

Judge Hands Down Brutal Sentences in Atlanta Test “Cheating” Case

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A Fulton County superior court judge on Tuesday handed down severe prison sentences to 10 former school administrators, principals and elementary school teachers for their role in a citywide test cheating scandal at the Atlanta Public Schools.

The educators and one other teacher were convicted April 1 for inflating test scores in 2009. The case has highlighted the relentless promotion of standardized tests by the Obama administration and both big business parties to justify the attacks on the jobs, living standards and work conditions of public school teachers along with the further diversion of resources to for-profit charter operations.

The case was brought by county prosecutors in what the *Atlanta Journal-Constitution*—which backs the vendetta—called a “novel use” of state racketeering laws normally reserved for organized crime activities such as such as prostitution, counterfeiting or illegal drugs and weapons trafficking.

To the gasps of courtroom onlookers on Tuesday morning, Judge Jerry Baxter announced maximum 20-year sentences for three former school administrators—Tamara Cotman, 44; Sharon Davis-Williams, 59; and Michael Pitts, 59—that include seven years in prison, 13 years on probation, fines of \$25,000 each and 2,000 hours of community service.

Dobbs Elementary School teacher Angela Williams, 49, and assistant principal of Deerwood Academy Tabeeka Jordan, 43, were sentenced to five years, including two years in prison, three years probation, 1,500 hours of community service and a \$5,000 fine.

Former principal of Dobbs Elementary School Dana Evans, 48; testing coordinator at Benteen Elementary Theresia Copeland, 58; and former Dunbar Elementary teacher Diane Buckner-Webb, 53, were sentenced to five years with one in prison, the balance on probation, 1,000 hours of community service and a \$1,000 fine.

Another Dunbar Elementary School teacher, 31-year-old Shani Robinson, only escaped sentencing because she gave birth over the weekend. She faces sentencing in August with the threat of being separated from her newborn child hanging over her head.

An investigation by the Georgia governor’s office acknowledged that the Atlanta educators were subjected to a “culture of fear, intimidation and retaliation” in the school district, overseen by then-Superintendent Beverly Hall. Teachers faced humiliation, demotion and even dismissal if they did not meet student achievement targets measured by tests.

Hall was awarded the 2009 National Superintendent of the Year by the American Association

of School Administrators (AASA) for “transforming the 102-school system through a comprehensive reform agenda.” She was convicted in the testing scandal but died of breast cancer last month.

Judge Baxter was visibly enraged by the public sympathy for the educators whose families and friends packed the courtroom Monday to demand leniency. When spectators reacted with horror to his sentencing, the judge angrily blurted,

“Everyone starts crying about these educators. There were thousands of children harmed in this thing. This is not a victimless crime...When you are passed and you can’t read, you are passed and passed on, there are victims that are in the jail that I have sentenced, kids.”

The argument that unaltered test scores would have led to immediate intervention to help at-risk children with expanded services is an utter fraud. Like public school districts across the country, the Atlanta schools have slashed thousands of jobs, shut dozens of schools and cut essential programs. In 2012 alone, APS wiped out at least 350 teaching and support staff positions.

The testing regime that has been at the center of Atlanta’s “school reform”—financed through the Bill and Melinda Gates Foundation—has one purpose only: to scapegoat teachers for educational problems caused by decades of budget cuts and an increasing proportion of students suffering from poverty, and to justify the further privatization of public education.

Last week, attorney Sanford Wallack who represented now retired special education teacher Dessa Curb—the only defendant acquitted of all charges in the case—likened the years-long probe by the Georgia Bureau of Investigation to the Salem witch-hunt trials.

In an email statement to the *World Socialist Web Site* after the sentencing, Wallack said,

“I am greatly disappointed that both the Fulton County District Attorney’s Office and the Court felt that any period of incarceration was an appropriate sentence for any of the defendants in this case.

“Based on my experience as a criminal defense attorney for over 20 years and in my opinion, the facts and circumstances of these individuals and in this case—the same factors that courts routinely consider in determining sentences in criminal cases throughout the State of Georgia on a regular basis—do not warrant any term of incarceration, but rather warrant sentences of probation at worst. I am thankful, however, that the Court ultimately relented in granting appeal bonds and look forward to the appellate courts’ review of the case.”

Well aware that the case is a damning condemnation of the Obama administration’s anti-education policies, sections of the political establishment cautioned Judge Baxter to avoid prison sentences. This includes former Atlanta Mayor Andrew Young, who said 20 years of emphasis on testing had warped public schools’ mission and set a “trap” for the educators.

In an opinion piece in the April 12 *Atlanta Journal-Constitution*, two of the judge’s predecessors on the Fulton County Superior Court bench, wrote,

“Judge Baxter should exercise his tremendous discretion in imposing sentences which reflect that any conspiracy involves our entire educational system in the high-stakes testing arena. These educators did not create the system in which schools have been corrupted across this nation by making standardized tests the chief measure of school, teacher and student performance. Certainly, incarceration is neither mandated nor appropriate in this case.”

Nevertheless, Baxter pressed ahead, saying there was “a faction of the community that wants me to throw the book at them” and “just max ‘em out.” After prosecutors sought to blackmail the educators with promises of lighter sentences if they accepted guilt and waived the right to appeal their convictions, Baxter reacted angrily, saying, “I’ve got a fair sentence in mind and it involves going to jail. Everybody.”

However, only two of the ten bowed to the pressure. A defiant Dana Evans told the judge Monday,

“I have been arrested, shackled, spent the last two weeks in jail. I have been punished. I am broke now. I have no retirement. All of it is gone... I know you want to hear an admission of guilt, but I can’t say that because it is not the truth.”

With virtually uncontrollable rage Tuesday, Judge Baxter made it clear he was handing down the savage sentences—even more egregious than those demanded by prosecutors—as retribution against those who had the audacity to uphold their rights to appeal their convictions.

“Yesterday, I said to everyone, this is the time to search your soul and we could end this and the punishment wouldn’t be so severe,” Baxter bellowed in the courtroom. “I was going to give everyone one more chance, but no one took it. All I want for many of these people is to just take some responsibility, but they refuse. They refuse.”

After meting out the brutal punishments to the first three educators, the judge said, “I just wanted them to get a taste of it,” referring to the others awaiting his sentencing. “Apparently, that didn’t quite move them.”

This is class justice. While police can get away with murder and the real racketeers who are conspiring to destroy public education or who wrecked the economy and waged wars based on lies are never held to account, the full weight of the capitalist courts is levied against the working class. Particular vindictiveness is reserved for any section of workers who dare defy the state and uphold their democratic rights.

The two educators who accepted the deals were hit with stiff punishments in any case. Testing coordinator Donald Bullock was ordered to spend six months of weekends in county jail, plus five years of probation, fines and community service. Former teacher Pamela Cleveland of Dunbar Elementary was sentenced to five years, including one year of home confinement from 7 p.m. to 7 a.m., 1,000 hours of community service and a \$1,000 fine.

Far from defending the persecuted educators, American Federation of Teachers President Randi Weingarten joined the witch-hunt. The AFT, which also received millions from the Gates Foundation, is an active partner in Obama’s corporate-backed “school reform.” The AFT boasted as early as 2005 that the local union reported allegations of cheating to then

superintendent Beverly Hall.

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