilpa Mittal V. Sate NCT of Delhi (Mercedes Hit and Run Case)***

In July 2016, it was the first after the amended JJ Act 2015 whereby the accused was tried as adults. The accused 17 year and 11 months ran over a 32 year old marketing executive while driving his father's Mercedes.

- ***Saklu V. State of M.P. (Jhabua Murder Case)***

On 1st March, 2017 the first case after the amended JJ Act came into effect, two minors aged 17 and 16 years were awarded life imprisonment. The two accused stabbed the deceased teenager over a matter of 800 rupees.

CONCLUSION

Addressing the root causes of school suspension and implementing alternative disciplinary approaches that prioritize prevention, support and restorative justice is crucial for mitigating the negative consequences of suspension on student's long term outcomes. By fostering positive school climates, promoting inclusive and equitable disciplinary practices, and providing targeted support for students at risk of suspension, school can help break the cycle of exclusion, delinquency, and criminality and promote positive life trajectories for all students.

The society has undergone tremendous change in terms of its ideologies, perspectives and its moral and ethical standard. What was considered immoral a decade ago is no more seen in the same light. The aspiration for good life, better opportunities and comfort has indeed opened new doors for development. Yet the same aspirations have led us into a fast moving way of life with less time for ourselves and personal introspection. These changes in the society and individual have impacted children as well. They are now exposed to this fast growing race, competitiveness and stress for better performance in every field which has brought a lot of complexities.

In conclusion, the influence of school suspension on later criminals draws attention to the intricate link between social, psychological and systematic factors which underlay early life pipeline of students to the adulthood. A school suspension inhibits educative progress, deepens social and emotional problems, and greatly increases chances of rash behavior and stepping into the path of juvenile justice system. Uneven application of school suspension contributes to injustices and exerts its effects on social excluded groups. Towards, that pattern of social exclusion continues with more marginalizing and discriminating behavior.

SCOPE OF FUTURE RESEARCH

There is a broad scope for future research as there is lack of awareness among parents and children. The haste of becoming adult and exploring new things has somehow affected children in a way which led them to become an adult criminal at such small age. Moreover, the schools which are the hub of education have come up which such discipline methods like suspension of students which rather than bringing discipline have hampered the future of the children all together. Hence, these are the areas

which needs proper attention and must be researched and spread awareness for the future of children which are in turn the future of our nation.

REFERENCES

Case laws used:

1. Mukesh Anr V. State NCT of Delhi Ors. (2017)6SCC1; (2017)2SCC (Cri.)673:2017 online
2. Vijay Jadhav V. State of Maharashtra and anr. WritPetitioner 1181 of 2014
3. State of Assam V. Bishnu Prasad Sinha and Anr.(2006)1GLR347
4. Dinesh Kumar Ors. Petitioners V. State (govt. of NCT) of Delhi & Anr. WP(C15853) 2022
5. Shilpa Mittal V. State NCT of Delhi AIR2020SC405
6. Saklu V. State of M.P. Cr. A. No.1293/2007

Online websites used:

1. Stephen B.Billings, Mark Hockstra, the effect of school and neighborhood peers on achievement, misbehavior and adult crime, Journal of Labor Economics, Volume 41, Number3 <https://www.journals.uchicago.edu> as visit on 15 March,2024
2. Brenda Alveraz, school suspension do more harm than good, 10 September,2021 <https://www.nea.org> as visit on 15 March,2024
3. Joan Mc Cord, Cathy Spatz Widom, the development of delinquency, Page 66 <https://nap:nationalacademics.org> as visit on 15 March,2024
4. Sarah D.Sparks, restrictions on suspending students from school show evidence of being effective, September 28, 2023 <https://www.edweek.org> as visit on 15 March,2024
5. TJ Mowen, the effect of school discipline on offending across time, <https://www.ncbi.nlm.nih.gov> as visit on 15 March,2024