



## Criminal Justice: Disrupting the Cradle-to-Prison Pipeline

The cradle-to-prison pipeline is when school policies and practices move children from the public-school system into the juvenile and criminal justice system. Most of the children caught in the pipeline face poverty, racism, abuse, neglect, and disability. Zero tolerance policies, started in the late 1980s, used harsh punishment for minor and major offenses and had a negative impact on kids' performance in school.<sup>1</sup>

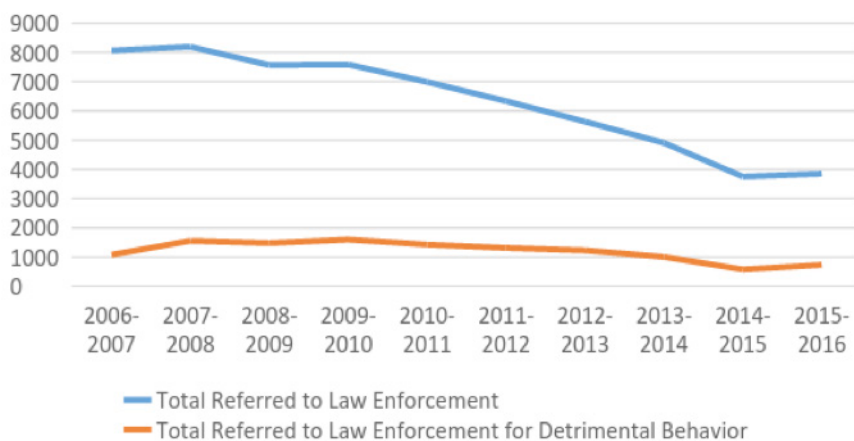
## Racial Discrimination as a Factor in the Pipeline

Harsh corrective actions related to school behavior have affected youth of color more than other children, starting as early as preschool. Per the U.S. Department of Education Office for Civil Rights, black children represent 18 percent of preschool enrollment, but 48 percent of preschool children receiving more than one out-of-school suspension. In all grades, nearly one in six black students received at least one out-of-school suspension compared to only four percent of white students.<sup>2</sup>

## The Cradle-to-Prison Pipeline in Colorado

Colorado mirrors the national pipeline, including differences by race. For example, students of color at Denver Public Schools are over three times more likely to get suspended or expelled than white students.<sup>3</sup> Per state data, there were 3,848 times that students were referred to law enforcement in the 2015-2016 school year.<sup>4</sup> Almost 44 percent of those referrals were for relatively low-level offences such as "detrimental behavior". Figure 1, using data from the Colorado Department of Education, demonstrates the decrease in school referrals to law enforcement over time, likely due to a change in disciplinary policy. For example, Denver Public Schools rewrote its discipline codes in 2013 and saw a drop in the number of suspensions and expulsions.<sup>5</sup>

**FIGURE 1: COLORADO SCHOOL DISTRICT REFERRALS TO LAW ENFORCEMENT**



## The Cost of Letting the Pipeline Persist

In 2012, the reported cost per year to house a youth inmate in Colorado was \$104,985 or almost \$290 per day.<sup>6</sup> Longer-term costs can include lower levels of school and work, less ability to earn a living, pay taxes, and more people relying on public assistance.<sup>7</sup>

<sup>1</sup> American Psychological Association Zero Tolerance Task Force. "Are Zero Tolerance Policies Effective in the Schools? An Evidentiary Review and Recommendations." *American Psychologist*. 63(2008): 852-862.

<sup>2</sup> U.S. Department of Education Office for Civil Rights. "Civil Rights Data Collection Data Snapshot: School Discipline." March 2014. Accessed June 7, 2017. <http://ocrdata.ed.gov/Downloads/CRDC-School-Discipline-Snapshot.pdf>

<sup>3</sup> Padres & Jovenes Unidos. "5th Annual Denver Community Accountability Report Card." 2016. Accessed June 7, 2017. [http://padresunidos.org/wp-content/uploads/2016/08/PJU-REPORT-CARD-04-2016-Final-Compress\\_0.pdf](http://padresunidos.org/wp-content/uploads/2016/08/PJU-REPORT-CARD-04-2016-Final-Compress_0.pdf)

<sup>4</sup> Colorado Department of Education. "2015-16 State Suspension and Expulsion Rates and Reasons" Accessed June 11, 2017. <https://www.cde.state.co.us/cdereval/suspend-expelcurrent>.

<sup>5</sup> Klein, Rebecca. "Denver Is Leading The Way In Dismantling The School-To-Prison Pipeline. Here's How." *Huffington Post*. Updated September 8, 2015. Accessed June 7, 2017. [http://www.huffingtonpost.com/2015/07/15/denver-public-schools-discipline\\_n\\_7715358.html](http://www.huffingtonpost.com/2015/07/15/denver-public-schools-discipline_n_7715358.html)

<sup>6</sup> Justice Policy Institute. "Sticker Shock: Calculating the Full Price Tag for Youth Incarceration." December 2014. [http://www.justicepolicy.org/uploads/justicepolicy/documents/sticker\\_shock\\_final\\_y2.pdf](http://www.justicepolicy.org/uploads/justicepolicy/documents/sticker_shock_final_y2.pdf). Accessed June 11, 2017.

<sup>7</sup> Ibid.



## Potential Strategies to Disrupt the Pipeline

There is not one solution to fixing the pipeline crisis, but evidence shows that the following actions can reduce the number of youth in custody, as well as reduce the racial disparities in punishment:

- + **Avoid zero tolerance discipline policies.**
- + **Shift to prevention rather than punishment by changing what behaviors are viewed as requiring discipline and promoting positive behaviors.**
- + **Identify children who are at risk early on through screening and assessment.**
- + **Focus on alternatives to the justice system.**
- + **Improve the collection and use of data by race to tailor and evaluate interventions.**

Below are some of the programs and practices that adopt these elements with promising outcomes.

### New York State Promise Zones

Promise zones are communities where local school districts partner with state and local child-serving agencies to improve learning environments and engage students. The program uses an intervention called Positive Behavioral Interventions and Supports, PBIS, a framework for helping schools adopt proven interventions to enhance education and social behavior outcomes for all students.<sup>8</sup>

### Juvenile Breaking the Cycle Program (JBTC)

JBTC used assessments to identify, provide and coordinate services for high risk youth with alcohol or other drug problems. Outcomes showed that JBTC participants were much less likely to commit crimes again and had significantly fewer arrests, compared with non-participants.<sup>9</sup>

### Denver Public Schools (DPS) and Public Safety Youth Programs

DPS recently announced plans to eliminate most out-of-school suspensions and expulsions for preschool through third grade students.<sup>10</sup> Denver's Public Safety Youth Programs include prevention, intervention and diversion programs aimed at reducing crime and violence in the community such as municipal diversion, attendance mediation and PACE (Promoting Academic & Character Education).<sup>11</sup>

### Evidence of Impact on Health and Social Outcomes

Keeping children in school and out of jails and prisons can limit the spread of disease and have positive impacts on community mental health.<sup>12,13</sup> Jails can expose individuals to others with infectious and chronic diseases and substance abuse. Students who obtain school-based prevention can experience reduced aggressive and disruptive behavior, lowering levels of community violence.<sup>14</sup> The Colorado Department of Public Health and Education has developed a toolkit for public health practitioners to strengthen a positive school climate and achieve these outcomes.<sup>15</sup>

<sup>8</sup> OSEP Technical Assistance Center. "PBIS Frequently Asked Questions". Updated November 26, 2010. [http://www.pbis.org/common/cms/files/pbisresources/PBIS\\_Q&A.pdf](http://www.pbis.org/common/cms/files/pbisresources/PBIS_Q&A.pdf)

<sup>9</sup> National Institute of Justice. "Program Profile: Juvenile Breaking the Cycle (JBTC) Program (Lane County, Oregon)". July 11, 2016. <https://www.crimesolutions.gov/ProgramDetails.aspx?ID=478>. Accessed June 13, 2017.

<sup>10</sup> Schimke, Ann. "Denver Public Schools takes strong stand against suspension and expulsion in early grades". Chalkbeat. March 15, 2017.

<sup>11</sup> Denver Department of Public Safety. "Intervention & Diversion Programs". <https://www.denvergov.org/content/denvergov/en/department-of-safety/intervention-prevention/juvenile-intervention-diversion/intervention-diversion-programs.html>. Accessed June 11, 2017.

<sup>12</sup> Binswanger, IA, Krueger PM and Steiner JF. "Prevalence of chronic medical conditions among jail and prison inmates in the USA compared with the general population" *Journal of Epidemiology and Community Health* 63 (2009): 912-919.

<sup>13</sup> Hatzenbuehler, ML, et. al. "The Collateral Damage of Mass Incarceration: Risk of Psychiatric Morbidity Among Nonincarcerated Residents of High-Incarceration Neighborhoods." *American Journal of Public Health*. 105(2015): 138-143.

<sup>14</sup> Promising Practices Network. "Seattle Social Development Project". <http://www.promisingpractices.net/program.asp?programid=64>. Accessed June 11, 2017.

<sup>15</sup> The toolkit is available at: <https://drive.google.com/file/d/0B9KxEP26Y-luSXVhSHFK-d0lSSJA/view>