

## **US: homeless women sent to prison for 12 years for sending her son to school - The Case of Tanya McDowell**

Friday 2 March 2012, by [Ryan](#) (Date first published: 29 February 2012).

Several days ago, Connecticut mother Tanya McDowell was convicted of stealing an education for her kindergarten age son. McDowell was sentenced to 12 years in prison. She was found to have submitted a “fraudulent” address in order to gain her son’s admittance to an elementary school in Norwalk, CT. McDowell and her son were homeless. They sometimes slept in her minivan, sometimes at a shelter in Norwalk, and sometimes were allowed to stay at a home in nearby Bridgeport (where they weren’t given a key).



### *Tanya McDowell*

On April 14, 2011, her son was told to clear out his cubby hole and leave the school in Norwalk he had been attending since January. His mother was then arrested and charged for larceny and conspiracy to commit larceny, after it was discovered that her “last-known address” was in Bridgeport. Though 26 students were removed from Norwalk schools in the same year after determining that they did not live in the city, Tanya McDowell was the only parent who faced criminal charges.

McDowell, like the only other parent to face criminal charges in a similar case in Ohio [\[1\]](#), is also African-American. As one could predict, Norwalk, unlike Bridgeport, is majority white and has a median household income double that of Bridgeport. Both cities (15 miles apart) are located in the third most prosperous state in the US, but the conditions of the schools might as well be those of different nations.

Essentially, the initial charges against her amounted to “defrauding the public,” as she “stole” \$15,686 worth of educational resources, according to the prosecution, from the Norwalk school district. School board Chairperson Jack Chiaramonte stated,

*“Right now, there is no disincentive to attend our schools. An education is not free. It comes from taxpayers’ money...Norwalk is having a hard enough time taking care of its own.”* [\[2\]](#)

The fact that there is “no disincentive” to attend a better resourced school is only a problem if an unequal system must be maintained at any cost (including the cost to prosecute and incarcerate Tanya McDowell, presumably higher than the cost of providing a quality education for her young son). Furthermore, the quote reveals the long-standing preference among middle- and upper-income

whites that their tax contributions only flow back into their own racially exclusive communities, clearly the central problem motivating the criminal charges against McDowell.

Civil rights activists came to her defense [3] and the story gained sympathetic attention from the national media, from MSNBC to Fox News. Two months later, when (still homeless) McDowell was caught selling drugs to undercover officers, her support and the national attention all but disappeared. The prosecution managed to couple the drug charges with the larceny charges, and forced her defense to accept a “plea bargain” deal of 12-year prison term with five years probation, and the drug charges served concurrently. To understand why this terrible sentence was a plea bargain, one would need to consider that the “mandatory minimums” (yet another racially biased policy [4]) carried by the drug charges would have amounted to four decades in prison, considerably increasing the leverage of the prosecution.

Her son, now forced to grow up without the woman who tried her best to provide “by any means necessary,” has chronic nightmares and believes that his mother “stole” the school. Admittedly, it’s a difficult concept for anyone to wrap their head around. If anything, the 6-year old has received a swift education in the rules of education apartheid: a complex and senseless system that determines resources flow to the schools of middle- and upper-income whites, at the expense of schools that serve low-income communities of color; a system where billionaires who actually do steal schools to re-shape them in their interest [5] are merely engaging in “turnaround,” and receive the fervent support of President Obama and Education Secretary Arne Duncan.

Nearly 60 years after the *Brown v. Board of Education* ruling determined that “separate educational facilities are inherently unequal,” the system remains almost as segregated and unequal as ever. Writing for *Colorlines* last year, Julianne Hing reported:

*“Around 40 percent of black and Latino students in the U.S. are in schools that are over 90 percent black and Latino, according to a 2009 study by UCLA’s Civil Rights Project. The schools that black and Latino kids are concentrated in are very often high-poverty schools, too. The average black student goes to a school where 59 percent of their classmates live in poverty, while the average Latino student goes to a school that’s 57 percent poor.”* [6]

Tanya McDowell is guilty of violating the rules of this system in the interest of her son’s future. Her trespass is not at all uncommon. Any parent would sympathize with her effort to bend the rules to get her child in the best possible school system. Her choice of a Norwalk address was hardly any different than higher-income white parents who have the economic means to choose to live in better school districts (or to send their children to private schools). The racialized nature of her prosecution is merely an extension of the long history of suppressing educational options for African-Americans in North America, from the earliest days of slavery to the present. Her decision to secure options not legally available to her is also part of a tradition of non-compliance that goes back just as far.

We need to do whatever we can to free Tanya McDowell—and in the process, work to fundamentally transform our education system into one that is truly public and provides equitable access to everyone, regardless of race, class, ability, sexual orientation, gender, and immigrant status. This would be a system that has never existed in the United States, and our ability to reach it recedes with every budget cut, turnaround, and charter takeover.

This is why I’ll be carrying a “Free Tanya McDowell” sign in tomorrow’s March 1 demonstrations for education called by the Occupy movement, eager to discuss her case and the apartheid system it exposes with anyone who will listen. I hope others will consider doing the same, and to not let her support diminish again.

**Ryan**

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**P.S.**

\* From Solidarity website, February 29, 2012.

\* Ryan is a member of the Solidarity Webzine editorial group and active with the March 1 Coalition in Philadelphia, PA.

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**Footnotes**

[1] <http://abcnews.go.com/US/ohio-mom-jailed-sending-kids-school-district/story?id=12763654>

[2] <http://www.thedailynorwalk.com/schools/two-dozen-kids-removed-norwalk-schools>

[3] [http://www.huffingtonpost.com/dr-boyce-watkins/tonya-mcdowell-arrest\\_b\\_852014.html](http://www.huffingtonpost.com/dr-boyce-watkins/tonya-mcdowell-arrest_b_852014.html)

[4] See on ESSF (article 24439), [Law: ACLU Says Mandatory Minimums are Discriminatory and Urges Inter-American Commission to Condemn Unfair Practice](#).

[5] See on ESSF (article 24440), [USA - Got Dough? How Billionaires Rule Our Schools](#).

[6] See on ESSF (article 24441), [Education in the US: Still Separate and Unequal, Generations After Brown v. Board](#).