

The Risks and Consequences of Innocence in School Discipline: Implications for Policy and Research

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Since the 1980s, schools across the United States have become increasingly punitive in their responses to student misconduct, leading to the “criminalization of school discipline” (e.g., zero-tolerance policies and police presence in schools). Research has documented the direct and indirect ways in which such punitive responses can increase a student’s likelihood of later involvement with the legal system—a phenomenon referred to as the “school-to-prison pipeline” (STPP). Whereas school criminalization and the STPP have been well-documented and researched, scholars have yet to examine how schools’ disciplinary practices may affect students innocent of any wrongdoing. The present review integrates research on school discipline and wrongful conviction to examine how school disciplinary practices can put innocent youth at risk of false confession and wrongful discipline or conviction, and the associated consequences. In doing so, it is argued that school criminalization has led to a climate wherein students’ guilt is presumed; they are cast as criminals, are not guaranteed the legal safeguards aimed at protecting the innocent, and are frequently interrogated by school authorities with the same accusatorial techniques used by police with adult criminal suspects. Presumptions of guilt in schools’ disciplinary practices and frequent school–police collaboration lead to a heightened risk of innocent youth, especially youth of color, falsely confessing and subsequently being wrongfully disciplined or convicted. Preliminary suggestions are provided for improving school investigation and reducing false confessions from innocent students, and for future research.

Keywords: wrongful convictions, false confessions, adolescence, school discipline, school-to-prison pipeline

Since the 1980s, schools across the United States have become increasingly punitive in their responses to student misconduct, leading to the “criminalization of school discipline” (Hirschfield, 2008). The widespread use of zero-tolerance policies (ZTPs) in schools led to marked increases in rates of exclusionary discipline (i.e., student removal from school in the form of in-school suspension, out-of-school suspension, expulsion, or transfer to alternative schools), student arrests, and police officers in schools (Irby & Coney, 2021). Yet, such practices have been widely criticized for leading to many unintended consequences including, directly and indirectly, increasing a student’s likelihood of later involvement with the legal system—a phenomenon referred to as the “school-to-prison pipeline” (STPP) (see Skiba et al., 2014), the effects of which disproportionately affect students of color (Leung-Gagné et al., 2022). Research on the STPP has led to calls for reform in zero-tolerance discipline policies and

recent shifts to restorative justice practices, yet schools continue to use exclusionary discipline and station police on campus and, thus, a punitive climate persists (Hirschfield, 2018).

The purpose of this article is to unite two distinct literatures: the risks and consequences of *school criminalization* and the risks and consequences of *wrongful convictions of youth*. Scholarship surrounding the causes of wrongful convictions has expanded substantially since 1989 when DNA was first used to exonerate the innocent in the United States (Norris et al., 2020). This work has consistently found one type of evidence to be particularly strong in leading to convictions of the innocent: false confessions (Kassin et al., 2010). Increased awareness and appreciation of the fact that innocent people confess to crimes they did not commit has led to calls for safeguards to prevent these miscarriages of justice (Mindthoff et al., 2018). Specifically, scholars and policymakers advocate for the move away from widely used accusatorial methods of interrogation, including the Reid Technique (Inbau et al., 2013). Such accusatorial methods are based on presumptions of guilt and are notorious for increasing the risk of false confessions (Meissner et al., 2014). Furthermore, research and numerous case studies demonstrate that adolescents are at a heightened risk of false confession and wrongful conviction (Cleary, 2017).¹

School criminalization and wrongful convictions share the similar consequence of leading numerous youths to have otherwise avoidable

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¹ *Adolescence* is typically operationalized in developmental literature as 10–25 years old (see Icenogle & Cauffman, 2021), however, this article caps adolescence (or “youth”) at 19 years old, as on-time high school graduation is defined as receiving diplomas at or before 19 years old.

contact with the legal system. But despite this important commonality, these two bodies of work have yet to be integrated. That is, the scholarship on wrongful convictions has yet to thoroughly examine the role that schools may play in leading to the conviction of innocent youth; while the school criminalization literature has largely overlooked the potential that innocent students are disciplined. In synthesizing these literatures, this article presents two main arguments. First, widespread punitive discipline policies have led to a climate in schools where students' guilt is presumed, and this presumption puts innocent students at *risk* of being wrongfully disciplined and, in cases referred to law enforcement, wrongfully convicted. Second, the *consequences* associated with innocent students being wrongfully disciplined necessitate that future research and policy consider the potential of innocence when examining school discipline practices.

This article will first review the implementation, effectiveness, and consequences of school discipline practices. How student misconduct is investigated is also examined, showing that school officials often question students with accusatorial interrogation methods and presume students' guilt. Next, I discuss how these presumptions of guilt can put innocent youth at risk of false confession and wrongful discipline or conviction—the consequences of which can be severe and long-lasting (see Scherr et al., 2020). Finally, implications are offered for both policy and research aimed at (a) minimizing punitive school disciplinary practices that contribute to the STPP and (b) protecting innocent youth in school from wrongful discipline or conviction.

Criminalization of School Discipline

Rising juvenile crime rates in the late 1980s and high-profile school shootings starting in the 1990s led to a “moral panic” over school violence, creating a perception of schools as unsafe and students as violent offenders who need to be controlled. In search of quick-fix solutions to these rising concerns, policymakers, and school officials borrowed “tough-on-crime” practices from the legal system (Irby & Coney, 2021), leading schools to come to resemble criminal justice institutions in the ways they view and respond to both serious and minor student misconduct.² Hirschfield (2008, 2018) refers to these practices as the “criminalization of school discipline” (or *school criminalization*), evident in three primary domains: ZTPs, exclusionary discipline, and police in schools (e.g., school resource officers [SROs]).

ZTPs

First, schools across the nation implemented formalized ZTPs that emulate formal criminal sentencing guidelines. ZTPs encompass a range of strict, nondiscretionary disciplinary policies that mandate severe punishments—namely exclusionary discipline or referral to police—for certain acts of misconduct, which are intended to be applied regardless of the context surrounding the misconduct. ZTPs in schools evolved from federal and state drug enforcement policies in the 1980s and were implemented in direct response to the “moral panic” surrounding youth and school violence (Skiba & Peterson, 1999). Such policies quickly expanded from ones focused specifically on possession of guns on campus to possession of drugs and alcohol to then minor and nonviolent misconduct like disruptive behavior, vandalism, disrespect, truancy, disobedience, and defiance of authority (Irby & Coney, 2021). As a result of

these expanded ZTPs, schools across the country increasingly punished students for acts typically regarded as normative adolescent behavior (Parker et al., 2014).

Exclusionary Discipline

Expanded ZTPs increased rates of exclusionary discipline across the nation. In 1973, 3.7% of students (approximately 1.7 million students) received out-of-school suspensions (Wald & Losen, 2003). These rates nearly doubled by 2011–2012 where 7% of students (3.5 million) received one or more out-of-school suspensions, and an additional 7% received in-school suspensions (U.S. Department of Education Office for Civil Rights, 2014). However, this increase is not due to increases in violent offenses or serious misconduct from youth (see below). Rather, most student suspensions are for nonviolent offenses and minor misconduct (Leung-Gagné et al., 2022). For instance, in a longitudinal analysis of Texas public schools, Fabelo et al. (2011) found 59% of students had been suspended at least once between their seventh and 12th grades, but just 3% of these suspensions were for misconduct that required state-mandated exclusion. Though school officials may have discretion in how to respond to minor misconduct, most choose to remove students from school, signaling an overly punitive climate (Hirschfield, 2008). Indeed, schools with principals who endorse the use of ZTPs see higher rates of student suspensions for all types of misconduct, but especially for minor misconduct (Heilbrun et al., 2015).

SROs

Importing criminal justice personnel into schools' disciplinary structures signals the third domain of school criminalization (Hirschfield, 2008). Specifically, police officers are placed in schools to address crime and safety by patrolling, making arrests, creating emergency response plans, and issuing citations. Though police appear on campus under various titles or for various reasons (e.g., calls for service), they are most often seen in the role of SROs.³ In 1976, just 1% of schools had an officer of any type present at least once a week; by the 2019–2020 school year, 49% of schools had SROs. This rate is even higher for larger schools with enrollments of 1,000 or more students, where 83% had SROs (K. Wang et al., 2022).

² Throughout this review, *serious misconduct* refers to criminal or delinquent acts from youth on school grounds which could result in court referral or adjudication. Alternatively, *minor misconduct* refers to acts by youth on school grounds that are not criminal or delinquent but violate a school's code of conduct and thus would be punished by school officials, not courts. *Misconduct* is used here to encompass both serious and minor misconduct more broadly.

³ In general, sworn police officers may appear in schools under three broad categories. (a) Officers who are employed by a school district as a member of a school law enforcement agency. (b) Officers who are employed by a local law enforcement agency and not assigned to a school, but responding to a call for service in a school (i.e., “outside officer”). And (c) officers who are employed by a local law enforcement agency and assigned to one or more schools as an SRO. In addition to SROs' primary role as law enforcement officers, they are also expected to act as teachers (e.g., educate on safety-related topics) and as informal mentors (e.g., referring students to social services). This is referred to as the SRO triad approach. Unless noted otherwise, this review is applicable to SROs, as police are most commonly in schools in this role (Wang et al., 2022).

Despite the stark rise in SROs, few school districts have formalized policies or memorandums of understanding (MOUs) with their local law enforcement agency specifying the officer's role in discipline for minor misconduct (Mallett, 2022). Of schools in 2017–2018 with a sworn law enforcement officer present at least once a week, only 55% had a formal policy covering the officer's role in student discipline (National Center for Education Statistics [NCES], 2020). Even when these policies are present, they vary widely, with some permitting SRO involvement only in cases of law violations or safety concerns, while others provide no limits on SRO involvement in student discipline (Welfare et al., 2022). As such, officers participated in maintaining school discipline in 51% of schools in 2017–2018 (NCES, 2020), which may include being present during disciplinary responses and helping school administrators (i.e., principals, vice principals) with investigating student misconduct (Curran et al., 2019).

A lack of boundaries and inconsistencies in SROs' role has led discipline to take a new form: student referrals to law enforcement.⁴ From 2013–2014 to the 2017–2018 school year, there was a 17.5% increase in student referrals to law enforcement (U.S. Department of Education Office for Civil Rights, 2021). Empirical research also shows an association between SRO placement and increased rates of student referrals to law enforcement and further finds that SROs may be related to increased rates of exclusionary discipline and referrals to law enforcement (Gottfredson et al., 2020; Homer & Fisher, 2020). Crucially, these effects are primarily driven by nonviolent, minor, discretionary offenses that would otherwise be handled by school officials outside of the legal system (Weisburst, 2019).

Effectiveness of School Criminalization Policies

Based on principles of deterrence, ZTPs, exclusionary discipline, and SROs should decrease crime and disorder in schools via the use of swift and severe punishments and increased certainty of misconduct being detected. However, a body of research questions the effectiveness of these policies and has uncovered a host of unintended consequences associated with their use (see Mallett, 2022). In short, increasing public concerns for school violence and rising criminalization practices were concurrent with national declines in rates of youth offending, broadly. For instance, rates of nonfatal criminal victimization (e.g., sexual assault, robbery) against students both at school and not at school decreased by more than 80% from 1992 to 2020 (Irwin et al., 2020). While some policymakers have attributed these declines to increased punitive school practices, evidence suggests that ZTPs and exclusionary discipline do *not* always produce their intended deterrent effects because they are inconsistently applied to subjective minor misconduct (see Mallett, 2016) and to certain students, particularly those of color. Exclusionary discipline may even increase the prevalence of student misconduct via negatively impacting school climate (Fabelo et al., 2011). Likewise, accumulating evidence suggests that SROs may not deter student misconduct (Gottfredson et al., 2020) but, in many instances, schools' use of SROs reinforces punitive practices (see Hirschfield, 2008).

School-to-Prison Pipeline

Research on the STPP suggests that students who are excluded from school are less engaged, have fewer educational opportunities,

and have more negative perceptions of school climate; in turn, excluded students have decreased academic achievement, fewer pro-social behaviors, more delinquent behaviors, increased subsequent suspensions, and a higher probability of dropping out of school. It is through these effects that exclusion can increase students' likelihood of engaging in criminal behaviors, being arrested in both the short-term and long-term and involvement with the legal system as both a juvenile and adult (for review of the STPP, see Mallett, 2016; Skiba et al., 2014). Students excluded from school are also more likely to experience mental health crises, such as depression, and are more likely to attempt and complete suicide (Duarte et al., 2023). High rates of discipline can lead to a punitive climate throughout a school, impacting nonexcluded students who experience collateral consequences like lower graduation rates (Sorensen et al., 2022).

Racial Disparities

School criminalization practices are most common in schools with higher proportions of racial minority students, and students of color are disproportionately impacted by the STPP (see Hirschfield, 2008). Black students specifically are suspended at rates three times (16%) that of their White peers (5%; U.S. Department of Education Office for Civil Rights, 2014), and these racial disparities persist after controlling for relevant community- and school-level factors like socioeconomic status and overall misconduct (Welsh & Little, 2018). Racial minority students are more likely to be disciplined, and receive more severe punishments, for the same behaviors as their White counterparts (Bradshaw et al., 2010)—behaviors that are often minor and subjective in their interpretation (Skiba et al., 2002). SRO presence may also contribute to racial disparities in exclusionary discipline (Devlin & Gottfredson, 2018), as schools with a higher proportion of racial minority students are more likely to have police on campus, and Black students are disproportionately referred to law enforcement and arrested at school (see Rapa et al., 2022). Once disciplined, the consequences of the STPP may be more severe for racial minority students. For instance, Del Toro and Wang (2022) found that not only were Black students disciplined more for minor misconduct, but these students also had more negative perceptions of school climate and worse grades in the following two academic years, as compared to disciplined White students.

Presumption of Guilt in School

Absent in nearly all the theoretical discussions and empirical analyses of school criminalization practices and the STPP is the potential that some students who are disciplined are *innocent* of the offense for which they were punished. In the following sections, I argue that this potential is concerningly high because school discipline operates under a *presumption of guilt*, not innocence. This is evident not only in the criminalization practices of ZTPs and SROs but also in schools' investigatory practices—or lack thereof.

⁴ The U.S. Department of Education Office for Civil Rights (2021) defines *referral to law enforcement* as “situations where a school official reports a student to a law enforcement agency or official, including a school police unit, for an incident that occurs on school grounds, during school-related events, or while taking school transportation, regardless of whether official action is taken. Citations, tickets, court referrals, and school-related arrests are considered referrals to law enforcement” (p. 21).

First, the same policies and practices that criminalized school discipline simultaneously molded a climate in schools where students are cast as guilty offenders. That is, ZTPs mandated punishment for certain offenses but did not formalize procedures nor provide guidance regarding how (or if) school officials should *investigate* offenses to determine guilt before punishments are issued. Rather, the rhetoric of ZTPs and the use of harsh discipline imply that students are currently or will at some point be guilty offenders and therefore should be treated as such (Hirschfield, 2008), all without granting the ability to assert their innocence. The rising use of SROs also contributes to a climate where students are “cast as suspects [or] criminals” and defined as “crime problems [which] demand a response that emphasizes enforcement over education” (Hirschfield & Celinska, 2011, pp. 2–3). As discussed above, many SROs get involved in schools’ disciplinary practices because their roles are not clearly defined (NCES, 2020). Thus, by increasing surveillance and scrutiny of students and blurring the line between school discipline and criminal matters, SROs contribute to a punitive school climate that “presumes [students’] guilt until proven otherwise” (Kupchik & Monahan, 2006, p. 627).

School Misconduct Investigations

Presumptions of guilt are chiefly evident in schools’ investigatory practices. How, or even whether, alleged student offenses are investigated by school officials before disciplinary action is taken has not been comprehensively examined in the literature. However, the existing scholarship suggests students are frequently confronted with accusations of guilt from school administrators and are not provided the opportunity to assert their innocence before being punished—and investigations likely end there (see below). To this end, legal precedent regarding students’ due process rights must first be considered.

Procedural Due Process Rights in School

In *Goss v. Lopez* (1975), the Supreme Court held that students facing short-term exclusion (removal from school for 10 or less days) are entitled to minimum procedural due process practices; schools must provide students a written or oral notice of the allegation and punishment and an informal hearing to discuss it. Accordingly, the hearing should be an “informal conversation” where the accused student has the opportunity “to characterize [their] conduct and put it in what [they] deem the proper context”; or in other words, explain their side. In acknowledging that the risk of mistaken discipline “is not trivial,” the Court held that these informal hearings would “provide a meaningful hedge against erroneous action” without infringing on schools’ ability to efficiently discipline misconduct (*Goss v. Lopez*, 1975). The *Goss* Court was ambiguous in what due process protections are required for students facing long-term exclusion (more than 10 days), stating that these circumstances “may require more formal procedures.” In practice, schools typically provide formal disciplinary hearings for long-term exclusion where students can present witnesses and evidence to an impartial third party (see Malutinok, 2018). Research has yet to examine the frequency of these formal hearings, but there is reason to speculate they are infrequent compared to the informal hearings required for short-term exclusion, as most exclusion takes the form of shorter suspensions for minor misconduct. Moreover, many students or parents waive their right to a disciplinary hearing (Welsh, 2022).

While *Goss* held that accused students should be able to defend themselves, the reality of *Goss* tells a different story. The “informal conversations” between students and administrators instead seem to be confrontational, accusatory, and one-sided questioning, often with SROs present (e.g., Jacobi & Clifton, 2023). Student interviews suggest that school officials automatically assume guilt—they do not listen to students’ claims of innocence or accounts of what happened but have already made up their minds that the student is guilty when informing them of the alleged misconduct and giving notice of discipline (Bracy, 2011). School officials presuming guilt appears particularly common for students with a history of misconduct (Kennedy-Lewis & Murphy, 2016) and for students of color (Diamond & Lewis, 2019). Students being denied their (already minimal) procedural due process rights contributes to larger school criminalization patterns by insinuating students do not need such protections because they are not innocent. These findings are corroborated by a growing body of literature which suggests that these informal hearings, and investigations more broadly, often consist of accusatorial-style interrogations led by school administrators or SROs (Jacobi & Clifton, 2023; Snow et al., 2021).

Interrogation in Schools

School administrators across the country are being trained to question students with the same accusatorial interrogation method used by police: the Reid Technique (see Bettens & Normile, 2023). John E. Reid and Associates, Inc. (2023) offers programs in “The Reid Technique of Interviewing and Interrogation for School Administrators,” which is marketed as a “seven-part program [which] will significantly enhance the interviewing skills of Principals, Assistant Principals, Deans or any other school administrator who investigates student misconduct or wrongdoing.” The overarching goal of accusatorial interrogations is to elicit a confession from the suspect, and the training provided to school administrators is nearly identical to the training provided to officers who interrogate adult criminal suspects (e.g., examples provided involve rape and homicide and refer to “suspects” not “students”; Starr, 2016).

The Reid Technique starts with a preinterrogation behavior analysis interview (BAI) where interrogators are trained to evaluate behavioral responses to a series of nonconfrontational questions to determine whether the interviewee is telling the truth (innocent) or lying (guilty). Like school investigations, Reid-style interrogations are guilt-presumptive, as those judged to be lying are moved to a formal interrogation, where interrogators use a variety of tactics to persuade a presumed-to-be guilty suspect to confess (Inbau et al., 2013). At least 56% of police have been trained in the Reid Technique (Cleary & Warner, 2016), making it the most common criminal interrogation method in the United States. Yet, accusatorial interrogations have been widely criticized for increasing the risk of false confession (Meissner et al., 2014; see Kassin et al., 2010), especially when used with youth (e.g., Redlich & Goodman, 2003, see below).

Estimates suggest that, at a minimum, thousands of school administrators across the country have been trained in Reid (Bettens & Normile, 2023). For example, one state’s association of principals has hosted at least 20 trainings over 11 years, with each seminar “sell[ing] out, year after year” (Starr, 2016; see also Crane, 2020), and the Indiana Department of Education continues to host a one-day training as recently as 2023. The Reid Group boasts of having

held these trainings in at least six states and now offers synchronous and asynchronous training, making its reach that much farther (John E. Reid and Associates, Inc., 2022). However, systematic research with nationally representative samples is needed for more accurate estimates.

The extensive use of Reid in schools is supported by recent interviews from Jacobi and Clafton (2023) with 18 Illinois-based “experts” who work on school-related issues (e.g., principals, juvenile defense attorneys). Experts regarded the use of the Reid technique as “ubiquitous” to school-based interrogations (p. 42), as it is used by both school administrators and SROs and is a state-sponsored method. The disparate use of the Reid Technique was also highlighted by experts: students in schools with higher proportions of racial minority students are more frequently subjected to coercive questioning by administrators and police than students in majority-white schools (Jacobi & Clafton, 2023). Further, in a nationwide survey of SROs, Snow et al. (2021) found that at least 42% were trained in Reid. SROs further reported regularly questioning students; 42% reported they question students about *criminal* misconduct at least monthly, 36% do so weekly, and 5% daily; while 14% question students about *noncriminal* misconduct monthly, 30% weekly, and 28% do so daily. Taken together, there is compelling evidence of the high frequency of students being presumed guilty and questioned by school administrators or SROs about serious and minor misconduct with accusatorial methods.

Risks Created for Innocent Students

Relying on Scherr et al.’s (2020) “cumulative disadvantage framework” (CDF) as an organizing framework, the following section of this review highlights the various risks posed to innocent suspects when guilt is presumed, and accusatorial interrogation techniques are used. How these risks are compounded when that suspect is an adolescent and when the interrogation takes place in a school are also discussed. In brief, the CDF summarizes how, paired with an innocent individual’s naivety, presumptions of guilt in interrogations can trigger confirmation biases which lead investigators to seek or interpret information in a manner that verifies their belief of guilt while discounting inconsistent information. Interrogators who believe a suspect is guilty are found to ask more coercive questions and exert more pressure to confess (Narchet et al., 2011), increasing rates of false confessions, but not necessarily true confessions (Meissner et al., 2014). The presence of a confession can then corrupt subsequent evidence (Kukucka & Kassin, 2014) and nearly ensure conviction (Drizin & Leo, 2004; Redlich et al., 2023).

CDF Stage 1: Precustodial Interviews

An innocent student could become suspected of committing misconduct in school in ways similar to that of a criminal suspect outside of a school environment. For instance, a witness identification, relationship with the victim, or history of misconduct can lead school administrators or SROs to narrow in on a student (e.g., Kennedy-Lewis & Murphy, 2016). Once a suspect is in mind, school administrators’ first course of action, as described earlier, is likely to confront and question the student; for those trained in accusatorial methods like Reid, this would likely include the BAI as a method to detect deception. The Reid Group states the BAI successfully identifies liars from truth-tellers 85% of the time (Inbau et al., 2013).

However, meta-analyses find individuals usually cannot accurately detect deception at better than chance rates (Bond & DePaulo, 2006), as most claimed verbal (e.g., pauses in speech) and nonverbal cues (e.g., gaze aversion) are not diagnostic of deception (DePaulo et al., 2003), but are just common-sense stereotypes about how liars are thought to behave (The Global Deception Research Team, 2006). Guilty suspects trying to evade detection may manipulate their behaviors to avoid displaying these stereotypical lying behaviors, while innocent suspects tend to hold an overwhelming belief that their truthfulness (innocence) will be obvious and, thus, report just behaving naturally (Kassin, 2005). This is problematic because innocent, not guilty, suspects have been found to display more of the behaviors claimed to indicate deceit (guilt) (Vrij et al., 2006). As such, it is not particularly surprising that training does not reliably improve deception detection rates but does increase officers’ likelihood of judging suspects as guilty and their confidence in those judgments (Meissner & Kassin, 2002).

SROs report frequently using body language to determine the veracity of student statements and many are overconfident in the accuracy of those judgments (Snow et al., 2021), a finding that likely extends to school administrators trained in Reid. However, many BAI claimed-deceitful behaviors are exhibited by adolescents regardless of their truthfulness (e.g., avoiding eye contact, evasiveness, slouching; see Birckhead, 2008), rendering its use in schools even more unreliable. Experimental research finds both innocent and guilty adolescents are more likely to endorse using claimed-deceitful responses than their adult counterparts; adolescents also hold fewer of the stereotypical cues of deception (Bettens & Warren, 2023). In other words, not only are innocent youth likely to display the behaviors that administrators and SROs are taught to indicate lying, but these youth are probably woefully unaware of how those behaviors are being perceived. Thus, the BAI or similar methods in schools could result in innocent students being misidentified as guilty by administrators or SROs, who likely assumed the student guilty at the outset, subsequently triggering the transition into an accusatorial interrogation.

Miranda in Schools

Custodial interrogations for both adults and youth are marked by the administration of *Miranda* rights, any waivers of these rights must be made knowingly, intelligently, and voluntarily (*Miranda v. Arizona*, 1966). However, students may be denied *Miranda* protections because questioning on school grounds is often ruled non-custodial (see Crane, 2020). *Custody* is determined by whether a reasonable person would feel they are free to leave the interrogation. Recently, the Supreme Court in *J.D.B. v. North Carolina* (2011) considered whether a suspect’s age should be taken into account when assessing custody for *Miranda* purposes. *J.D.B.* is particularly relevant to this review because the interrogation occurred on school grounds; 13-year-old J.D.B. was pulled from his classroom by an SRO, escorted to a closed-door conference room, and questioned about his involvement in break-ins by two officers and two school administrators. J.D.B. was not Mirandized nor informed he was free to leave. Following several denials, J.D.B. eventually confessed after being threatened with juvenile detention by the SRO and urged by the principal to “do the right thing” and “tell the truth.” Later motions to suppress his statements because he was not Mirandized were unsuccessful as the interview was deemed noncustodial.

Reversing and remanding the case, the Court held that the age of the child must be considered in a custody analysis, as “[i]t is beyond dispute that children will often feel bound to submit to police questioning when an adult in the same circumstances would feel free to leave.”

Despite *J.D.B.* holding that age informs custody and that the interrogation under question occurred on school grounds, the Court has not ruled on whether school administrators, who frequently question students about both criminal and noncriminal acts (August & Henderson, 2021; Bettens & Cleary, 2024), are legally bound to administer *Miranda*. Several state courts have examined such cases and considerable legal scholarship has been written on these often inconsistent rulings (e.g., Crane, 2020; Gardner, 2020). While there exist exceptions, the common theme across rulings is that courts allow a great deal of cooperation between schools and police during investigations and interrogations. Furthermore, the permissiveness of this cooperation comes at the cost of limiting students’ constitutional rights in situations where, if off school grounds, they would otherwise be required.

Interrogations Led by Administrators or Police. First, when questioning is conducted solely by the school administrator, courts almost unanimously rule that *Miranda* is not required because the administrator is acting in loco parentis (i.e., in the place of a parent), not as an agent of the state, and thus the student was not in custody (e.g., *Commonwealth v. Ira I.*, 2003). On the other hand, only when an officer (SRO or otherwise) questions a student about a criminal act do courts typically find *Miranda* is required (e.g., *In re Interest of R.H.*, 2002).

Interrogations Co-Led by Administrators and Police. *Miranda* requirements become muddled when both a school administrator and officer are involved in questioning, as was the case in *J.D.B.* Some courts hold that the mere presence of an officer, even if they are silent, constitutes custody, yet other courts find the opposite. Take *J.D. v. Commonwealth* (2004), for example. With the SRO in the room, 14-year-old J.D. was questioned by the principal about thefts at school; never informed he could leave, J.D. eventually confessed, was suspended, and later adjudicated delinquent. Later motions to suppress the confession were denied, with the Virginia Court of Appeals holding that since the SRO stayed silent, the questioning was not custodial. The 2018 California case of *People v. Kay* is similar: Kay was questioned and confessed to shooting other students with a BB gun, and was then placed under arrest by the SRO, who was present during the questioning. His confession was used as evidence for both expulsion and misdemeanor assault. The court denied suppression motions, holding that the questioning was intended to investigate school-related, not criminal, misconduct, as evident by the administrator—not the SRO—leading the questioning. However, before questioning Kay, the principal and SRO agreed that the principal would lead the interrogation and the SRO would get involved after Kay confessed. Although the SRO’s silence was purposeful, the court still ruled the interrogation noncustodial. If the SRO were to have participated in the questioning, would it have constituted custody? Courts are often mixed, with some holding this scenario is custodial (e.g., *B.A. v. State*, 2018), and many others finding it is not (e.g., *State v. Moses*, 2014).

Frequent School–Police Collaboration. *J.D.*, *Kay*, and many others illustrate a troubling trend: administrators often elicit confessions from students, use those confessions as evidence for exclusionary discipline, and give the confession to police to use as evidence in court

(see also *D.Z. v. State*, 2018). Compounding the issue of courts’ permissiveness of these schoolhouse confessions, studies suggest that officers purposely use school administrators’ lower legal standards to circumvent students’ Fifth Amendment rights by requesting the administrator question students about suspected criminal acts (Bracy, 2010; Jacobi & Clifton, 2023). Virginia-based juvenile defense attorneys also report that interrogations co-led by administrators and officers are frequent, and when SROs are present, youth are typically not *Mirandized* (Bettens & Cleary, 2024). This collaboration is also found in search and seizure cases; officers have used administrators’ reduced reasonable suspicion standard to search students on their behalf when they do not have necessary probable cause (Bracy, 2010; Theriot & Cuellar, 2016).⁵

Student Compliance. The question of *Miranda* protections when administrators are present for questioning is further complicated when considering that school is an inherently custodial environment (see Chastain, 2021). Power imbalances between students and adults are characteristic of the school setting; students’ whereabouts are closely monitored, and they are taught to respect and obey adults in school or their disobedience will be punished. This expected compliance is exacerbated by police presence as disobedient students face threats of school punishment and legal punishment. As such, when called to the principal’s office and questioned about misconduct, students likely feel obligated to report and answer, even if they legally could leave (August & Henderson, 2021; Bettens & Cleary, 2024). *J.D. v. Commonwealth* (2004) highlights this heightened compliance in schools; in motions to suppress his confession, J.D. testified that he “believed he had no option but to report to [the principal’s] office and to cooperate” and that his silence in the interrogation would lead to punishment via suspension.

Adolescents’ compliance with adults is further evident in that even when youth are *Mirandized*, they tend to waive these rights at near-ceiling rates (Cleary & Vidal, 2016), often due to pressures from authority figures (Feld, 2013) and deficits in their understanding and appreciation of those rights (Zelle et al., 2015). Compliance at school is amplified when accusatorial methods are used, as school administrators are trained to exploit power imbalances by, for example, setting up the interview room in a manner that makes students feel vulnerable and exposed (Starr, 2016). Moreover, scholars speculate youth of color are particularly likely to comply by waiving their rights, as many Black youth are taught that noncompliance with authority figures, particularly police, can lead to violence (Haney-Caron & Fountain, 2021). Thus, even accounting for the seemingly rare instances of students being provided *Miranda* warnings in school-based interrogations, students—especially racial minorities—are likely to face accusatorial interrogations without adequate protections.

CDF Stage 2: Custodial Interrogations

Once in an accusatorial interrogation, innocent students are exposed to guilt-presumptive and coercive tactics aimed at eliciting a confession—tactics that increase the rate of false confessions while decreasing true confessions (Meissner et al., 2014). When using

⁵ *New Jersey v. T.L.O.* (1985) held that while Fourth Amendment protections against unreasonable search and seizure do apply to searches conducted on school grounds, school officials have a lower legal standard for searching students (reasonable suspicion) than police officers do both on and off school grounds (probable cause).

minimization tactics, for example, police (administrators) aim to gain a suspect's cooperation (i.e., confession) by expressing sympathy, offering excuses to downplay any moral implications, and implying leniency in exchange for confessing. Maximization, another set of tactics used in accusatorial methods like Reid, includes intimidation, emphasizing the potential consequences of the offense, direct accusations, and lying about evidence. However, both minimization and maximization tactics have been found to reduce the veracity of confessions (see Kelly et al., 2013).

Juvenile False Confessions

Adolescents' developmental immaturities make them particularly vulnerable to false confession when coercive tactics like minimization and maximization are used (e.g., Redlich et al., 2020). A considerable body of research has documented how adolescents' decision-making abilities are diminished compared to adults in legal contexts: adolescents are overly sensitive to rewards and limited in the self-regulation capabilities needed to inhibit risky decision-making. Risky decisions are all the more likely when adolescents are faced with emotional or negative stimuli, which can lead to diminished abilities in impulse control, resistance to peer influence, and future orientation (for a review, see Icenogle & Cauffman, 2021).

Proven false confessions illustrate how these immaturities make youth vulnerable in interrogation. One study, for example, found getting to "go home" was among innocent youths' top reasons for confessing (Drizin & Leo, 2004). Such an idea is related to use of minimization; youth are more likely than adults to recommend a suspect confess when minimization is used, as they perceive confessing leads to immediate benefits like ending the interrogation (Redlich et al., 2020). Limitations in future orientation further compound this risk, as youth are unlikely to consider the long-term consequences associated with confessing (Malloy et al., 2014). Moreover, the confrontational and high-stakes nature of accusatorial interrogations creates an emotionally charged situation, making poor decisions like confessing when innocent even more enticing (see Cleary, 2017). Indeed, 33% of detained juvenile offenders who (self-reported) falsely confessing cited doing so because of duress experienced in the interrogation (Malloy et al., 2014).

Police officers do acknowledge these developmental differences between adults and adolescents yet use the same interrogation strategies with both (Meyer & Reppucci, 2007). Thus, it is not particularly surprising that juvenile false confessors are overrepresented among known wrongful convictions. In the over 3,300 U.S. exonerations since 1989, 34% of exonerees who were under 18 at the time of the crime falsely confessed, compared to 10% of those who were 18 or older (National Registry of Exonerations, 2023). In DNA-based exonerations, specifically, 69% of wrongly convicted children aged 12–15 falsely confessed (Innocence Project, n.d.). Black individuals are also disproportionately represented in wrongful convictions (Gross et al., 2022), and Black youth are more likely than youth of other racial groups to be wrongfully convicted due to a false confession: of the 211 Black exonerated youth, 62% had a false confession contribute to their wrongful conviction, compared to 29% of White and 9% of Hispanic exonerated youth (Webb et al., 2020; see also Haney-Caron & Fountain, 2021).

False Confessions in School. There is a lack of data on false confessions originating from schoolhouse interrogations; however, there is cause to believe that youth do falsely confess in school. First, SROs

surveyed by Snow et al. (2021) reported eliciting confessions from students 71% of the time, whether it be for criminal or noncriminal offenses, and estimated that 11% of students whom they interrogate are innocent and falsely confess. SROs acknowledged that students' age renders them vulnerable in interrogation, yet still use developmentally inappropriate questioning techniques at high frequency (e.g., 63%–72% use maximization; Snow et al., 2021), similar to police who interrogate youth outside of the school context (Meyer & Reppucci, 2007). Police officers are shown to underestimate the frequency of false confessions (Kassin et al., 2005), thus, the rate of false confessions in school may be even higher than SROs' self-reported estimates. Further, according to experts interviewed by Jacobi and Clifton (2023), school administrators regularly instruct students to sign written confessions, and students almost always comply, with one interviewee stating they have "never come across any students who refused to write such statements when instructed to do so" (p. 41). This sentiment is also expressed by juvenile defense attorneys, where, in one study, nearly all (90%) agreed that students believe they must answer any question a school administrator or SRO asks them, and, relatedly, that youth are more likely to admit wrongdoing to an SRO than an officer at the police station (Bettens & Cleary, 2024). Thus, when considering (a) the criminalized and guilt-presumptive climate of schools, (b) the high frequency of accusatorial interrogations led by school administrators and SROs, paired with (c) a lack of *Miranda* protections, and (d) youths' developmental vulnerabilities, there is significant reason to speculate that some school-interrogated, innocent youth falsely confess to both serious and minor misconduct.

CDF Stage 3: Ensuing Investigation

Once obtained, a (false) confession can lead other actors to collect or interpret evidence in a guilt-confirming manner (Kukucka & Kassin, 2014), if not cease further investigations entirely (Findley & Scott, 2006). A similar process can be presumed to occur in schools. As discussed, investigations in schools start and stop with guilt-presumptive questioning which often leads to confessions. Current scholarship suggests that school officials fail to collect much evidence beyond this, likely due to tunnel vision prompted by the confession. In formal disciplinary hearings for long-term exclusion (see above), school officials often merely present the initial allegation and any information gained from student interviews (e.g., confession) as their only evidence (Carter, 2017). It is rare for any evidence to exist beyond this, in part because most school districts only require a preponderance of the evidence as the burden of proof in disciplinary hearings (Pattison, 2008). This trend of little evidence is likely exacerbated among short-term exclusions where schools are not required to present their evidence against a student.

CDF Stages 4 and 5: Wrongful Conviction (Discipline) and Exoneration

The disadvantages associated with a false confession can continue to accumulate to wrongful conviction (Scherr et al., 2020). Confessions overwhelmingly lead to conviction at trial or by false guilty plea relative to other strong evidence like eyewitness identifications (Cooper et al., 2019; Kassin & Neumann, 1997). Jurors rarely discount confession evidence, even when the confession was coerced (Kassin & Sukel, 1997) or the defendant was a juvenile (Redlich et al., 2008), and many of the same developmental immaturities

discussed earlier also lead to an increased risk of false guilty pleas among youth (Zottoli et al., 2016).

The biasing effect of confessions continues into appeals and even beyond exoneration. For example, innocent confessors experience longer delays to official exoneration (Scherr & Normile, 2022) and persistent stigmatization (Clow & Leach, 2015), creating major barriers to reintegration. Experiencing wrongful conviction is also associated with mental health issues; exonerees report decreased trust in the legal system, and many experience PTSD, anxiety, and insurmountable grief over the years lost (for a review, see Kirshenbaum et al., 2020). These struggles may be exacerbated for those who were wrongfully convicted as adolescents, as they miss many normative developmental experiences (Haney-Caron & Fountain, 2021). It is possible that this process could start in schools. Recall that school–police collaboration is common and frequently permitted by courts, leading confessions gained in the questioning of students to be used as evidence in delinquency or criminal hearings—a trend exacerbated by increased SRO presence and policies mandating students accused of certain misconduct to be reported to police.

Wrongful Discipline

Not all misconduct in school leads to legal involvement. Yet, for the same reasons why false confessions are likely to lead to wrongful convictions of youth, innocent students who are misidentified as guilty, interrogated, and confess are likely to be wrongfully disciplined. Students facing school exclusion are unlikely to be exonerated; for example, nearly all disciplinary hearings for long-term exclusion end with the student being removed from the school (e.g., 80%, Welsh, 2022). Students can appeal decisions made in disciplinary hearings and appeals are required to be heard by the district’s school board, but policies for appealing long-term suspensions vary widely and appeal hearings typically focus on due process violations, not guilt or innocence (Frydman & King, 2006). Moreover, schools are not required to hear any appeals from students regarding short-term exclusion (Kinsler, 2011), leaving the majority of students facing exclusionary discipline without a legitimate path to exoneration if they are innocent.

Innocent students who are presumed guilty and excluded from school may face consequences beyond that of the STPP, as research finds that merely being *wrongfully accused* of an offense can lead to increased feelings of paranoia, isolation, damaged reputations, decreased trust in institutions (Brooks & Greenberg, 2021), and mental health symptoms comparable in severity to those who are wrongfully convicted (Growth et al., 2023). When school administrators and SROs presume students are guilty or do not let them tell their side of the story, students report feeling marginalized and silenced, separated from school, and a decreased trust in school officials (Bell, 2020; Murphy et al., 2013). Even if an innocent student were to be exonerated before discipline, being questioned by school officials with accusatorial tactics has been described as leaving students “traumatized,” and as reducing students’ trust and relationship with their school (Jacobi & Clifton, 2023, p. 45). Indeed, the Reid Technique’s school administrator training includes instruction on “handling tears”; administrators are to continue questioning as “tears are the beginning of a confession” (Starr, 2016). Further, guilt-presumptive practices may serve to widen the racial disparities in disciplinary outcomes, as Black students are more likely to be disciplined at school (Welsh & Little, 2018), and may be at a greater risk of falsely confessing when interrogated (Webb et al., 2020).

Implications for Policy and Future Research

The consequences associated with presumptions of guilt in school are severe enough that policy should consider ways to mitigate the risk of innocent youth being wrongfully disciplined or, in more serious cases, convicted. Next, I provide preliminary policy implications regarding decriminalization and school interrogations and identify questions in need of future research.

Decriminalization of Student Misconduct

Over the past several years, schools have sought to decrease their use of ZTPs and exclusionary discipline in response to mounting evidence of the STPP (Hirschfield, 2018). Data from 2017 to 2018—the Civil Rights Data Collection’s most recently available data—find the rate of suspension has decreased to 5.2% (2.6 million students) for in-school suspensions (U.S. Department of Education Office for Civil Rights, 2021), as compared to 7% in 2011–2012 (U.S. Department of Education Office for Civil Rights, 2014). But despite these changes, a culture of criminalization persists, and therefore, innocent students are still at risk of being presumed guilty and wrongfully disciplined. That is, the overall climate of punishment has not substantially changed, as “punitive school discipline remains a staple of schooling in the U.S.” (Irby & Coney, 2021, p. 494). Even when states pass policies to restrict the use of exclusionary discipline, some school administrators—particularly those in schools with higher proportions of racial minority students—ignore these policies (Anderson, 2018). Thus, to appropriately protect guilty and innocent students, states and school districts should prioritize funding and resources for sustained training on evidence-based practices and continue limiting the use of exclusionary discipline.

Restorative justice is one such approach to student discipline that prioritizes repairing harm and relationships and is implemented through methods like school community-building events and conflict resolution. Such practices have been linked to more positive relationships and increased trust among students and teachers, increased school climate, decreased rates of suspension, expulsion, and referrals to police (see Samimi et al., 2023; Velez et al., 2020), and decreased racial disparities in exclusion (Kline, 2016). These positive effects are contingent on both restorative justice *practices* and *values*. That is, educators’ beliefs and attitudes toward discipline must also shift from punitive to restorative (Zakszeski & Rutherford, 2021).

Policy must also address SROs and increases in referrals to law enforcement. Several scholars and advocacy organizations have called for the complete removal of SROs from schools, and to reallocate funds to alternative practices like evidence-based interventions (e.g., restorative justice training) or student-centered personnel (e.g., mental health practitioners; see American Civil Liberties Union, 2019). Some communities have begun such a process. The city council of Alexandria, Virginia, for example, voted in May 2021 to reallocate the \$800,000 used for SRO programs to mental health programs. However, this decision was met with resistance from parents, educators, and community members who continued to support police presence in schools as a safety practice. The council reversed its decision just 5 months later, opting to keep SROs in their public schools (J. Wang & Graf, 2023).

This back-and-forth seen in Virginia regarding the removal of SROs is part of a larger trend across the United States. Indeed, the movement to defund the police led many schools to terminate their SRO programs (Reilly, 2020), but continued safety concerns led many to backtrack and, consequentially, SROs remain a prominent

figure. Thus, it must become a priority for schools and policymakers to minimize the potential negative effects of SROs, especially in schools with higher proportions of racial minority students. For instance, SROs should use a full triad approach, with their roles as mentors and teachers holding equal weight to their role as law enforcers. Limiting the scope of SROs' roles could decrease the potential of both guilty and innocent students being referred to law enforcement, as full triad SROs report fewer minor misconduct compared to those whose role is primarily law enforcer (Fisher & Devlin, 2020). Relatedly, SROs' involvement in student discipline must be limited and clearly defined in MOUs to decrease avoidable youth legal system involvement (Welfare et al., 2022).

Investigations and Interrogations in School

Additional policies must be implemented to explicitly protect students from presumptions of guilt, in addition to implementing effective investigatory procedures. First, clarification is needed for the often-inconsistent law governing custody in interrogations with school administrators present. It is not reasonable for school administrators alone to *Mirandize* students every time they talk to them about misconduct, as administrators are not trained in criminal procedure (see Gardner, 2020). However, a solution must also recognize the reality of school–police collaboration in interrogations. As such, when administrators question students alone, but confessions are given to police, courts must apply a reasonable child standard per *J.D.B. v. North Carolina* (2011) to determine whether the student perceived the administrator to be working with the officer (see Chastain, 2021). Further, questioning should be presumed custodial anytime an officer is present, even if they are silent. However, as noted, youth overwhelmingly waive their rights due to deficits in understanding and appreciation. Additional remedies must be considered to ensure *Miranda* waivers are made knowingly and intelligently, including, for example, administering simplified rights or mandatory consultation with an attorney. California and Maryland have implemented this latter safeguard for all interrogations of youth, but these policies explicitly exclude questioning conducted at school by administrators. Given the concerns raised here, these states and others looking to pass similar legislation would benefit from examining ways to extend this protection to all youth questioned at school.

Alternatives to Accusatorial Methods

Crucially, schools must stop interrogating students using accusatorial methods like the Reid Technique. Scholars have long called for U.S. police to shift from accusatorial methods to evidence-based investigative interviewing practices, which are not guilt-presumptive and have the goal of crime-relevant information gain, not confessions (see Meissner et al., 2021). States should ban accusatorial interrogation training for (public) school administrators and SROs and instead provide training focused on age-appropriate techniques, developmental psychology, and distinguishing between custodial and noncustodial interviews for *Miranda* purposes.

In their search for alternative methods, schools can turn to the International Association of Chiefs of Police (IACP, 2012) for guidance on best practices when questioning youth. For instance, the IACP recommends police (administrators) do not rely on behavioral cues to deception to determine a suspect's (student's) guilt, but

instead should interrogate only after collecting concrete evidence. They also should not use coercive tactics like maximization and minimization, but ask open-ended, free-recall questions. Moreover, the IACP provides several guides that can aid administrators when questioning students, such as determining when an interview is custodial (e.g., Can the child easily leave if they want to, and do they understand this? Who is present in the room?) and if the student comprehends *Miranda*, if applicable. Such a method would be well-received, as SROs have expressed a desire for developmentally informed training (Snow et al., 2021)—a finding that likely extends to school administrators, too.

Some argue it would be unreasonable to expect school administrators to conduct police-like investigations for every allegation of minor student misconduct, as schools are limited in both time and resources (see Gardner, 2020); however, it is equally unreasonable for school administrators to interrogate and discipline solely based on a presumption of guilt. Thus, they should attempt to meet in the middle by collecting evidence beyond the initial allegation and approaching student notice-and-hearings with a presumption of innocence. Even if a student willingly admits to misconduct, administrators should be skeptical of confessions and continue to collect evidence until they can confidently ascertain guilt or innocence. The IACP (2012) also provides guides that can aid administrators in appropriately planning before questioning begins, including documenting the existing evidence, identifying information gaps, stating the goals of the interview, strategies for building rapport, and items to corroborate after the interview.

Electronic Recording

More immediate procedural safeguards should be adopted by schools, including the electronic recording of all student interviews. Recording provides two main benefits: (a) holding interrogators accountable to use less high-pressure tactics and more evidence-based practices and (b) creating an accurate account of the interrogation for court records (Kassin & Thompson, 2019). Approximately half of all states mandate recording custodial interrogations (Bang et al., 2018), but it is not clear if mandates extend to interrogations led by SROs, and no states include school administrators in their mandates. It is doubtful that schools are voluntarily recording student interrogations, as SROs indicate that recording is only “slightly likely” (Snow et al., 2021), and many schools do not even require SROs to document their interactions with students (Nelson et al., 2016). Thus, states should adopt or widen recording laws to include those by SROs, and school districts should adopt policies requiring the recording of all interviews with students to promote transparency (see Kassin et al., 2010). Expanded recording mandates would also aid in researchers' ability to study the characteristics of school interrogations.

Future Research

Several empirical questions regarding innocence in school discipline and interrogations of students remain. First, more research is needed to determine how investigations currently operate in schools. While the scholarship reviewed here paints a consistent picture of students being questioned by multiple authority figures who criminalize their behaviors, presume their guilt, and pressure confessions—this work is mostly exclusive to qualitative studies with smaller sample sizes (but see Snow et al., 2021). This body of literature would benefit

greatly from continued rigorous research with larger and more diverse samples of administrators and SROs. For instance, it remains unknown just how often school administrators interrogate students and, further, what these interrogations typically look like. How often do school administrators use certain tactics like minimization? Moreover, how long does questioning normally last, and where does it usually take place? What types of misconduct typically result in accusatorial questioning? Observational methods and survey research with school administrator samples could help to address these questions (see also Bettens & Normile, 2023).

Research must also include student perspectives. Similar to prior work with detained juvenile samples (Malloy et al., 2014), researchers can have students recount their interrogation-related experiences (e.g., authority figures present, location of questioning), outcomes (e.g., confession, discipline), and their self-reported guilt or innocence. Experimental research is also needed so that ground truth regarding guilt is known (e.g., Redlich & Goodman, 2003). For example, students could engage (guilty) or not engage (innocent) in a staged act that constitutes school misconduct, be interrogated (by an administrator vs. uniformed officer), and their confession outcomes and measured. Other factors relevant to the school context can be manipulated and measured like the consequences threatened (school discipline only vs. also legal involvement), *Miranda* warnings (administered vs. not), in addition to students' perceptions of, for instance, custody, compliance, and long- versus short-term consequences of confessing.

Conclusions

Recent decades have seen extensive scholarly and legal work on two distinct phenomena: the criminalization of school discipline contributing to the STPP and false confessions contributing to the wrongful conviction of youth. In connecting these phenomena, this review presents a novel perspective on how school criminalization practices can create a climate where students' guilt is presumed; they are cast as criminals, are not guaranteed the legal safeguards aimed at protecting the innocent, and are frequently interrogated by school authorities with the same accusatorial techniques used by police with adult criminal suspects. Presumptions of guilt in schools and frequent school-police collaboration lead to a heightened risk of innocent youth, especially youth of color, falsely confessing and subsequently being wrongfully disciplined or convicted. Future policy and research must consider ways to mitigate these risks, as the costs associated with innocent students being wrongfully disciplined are too high to overlook.

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