June 27, 2019

Honorable Robbin J. Stuckert
Presiding Judge, 23rd Judicial Circuit
DeKalb County Courthouse
133 West State Street
Sycamore, IL 60178

Re: Supreme Court Commission on Pretrial Practices

Dear Honorable Robbin J. Stuckert:

The Chicago Teachers Union represents more than 25,000 teachers, paraprofessional and school-related personnel, and school clinicians working in the Chicago Public Schools and, by extension, the students and families they serve. Our members are responsible for educating the more than 396,000 students that attend Chicago Public Schools. We greatly appreciate the opportunity to address this commission regarding the impact that money bond and pretrial incarceration have on our students.

Approximately 85% of Chicago Public Schools students are Latinx or Black, and 87% of the student body resides in low-income households. Our students thus mirror those most greatly impacted by pretrial incarceration and money bond. The pretrial incarceration of CPS students and their family members disrupts their education and other positive connections to their communities. A short period of pretrial incarceration can cause students to fall behind in their studies and even force them to drop back an entire grade level. A 2018 study by the Prison Policy Institute found that formerly incarcerated people were eight times less likely to complete college than the general public. That same study found that formerly incarcerated people were twice as likely to have no high school credential at all.

The pretrial incarceration of parents and other family members of CPS students also disrupts the lives of students and is a barrier to their short- and long-term academic success. Numerous studies have shown ties between parental incarceration and lower school performance. Pretrial incarceration can cause job loss, housing instability, increased stress, income loss, disruptions in caregiving and even the loss of parental custody. All of these factors impact a student’s ability to perform well. One study found that 49% of children aged 9 to 14 with an incarcerated parent experienced behavioral problems at


https://www.prisonpolicy.org/reports/education.html
school which led to their suspension, and 45% expressed little or no interest in school.\textsuperscript{2} Another study examined school performance among students aged 13 to 20 years old with currently incarcerated mothers and found that, compared to their best friends, adolescents with an incarcerated mother were more likely to be suspended, fail classes, drop out of school, and/or have extended absences from school.\textsuperscript{3} Even a single day in police custody or jail can destabilize families’ housing and their ability to meet basic financial needs. Furthermore, pretrial incarceration resulting from unaffordable money bonds immediately harms students and educational communities in a way that does not affect wealthier families who can afford to purchase their freedom.

Other forms of pretrial surveillance and control, such as electronic monitoring, do not provide a more just alternative to current pretrial practices. When a parent or other family member is confined to their home under curfews or house arrest, they are often unable to support students in the most basic and necessary ways, such as taking young people to medical appointments and interacting with educators through parent-teacher conferences. Rather than pretrial punishment, our students and their communities would benefit from increased resources and supportive services in the community. The court could also provide assistance in the form of phone call and text message reminders about court dates, childcare during court, and transportation assistance to get to court. These resources have been shown to be effective at increasing court appearance and also promote strong youth, families, and communities.

We are calling on the Illinois Supreme Court Commission on Pretrial Practices to recommend the implementation of the proposed supreme court rule that would end wealth-based pretrial incarceration and dramatically reduce the number of people jailed in the state of Illinois. No one should be incarcerated pretrial simply because they cannot afford to pay a money bond, and everyone should be granted maximum freedom in the community while awaiting trial. Thank you for the opportunity to submit this comment and for your commitment to increased justice for CPS students and their loved ones.

Sincerely,

Jesse Sharkey
President
Chicago Teachers Union
