

Defeating the JPA



TWIN CITIES INNOVATION ALLIANCE

A story of community empowerment through education & coalition building

How it all began

In the wake of multiple news reports about violence in schools, the Ramsey County Prosecutor's office formed a two-pronged community response, the first a Safety Task Force to look for new solutions. This involved inviting people from the community to provide input and ideas to increase supports for students in need and thereby reduce conflicts in schools. The second a series of community engagement sessions targeting impacted communities. The County convened a mix of community engagement activities between 2015 and 2017.

Across the country we are over-using detention. In Ramsey County we were locking up 3000 kids per year in detention ... Detention was and continues to be our most prison-like setting. It's iron doors, cement block cells. Long periods of isolation with kids up for 12 hours, 24 hours, which is essentially solitary confinement.

—Laura LeBlanc

Community members were invited to share ideas and discuss ways to better coordinate services for students and families, and how to use restorative practices for conflict resolution rather than punitive models, reducing dependence upon school resource officers and police intervention.

Unfortunately, when the official community engagement process report was released, community members who had participated in discussions were shocked. Many of their concerns and ideas were not reflected in the report. Instead, the report had an

unexpected focus on using technology and data sharing across systems and other state entities. Many of the community members who had been involved in engagement sessions hadn't heard mention of cross system data sharing or other technological interventions raised in discussions or presentations.

Soon after, Ramsey County, the City of Saint Paul, St. Paul Police, and Saint Paul Public Schools announced their plans for a Joint Powers Agreement (JPA) to begin a data-sharing process. The stated goal was to improve communication between agencies (schools, juvenile justice, prosecutors, police, human services, public health, child protection) through expansive

data sharing. This agreement included use of artificial intelligence and predictive analytics to identify students in need of additional services, or “at risk” for future criminal behavior.

When participants in the community engagement process heard about the proposed JPA they were shocked and skeptical. While they acknowledged a need for better coordination between social welfare agencies and schools, the inclusion of predictive analytics and law enforcement agencies in the mix was disturbing. Their concerns increased when they got their hands on a copy of the JPA. It was full of technical jargon, lacked clarity about who was responsible for student data, and left many questions unanswered about how data would be used ethically to drive predictions about student needs. They were also alarmed at how quickly the county was moving towards this technical fix without community consultation about the proposed data practices. It felt like a bait and switch. They had discussed better coordination of services and increased support for community-based services, but as participant Talaya Tolefree recalled, “never once did anybody mention [the] algorithms, using big data, none of all of those pieces were ever mentioned... no mention of community being structurally omitted from that governing board that would govern the Joint Powers Agreement.”

Joining Forces, Finding Common Ground

Restorative justice practitioners, staffers from the juvenile justice system, school social workers, and community activists— many of whom had not been in contact prior to the community engagement process—came together to understand the potential impact of the JPA. The beginning was just trying to figure out what was going on and knowing the

I called everyone. Called people and said “this thing emerging – can we come and talk about it? Figure out if we should build something.” [So I] emailed and called Marika, saw that Laura Leblanc and Laura Jones were also tweeting about this issue; randomly reached out to them because [I] didn’t know [their work in this]... They were juvie and I was education angle. Usually not talking together, but we were upset about the same things.

--Muneer Karcher-Ramos

community needed time and space to have conversations about the intersection of juvenile justice and educational justice. The group educated themselves, conducting basic research on data sharing and asking questions of data experts and computer analysts to help them break down what the JPA meant for students, particularly the students most often targeted for disciplinary action.

They learned that the JPA would potentially mean computer-driven

evaluations of students based on data like: school suspensions, special education services, whether family members had been arrested, and if the family had been or was receiving unemployment support. These are not “neutral” data categories: all of these data are tainted by structural racism.

The State of Minnesota has stark racial disparities in school suspensions. In 2018, 43 Minnesota school districts—including St. Paul Public Schools— were identified by the Minnesota Department of Human Rights for racial disproportionality in student suspensions and expulsions. Minnesota leads the nation in racial disparities in graduation rates, special education diagnoses and access to resources (Migambi et al., 2018). In addition, Minnesota has some of the worst racial disparities in employment, income, and incarceration (Minnesota State Advisory Commission on Human Rights, 2015; Prison Policy Initiative). It was alarming that the algorithm would be using such racially biased data to determine whether a student was “at risk” or “a threat to others.”

“We have to realize that these numbers are predictions based on biased information that's put into this algorithm ... It's not productive for us to think about a single time and space in someone's life and then judge them off of that single point in time.”

—Talaya Tolefree.

Forming the Community Coalition

As their understanding of the JPA grew, the group decided to form a larger coalition. The coalition came up with a term to encapsulate how the data sharing and predictive analytics would compound and accelerate already-existing racial disparities in school pushout and criminalization of BIPOC students: The Cradle-to-Prison Algorithm.

With their new knowledge of algorithms, Big Data, and data mining, the coalition hosted a summit to educate other members of the community about what was going on and the potential harms of the data sharing JPA. The coalition created multi-faceted ways to explain Big Data, data sharing, and algorithms to make it easy for youth, parents, teachers, and other stakeholders to understand what could happen with this JPA.

Combining art and science, they created activities like Algorithmic Improv, and the Dare to Data Clinic to help people understand how algorithms work, what predictive analytics are, and how algorithmic attempts to predict human behavior or other outcomes in schools are based in data already biased by race, gender, and class. The coalition organized meetings

Parents often recognize that their families are being targeted and assigned a narrative that blames and shames their parenting practices.

--Khulia Pringle

met one on one with policy makers and held a summit to share knowledge about data and raise awareness about the proposed JPA.

Through this process the coalition continued to ask questions of the county, the school board, and other agencies that planned to share student data. Throughout these exchanges, they and the folks they were talking to realized that many supporters of the JPA didn't understand the scope and potential consequences of the data-sharing agreement as written. This increased their misgivings about the JPA and its potential to increase harm to students of color and indigenous students, students with disabilities, and their families.

I wanted to see the lawyers who drafted that stuff. [But] when I talked to them, I realized they didn't fully understand what the model was.

--Jason Sole

As the Coalition was holding meetings, asking questions and issuing policy briefs, Ramsey County suffered a data breach. This brought even more attention to the negative aspects of the JPA, which lacked a clear plan for protecting data and didn't articulate a chain of responsibility should there be a data breach. Finally, the combination of community pressure, media attention, and misgivings from folks within the agencies who realized they didn't understand the potential negative consequences, the JPA was abandoned and the data sharing plan was not put into place.

Some of the collective power of this project came from new connections. As Muneer Karcher-Ramos shared, people found "unlikely allies in conversation about each other's issues. Education advocates and criminal justice advocates up to that point did not overlap very much. And now we're seeing how our work is more deeply integrated." Now that these relationships are established, future synergy is possible to align and work against the Cradle-to-Prison Algorithm before it can become a normalized feature of public policy."

The lessons learned from the JPA must be shared and applied from community to community and this must be a conversation between community and data scientists!

--Marika Pfefferkorn



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