

### RESEARCH BRIEF

## Out-of-school Suspension and Recidivism among Crossover Youth

### PURPOSE OF THE STUDY

*The purpose of this study was to investigate the risk factors associated with recidivism among youth with child protection and juvenile justice system involvement, specifically the relationship between out-of-school suspension and reoffending.*

### BACKGROUND & PURPOSE

Youth who are known to be involved with both child welfare and juvenile justice systems are referred to as “crossover youth” (Stewart, Lutz & Herz, 2010). Crossover youth are at an increased risk of experiencing recidivism. Overall, crossover youth are twice as likely to commit subsequent offenses as their counterparts who are involved in the juvenile justice system but not the child welfare system (Halmeba et al., 2004). The literature highlights social bonds that decrease or increase the risk of reoffending among crossover youth, including consistent supervision, a supportive family, positive interactions with school, and extracurricular activities (Lee & Villagrana, 2015; Ryan et al., 2013).

School is particularly an important contextual factor, as crossover youth often exhibit poor outcomes in this area, including higher rates of suspension, mobility, drop-out, and low academic achievement (Herz & Ryan, 2008; Krezmien, Mulcahy & Leone, 2008; Rubin et al., 2013). Out-of-school suspension, the most commonly recognized method of addressing conduct infractions, is found to contribute to increasing the risk of delinquency among those youth (Halmeba et al., 2004; Herz & Ryan, 2008). Specifically, Fabelo et al. (2011) found that suspension or expulsion for a discretionary school violation triples the risk of juvenile court involvement in the general student population. However, little is known about the impact of suspension on recidivism among crossover youth. Addressing this gap, this study utilizes administrative educational data that contains specific information on behavior resulting in suspension. This study also provides a longitudinal examination of data on the relationship between out-of-school suspension and recidivism among crossover youth. Specifically, this study will address the following questions:

- 1. What proportion of crossover youth reoffend?*
- 2. What are the survival trajectories for recidivism?*
- 3. To what extent does out-of-school suspension impact recidivism?*



CROSSOVER YOUTH ARE TWICE AS LIKELY TO COMMIT SUBSEQUENT OFFENSES AS THEIR COUNTERPARTS WHO ARE INVOLVED IN THE JUVENILE JUSTICE SYSTEM BUT NOT THE CHILD WELFARE SYSTEM. OUT-OF-SCHOOL SUSPENSION, THE MOST COMMONLY RECOGNIZED METHOD OF ADDRESSING CONDUCT INFRACTIONS, IS FOUND TO CONTRIBUTE TO INCREASING THE RISK OF DELINQUENCY AMONG THOSE YOUTH.

## METHODS

*An integrated analytic data set was created for this study by merging statewide administrative data sets through the Minn-LInK project to examine the relationship between out-of-school suspension and reoffending for crossover youth. For the purpose of this study, 1,211 crossover youth were tracked longitudinally to examine their reoffending trajectories over a 3-year period following their initial offense.*

## FINDINGS

*Findings suggest that crossover youth continue to remain vulnerable to experiencing subsequent offenses after their first offense. In particular, out-of-school suspensions increase the risk of recidivism among crossover youth. Youth with a higher number of suspensions at the time of their reoffending are more likely to recidivate.*

Through Minn-LInK, juvenile delinquency court records from the State Court Administrator's Office were linked with education records from the Minnesota Department of Education and child protection data from the Minnesota Department of Human Services. The target population for this study was identified using the following procedures (as illustrated in Figure 1). First, 70,438 youth (born between 1994 and 2001) whose offenses resulted in adjudication were identified using juvenile court records; these records were subsequently linked to state-level educational records (AY 2013). Of those youth, 6,687 (9.5%) were identified as having a maltreatment history through linkages with administrative child protection records. The sample was restricted to those youth who were identified as having a maltreatment history and who committed their first offense between September 1<sup>st</sup>, 2009 - August 31<sup>st</sup>, 2011 (n=1,211). Recidivism rates were calculated using a three-year longitudinal study design. In particular, the youth's first re-offense across a 90 day observation period was tracked for 1,080 days, or 12 intervals. Cox regression analysis was used to model time to reoffending among crossover youth while taking into account the timing of reoffending (i.e., recidivism). Out-of-school suspensions were measured as a time-dependent variable. In this study, recidivism was measured when a given youth had his/her first re-offense adjudicated by juvenile courts.

**Figure 1. Sampling Procedure**

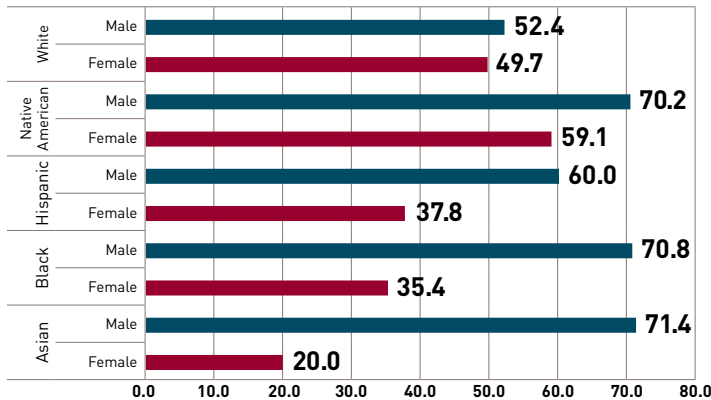


The characteristics of crossover youth in this study (n=1,211) varied. Most crossover youth were male (64%). Almost half of all youth (44%) were Caucasian whereas 34% were African American, 13% were Native American, 8% were Hispanic, and 1% was Asian. A large majority of youth (77%) came from low-income families, as evidenced by youth's receipt of free or reduced price school lunch. Nearly half (49%) received special education services while in school via an Individualized Education Program (IEP); 32% of youth were receiving special education services for emotional or behavioral disorders (EBD). The average age of youth's first involvement with child protection system was 8.8 years (SD=3.6 years). Sixty-seven percent of the youth first entered the child protection system between the ages of 6 and 13 for allegations of maltreatment. The average age at the time of first offense using juvenile court records was 14.4 years (SD=1.4 years). Fifty percent of adjudicated youth were charged with property offenses, followed by violent offenses (38%), and drug or substance abuse (8%). Prior to their first offense, 55% of youth had experienced out-of-home placement, with an average of 3.5 (SD=3.6) placement moves experienced per youth. At school, 57% of crossover youth experienced out-of-school suspension as identified in the Minnesota Department of Education Disciplinary Incident Reporting System (DIRS) before their first offense; the average number of suspensions was two. Of the total 1,928 school disciplinary incidents, the most common incident resulting in out-of-school suspension was violent behavior (39%; including fighting, harassment, or intimidation), and the next most common incident was disruptive/disorderly conduct or insubordination (32%).

Fifty-nine percent of crossover youth in this study experienced recidivism within three years of their first offense. Recidivism most often occurred within a year following the first offense (mean=358 days, SD=282.4 days). It is worth noting that non-White, male youth committed

**IT IS WORTH NOTING THAT NON-WHITE, MALE YOUTH COMMITTED A SECOND OFFENSE AT DISPROPORTIONATELY HIGHER RATES; MORE THAN 70% OF AFRICAN-AMERICAN, HISPANIC, AND ASIAN MALES EXPERIENCED RECIDIVISM AS COMPARED TO 52% FOR WHITE MALES.**

**Figure 2. Percent of crossover youth experiencing recidivism by race**



a second offense at disproportionately higher rates; more than 70% of African-American, Native American, and Asian males experienced recidivism as compared to 52% for White males (see Figure 2). Native American youth experienced the highest recidivism rate (59%) among females while Asian youth (20%) experienced the lowest recidivism rate.

**FIFTY-NINE PERCENT OF CROSSOVER YOUTH IN THIS STUDY EXPERIENCED RECIDIVISM WITHIN THREE YEARS OF THEIR FIRST OFFENSE. RECIDIVISM MOST OFTEN-OCCURRED WITHIN A YEAR FOLLOWING THE FIRST OFFENSE.**

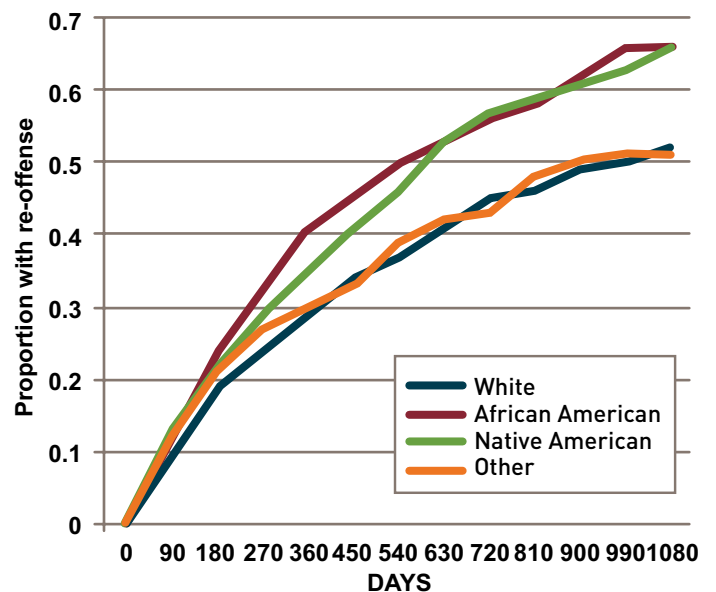
The cumulative recidivism rates after initial offense for each racial group are presented in Figure 3. Because the Hispanic and Asian groups consisted of a small portion of the entire sample (9%), they were combined into one group, "Other". Overall, the survival curve reveals a steady accumulation of reoffending over the 3-year study period. The steeper curves that are visible until the second observation point (180 days) indicate a relatively high proportion of reoffending within a short period of time. In addition, racial differences in recidivism rates become more evident over time, especially after 630 days. As can be seen in Figure 3, African American and Native American youth exhibited similar patterns of recidivism, which continued to the end of the study period. On the other hand, White and Other youth showed similar recidivism trajectories to one another. At the end of the study period, the recidivism rates were 52% for White youth, 51% for Asian and Hispanic youth, and 66% for both African American and Native American youth.

The results of Cox regression show the risk factors associated with recidivism among crossover youth (see Supplemental Table 1). The cox regression model with all predictors better fits to the data than the null model ( $\chi^2 =$

71.24,  $p=.000$ ). A hazard ratio less than 1 indicates a lower likelihood of recidivism. If 1 is subtracted from the hazard ratio and the remainder is multiplied by 100, the result is equal to the percentage change in the hazard of reoffending.

The odds of recidivism increase by 23% for male youth compared to female youth ( $OR = 1.23, p=.014$ ). As compared with White youth, African-American and Native American youth were more likely to recidivate with 20% and 28% increases in the odds of recidivism, respectively. Youth who received special education services were less likely to reoffend ( $OR = 0.72, p=.004$ ). Youth with emotional or behavioral disorders (EBD) were more likely to commit subsequent offenses. Their recidivism rate was 38% higher than youth without EBD ( $OR = 1.38, p=.006$ ). Any experience that youth had in child protection and juvenile justice systems prior to the first offense appears to have no statistically significant impact on recidivism except for school discipline. In this model, the total number of out-of-school suspensions prior to the youth's first offense significantly predicted the risk of recidivism ( $OR = 1.07, p=.000$ ). This means that youth with a higher number of suspensions prior to their first offense were more likely to recidivate. While the total number of out-of-home placements between the first offense and re-offense decreased the risk of recidivism ( $OR = 0.87, p=.003$ ), the number of placement settings increased the risk of recidivism ( $OR = 1.72, p=.000$ ). The risk of recidivism increased by 7% with each different placement setting crossover youth experienced. Lastly, the number of out-of-school suspensions at the time of reoffending had a predictive effect. The risk of recidivism increased by 32% with each out-of-school suspension crossover youth experienced.

**Figure 3. Time (in days) between first offense and re-offense by race for crossover youth**



## Conclusion

Consistent with existing research (Halemba et al., 2004; Huang et al., 2015), this study shows that a substantial proportion of crossover youth (59%) experienced recidivism within three years of their first offense. Recidivism tended to occur within one year of youth's first offense, with youth experiencing recidivism approximately 358 days after their first offense.

For maltreated youth, school can serve as a protective context by providing a structured environment and exposing youth to a wider range of prosocial skills and supportive role models (Crooks, Scott, Wolfe, Chiodo, & Killip, 2007). By contrast, school also can provide "risk-prone contexts" when youth experience punitive reactions from school personnel without addressing their needs. Behavior problems that at-risk youth might exhibit may be reinforced by inappropriate school response (Dumas et al., 1999; Leone & Weinberg, 2010; Reid & Eddy, 1997). Out-of-school suspension may expedite adverse outcomes for crossover youth, including recidivism.

The current study builds the knowledge base with regard to school discipline of crossover youth and its relation to recidivism. This study also provides statistical support for policymakers, practitioners, and school personnel to facilitate policy changes through multi-system collaboration to develop alternatives for punitive responses to behavioral issues exhibited by crossover youth, thus breaking the cycle of at-risk youth involvement in multiple systems (Tuell, Heldman & Wiig, 2013; Wiig, Tuell & Heldman, 2013). The multi-dimensional needs and the level of risk factors that crossover youth present cannot be solved by an effort from a single system. Increased attention to youth's status in child welfare and school systems following juvenile court involvement may be needed to prevent youth from progressing further into the juvenile justice system.

## References

- Baglivio, M. T., Wolff, K. T., Piquero, A. R., Bilchik, S., Jackowski, K., Greenwald, M. A., & Epps, N. (2016). Maltreatment, child welfare, and recidivism in a sample of deep-end crossover youth. *Journal of Youth and Adolescence*, 45, 625-654. doi: 10.1007/s10964-015-0407-9
- Halemba, G., Siegel, G., Lord, R. D., & Zawacki, S. (2004). *Arizona dual jurisdiction study: Final report*. Pittsburg, PA: National Center for Juvenile Justice. Retrieved from [http://nc.casaforchildren.org/files/public/community/judges/March\\_2010/Web\\_Resources/AZDualJurStudy.pdf](http://nc.casaforchildren.org/files/public/community/judges/March_2010/Web_Resources/AZDualJurStudy.pdf)
- Herz, D. C., Ryan, J. P., & Bilchik, S. (2010). Challenges facing crossover youth: An examination of juvenile-justice decision making and recidivism. *Family Court Review*, 48, 305-321. doi: 10.1111/j.1744-1617.2010.01312.x
- Hirschi, T. (1969). *Causes of delinquency*. Berkeley: University of California Press.
- Huang, H., Ryan, J. P., & Herz, D. (2012). The journey of dually-involved youth: The description and prediction of rereporting and recidivism. *Children and Youth Services Review*, 34, 254-260. doi: <http://dx.doi.org/10.1016/j.childyouth.2011.10.021>
- Lee, S. Y., & Villagrana, M. (2015). Differences in risk and protective factors between crossover and non-crossover youth in juvenile justice. *Children and Youth Services Review*, 58, 18-27. doi: <http://dx.doi.org/10.1016/j.childyouth.2015.09.001>
- Leone, P. E., & Weinberg, L. A. (2010). *Addressing the unmet educational needs of children and youth in the juvenile justice and child welfare systems*. Georgetown University, Center for Juvenile Justice Reform. Retrieved from [http://www.ipjj.org/fileadmin/data/documents/reports\\_monitoring\\_evaluation/CJJR\\_AddressEducationalNeedsYouthJuvenileJustice\\_2012\\_EN.pdf](http://www.ipjj.org/fileadmin/data/documents/reports_monitoring_evaluation/CJJR_AddressEducationalNeedsYouthJuvenileJustice_2012_EN.pdf)
- Mulder, E., Brand, E., Bullens, R., & Van Marle, H. (2010). Risk factors for overall recidivism and severity of recidivism in serious juvenile offenders. *International Journal of Offender Therapy and Comparative Criminology*, 20, 1-18. doi: 10.1177/0306624X09356683
- Ryan, J. P., & Testa, M. F. (2005). Child maltreatment and juvenile delinquency: Investigating the role of placement and placement instability. *Children and Youth Services Review*, 27, 227-249. doi: <http://dx.doi.org/10.1016/j.childyouth.2004.05.007>
- Ryan, J. P., Williams, A. B., & Courtney, M. E. (2013). Adolescent neglect, juvenile delinquency and the risk of recidivism. *Journal of Youth and Adolescence*, 42, 454-465. doi: 10.1007/s10964-013-9906-8
- Tuell, J. A., Heldman, J. K., & Wiig, J. K. (2013). *Dual status youth-technical assistance workbook*. Retrieved from [http://www.facj.org/docs/2015Aug/DSY\\_Technical\\_Assistance\\_Workbook.pdf](http://www.facj.org/docs/2015Aug/DSY_Technical_Assistance_Workbook.pdf)
- Wiig, J. K., & Tuell, J. A. (2013). *Guidebook for juvenile justice & child welfare system coordination and integration: A framework for improved outcomes* (3rd Ed.). Boston, MA: RfK Children's Action Corps. Retrieved from <http://www.rfkncrj.org/images/PDFs/Guidebook-for-JJ-and-CW-System-Coordination-and-Integration-Cover.pdf>

### LIMITATIONS

*The association between out-of-school suspension and recidivism for crossover youth as compared to non-crossover youth was not a focus of this study; future research in this area is warranted. Results of this study also were limited by available data that did not include all variables of interest, such as family and school characteristics. In addition, the results were limited to crossover youth whose first offense was adjudicated while enrolled in the local public schools and adult court involvement was not considered. Caution is needed in generalizing the findings to other subgroups of crossover youth.*

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