

# Understanding New Mexico's School To Prison Pipeline: What The Data Are Beginning To Show



**Presented At:**  
**The 21<sup>st</sup> Annual Children's Law Institute**  
**Albuquerque, New Mexico**  
**January 15-17, 2014**

**Facilitated By:**  
**Judge Louis P. McDonald, Chief Judge Of The 13<sup>th</sup> Judicial District**  
**Peter Winograd, The UNM Center For Education Policy Research**

---

---

---

---

---

---

---

---

## Acknowledgements

- Matt Montano, NM PED
- Jeanne Masterson, NM CYFD
- Tonna Burgos, Rio Rancho Public Schools
- Tara Ford, Pegasus Legal Services For Children
- Traci Neff, San Juan County
- Deborah Dungan, Esq, Supreme Court
- Lisa Hamilton, NM PED
- Linda Carlisle, NM CYFD
- Fran Bunker, NM CYFD
- Annamarie Luna, NM CYFD
- Tom Dauphinee, UNM CEPR
- Dominica Montano, Sandoval County District Court
- Amy Ballard, UNM CEPR
- Christina Marie Reynoso, UNM CEPR
- Chris Erwin, UNM CEPR
- Alfie McCloud, UNM CEPR
- Hailey Heinz, UNM CEPR

---

---

---

---

---

---

---

---

## The Joint Education Task Force

- The Joint Education Task Force established by Order No. 12-8300 and chaired by Governor Susana Martinez and Chief Justice Petra Jimenez Maes.
- The purpose is to provide collaborative advice, recommendations, and proposed strategies to this Court to address the educational needs of children and youth in the state's custody and other high risk youth.
- Members include representative from the Court, the Governor, the Legislature, the Secretary of the Department of Public Education, and the Secretary of the Children, Youth, and Families Department.
- The Joint Education Task Force has focused on a number of goals including:
  - Identifying the challenges and barriers to educational success including, but not limited to, attendance and truancy;
  - Developing and implementing a sustainable collaborative model for ongoing systemic improvement of educational outcomes; and
  - Developing and implementing a system to share data between child welfare, judiciary, and educational entities in order to make informed policy decisions and ensure individual student success.

---

---

---

---

---

---

---

---

**What Do We Know About The Students Who Are Caught Between The Schools And The Justice System?**

- It is difficult to get a clear picture of the students who are involved in both the education and juvenile justice system. Important questions include:
  - How many students commit infractions in schools each year? How do those infractions vary over time by type of infraction and by student, school and community demographics?
  - What happens to those students and how do those consequences vary over time, by type of infraction and by student, school, and community demographics?
  - What are schools and communities doing now in both practice and policy that seem to prevent infractions from occurring? Could those practices and policies be taken to scale across the state?
  - What are schools and communities doing now in both practice and policy to respond to infractions in ways that are most constructive for the student who committed the infraction and the well-being of the other students in that school?
- The Public Education Department; The Children, Youth, and Families Department, and the Courts are making significant progress in sharing data that can help us answer those questions.
- One of the ways we can learn more about these students is by tracking how many students are arrested, suspended, expelled, or receive some other form of response to their infractions.




---

---

---

---

---

---

---

---

---

---

**Student Infractions Grouped Into Four Major Areas**

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• Assault/battery with firearm</li> <li>• Assault/battery with knife or cutting object</li> <li>• Assault/battery with other dangerous weapon</li> <li>• Assault/battery aggravated with hands, feet, fist</li> <li>• Assault/battery simple</li> <li>• Other Violence - Sexual battery</li> <li>• Other Violence - Homicide</li> <li>• Other Violence - Kidnapping</li> <li>• Other Violence - Robbery using force</li> <li>• Other Violence - Self Injury</li> <li>• Other Violence - General (includes Threat or Intimidation)</li> <li>• Sexual Harassment</li> <li>• Disorderly Conduct</li> <li>• Bullying</li> </ul> | <ul style="list-style-type: none"> <li>• Weapons Possession - Knife/Cutting</li> <li>• Weapons Possession - Other</li> <li>• Gang-Related Activity</li> <li>• Drug Violation</li> <li>• Alcohol Violation - Possession</li> <li>• Alcohol Violation - Use</li> <li>• Alcohol Violation - Dealing</li> <li>• Tobacco Use</li> <li>• Other Weapons, Substance Abuse, Gang Activity - Describe</li> </ul> |
| <p>Vandalism</p> <ul style="list-style-type: none"> <li>• Graffiti</li> <li>• Criminal Damage</li> <li>• Breaking/Entering/Larceny</li> <li>• Missing Property/Theft</li> <li>• Arson</li> <li>• Vandalism</li> <li>• Other Vandalism, Describe</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                         | <p>Firearms Possession (NOT to include toy guns, cap guns, BB guns, pellet guns, etc.)</p> <ul style="list-style-type: none"> <li>• Handgun Possession</li> <li>• Rifle/Shotgun Possession</li> <li>• Other Firearms Possession - Describe in Comment Field</li> <li>• Student Teach</li> </ul>                                                                                                        |



Source: NM PED STARS Manual for School Year 2013-2014

---

---

---

---

---

---

---

---

---

---

**Responses to Infractions Are Organized Into Eight Categories**

1. Arrest/referral to justice system
2. In school suspension
3. Out of school suspension
4. Expulsion - no educational services – REGULAR ED ONLY; NOT to be used for Special Ed students)
5. Modified Expulsion (still receiving some educational services)
6. Sent to alternate setting by school personnel
7. Sent to alternate setting based on hearing officer determination of likely injury
8. Other/Unknown



Source: NM PED STARS Manual for School Year 2013-2014

---

---

---

---

---

---

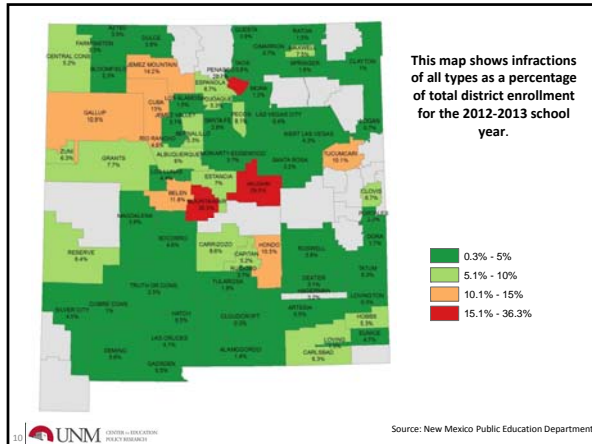
---

---

---

---






---

---

---

---

---

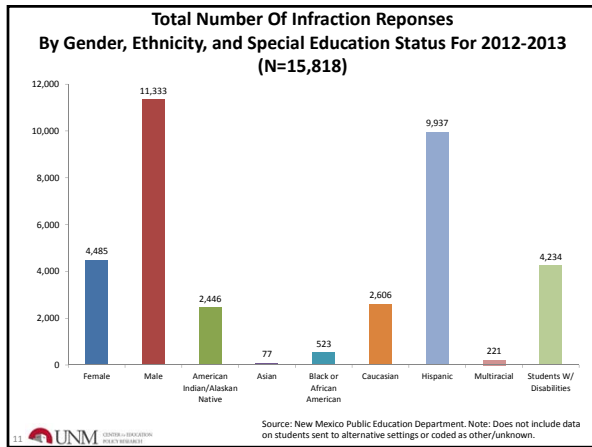
---

---

---

---

---




---

---

---

---

---

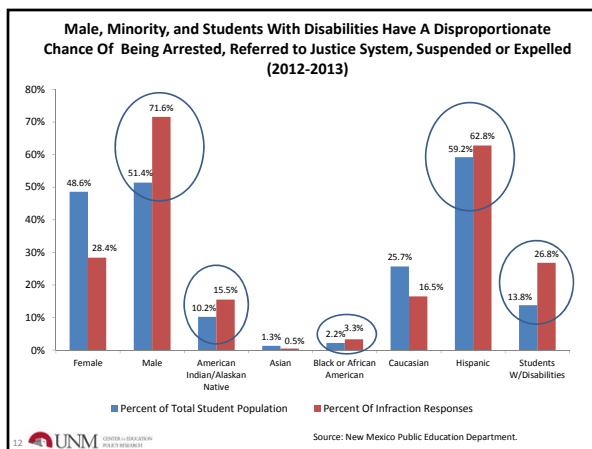
---

---

---

---

---




---

---

---

---

---

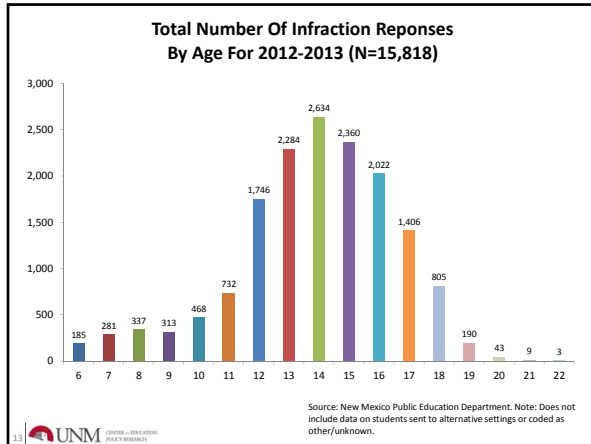
---

---

---

---

---




---

---

---

---

---

---

---

---

---

---

---

---

**What Are Some Of The Questions We Have Yet To Explore?**

1. How many students commit which kinds of infractions in schools each year?
2. How have the number and types of infractions changed over time?
3. How many students commit multiple infractions and how do we handle those cases?
4. How do those infractions vary by type and by student, school and community demographics?
5. What happens to those students and how do those consequences vary by type of infraction and by student, school, and community demographics?
6. What are schools and communities doing now in both practice and policy that seem to prevent infractions from occurring? Could those practices and policies be taken to scale across the state?

---

---

---

---

---

---

---

---

---

---

---

---

**What Are Some Of The Questions We Have Yet To Explore?**

7. What are schools and communities doing now in both practice and policy to respond to infractions in ways that are most constructive for the student who committed the infraction and the well-being of the other students in that school?
8. Much of the current data deal with 15,000 students with infractions. In 2011-2012, New Mexico had over 51,000 students who were habitually truant. We need to know much more about the educational and juvenile justice outcomes for these students.
9. We need to know much more about the disciplinary policies in place in New Mexico's schools. In 2010, the New Mexico Center on Law and Poverty reviewed the discipline policies of 12 of the state's 89 public school districts and found that several of the districts incorporated zero tolerance elements into their policies. This study should be replicated and include all of the districts and charter schools.

---

---

---

---

---

---

---

---

---

---

---

---

**And Now To The Panel**

Tara Ford, JD, Pegasus Legal Services For Children  
Tonna Burgos, Rio Rancho Public Schools,  
Michele DeLese, School Resource Officer,  
Jeanne Masterson, Associate Deputy Director for  
Juvenile Justice Services,  
Matthew Montano, Director of Educator Quality,  
Tracy Neff, Juvenile Facility Administrator



---

---

---

---

---

---

---

---

**CEPR.UNM.EDU**



---

---

---

---

---

---

---

---