

Evaluating LRE's Impact: Risky Business or the Best of Times?

by **Laurel R. Singleton**

Evaluation. Let that small frisson of fear the word evokes trickle down your spine. Then shake it off and focus on the positive side of this much-maligned aspect of educators' work.

Before continuing to read this article, jot down a few of the reasons evaluation is valuable to you—whether you are a teacher, staff developer, curriculum writer, or administrator. Does your list include items similar to these?

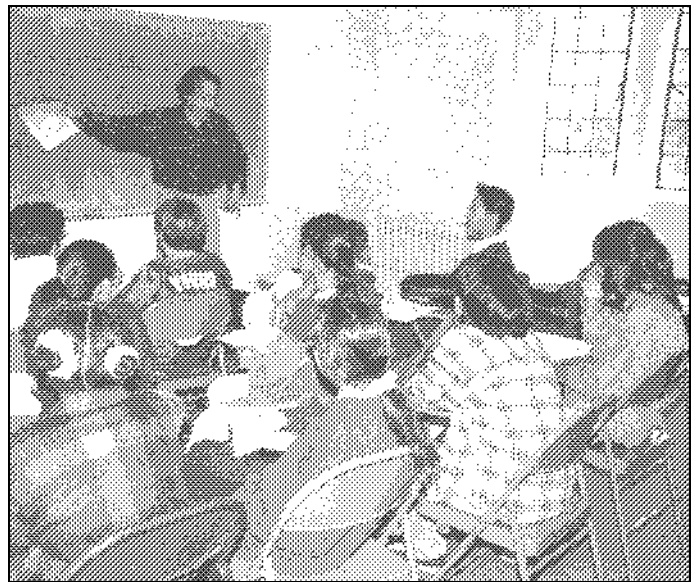
- Preparing to evaluate stimulates you to think deeply about your goals, how you can achieve them, and what evidence will tell you that you have succeeded.
- Good evaluation helps learners understand how to improve their performance and, over time, learn to evaluate their own work.
- Evaluation points the way to improving your own practice.
- Evaluation provides data to support your program's efforts to gain resources.

All of these purposes provide a solid rationale for taking evaluation seriously. Too often, however, we think of evaluation solely as a way of judging a program or a person's performance. Evaluation becomes a means of generating information to grade or rate something or someone.

While the reasons for this narrow perspective are obvious, the consequences are important. The experience of the Youth for Justice program as it has considered the feasibility of a national evaluation of LRE's impact demonstrates why we need to think broadly about the purposes and benefits of evaluation.

Youth for Justice and LRE Evaluation

In 1999, Youth for Justice heard from several state center directors that they were handicapped in



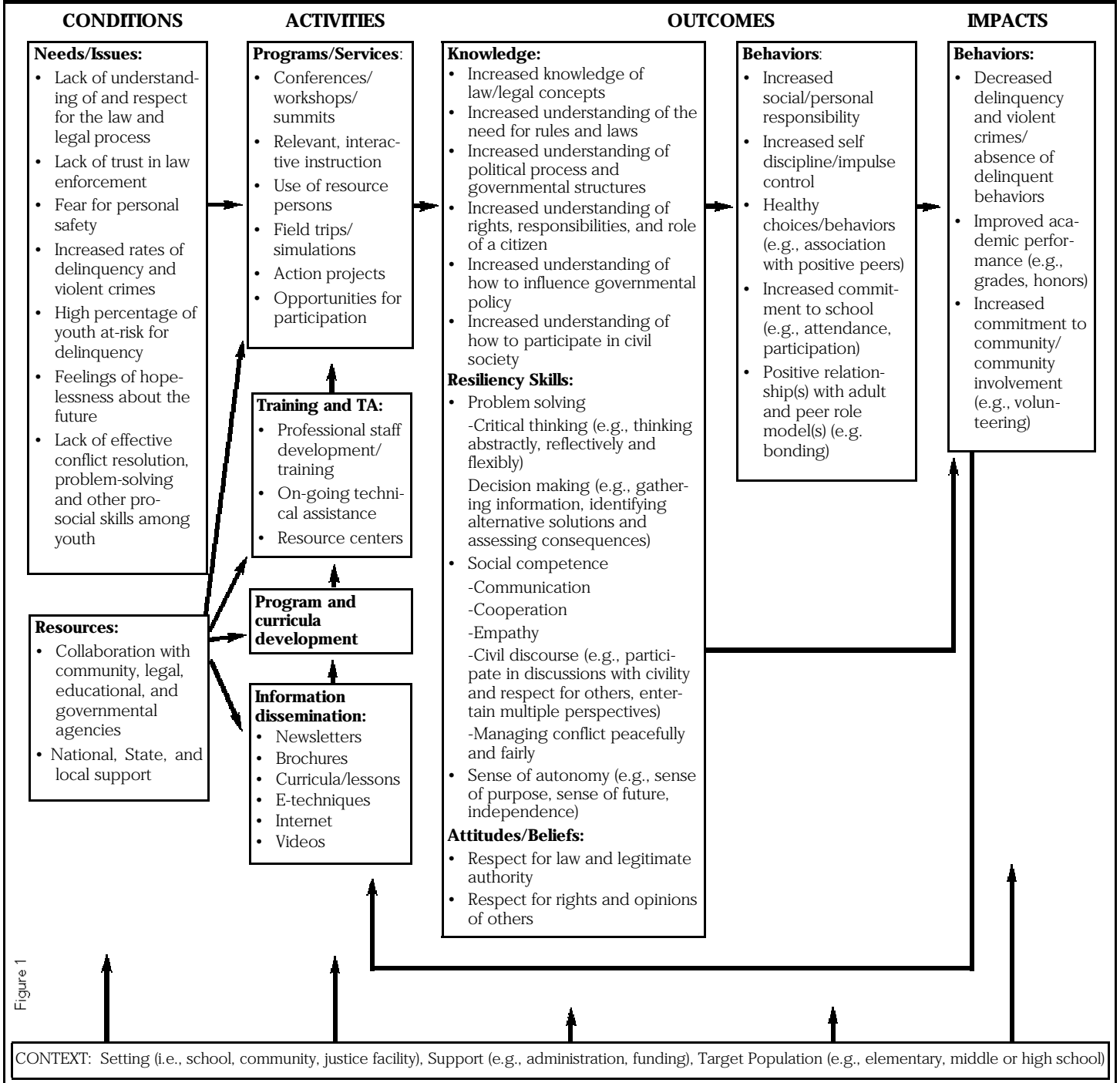
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competing for funds because LRE is not on any of the lists of effective practices being promulgated by government agencies and research centers. These reports from the field first prompted a December 1999 seminar at which the YFJ grantees, several state center directors (see sidebar), our OJJDP program officer Scott Peterson, and expert consultants considered how the field might set a research agenda for itself. Following this seminar, the Social Science Education Consortium and Caliber Associates, evaluation subcontractors to Youth for Justice, took on the "evaluation readiness" tasks. Two of these tasks are worth reporting on here.

SSEC surveyed the Youth for Justice grantees, state center directors, and juvenile justice personnel who have attended LRE training to find out what LRE sites they considered exemplary. SSEC made visits to two sites with evaluation potential. One visit was to a school

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LAW-RELATED EDUCATION (LRE) AS DELINQUENCY PREVENTION/INTERVENTION



site—Mundelein High School in Illinois; the other was to a pair of juvenile justice sites in Alabama—Chalkville (a facility for girls) and Vacca (a facility for boys).

Class observations and talks with teachers and administrators about their programs reaffirmed the benefits of evaluation. Teachers cared deeply about their work and were eager to talk about best practices in LRE and how those practices applied to their work. SSEC found the site visits very helpful as did the teachers and administrators.

Caliber developed logic models for law-related education, both as delinquency prevention and as civic education. A logic model is a graphic tool for program and evaluation planning; it illustrates how a program is designed to work and identifies variables that might be assessed to determine if the program is working. The models developed by Caliber portray information in five categories and show the relationships among the categories. The two logic models were surprisingly similar, despite the initial thinking that the impacts sought were quite different (see Figure 1 for the model of LRE as Delinquency Prevention).

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Planning for a National LRE Assessment

This past October, Youth for Justice grantees, state center directors, and consultants again met to examine the results of the evaluation readiness tasks. In addition to thinking about an evaluation as a way to get on a “list” with an “effective program” stamp of approval, the evaluation emerged as an opportunity to think deeply about important issues related to our goals and how best to attain them, and as a strategy for program improvement.

Youth for Justice is considering two tracks. One track of activities will involve evaluation support. In this track, first steps will be to develop and pilot a tool kit of evaluation instruments that can be used to assess the wide array of outcomes law-related educators hope to achieve. Later steps may involve training in evaluation skills and use of the tool kit.

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The second track will involve Youth for Justice in providing program support designed to help all the stakeholders in the field work through critical questions: What are our most important outcomes in LRE? What practices have been shown to be effective in reaching those outcomes? Do our programs include these best practices to the optimal extent? What types of evidence will prove we have achieved our goals?

The Constitutional Rights Foundation is already taking steps to support this component by addressing these questions at our national training development institute in February 2001. (A similar process is being developed by Youth for Justice for LRE in juvenile justice settings.) In preparation for this event, CRF is asking participants to teach a common lesson (see next column) and share their experiences with each other to help deepen our thinking about LRE. Other LRE leaders in the field are also encouraged to use the featured lesson and submit their assessment to CRF by March 1, 2001.

Within three to five years' time both Youth for Justice and interested state programs should be ready to conduct evaluations at the local, state, and national levels. With careful consideration for where we want to go and how best to get there, this process can help all of us improve.

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Preparing for the National Assessment of LRE

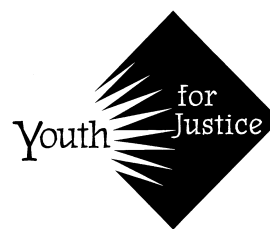
One of the purposes of the upcoming national assessment of law-related education is to renew a national conversation on LRE best practices. To provide a common experience for this discussion, CRF is asking experienced LRE teachers and trainers from across the country to teach a lesson about racial profiling, a policy which may be a factor in disproportionate minority confinement [see p. 4]. The lesson is from the newly revised 3rd edition of *Criminal Justice in America*.

To participate, please teach the lesson and complete the reflection instrument which asks you to think carefully about LRE in your classroom. Please share this with your colleagues as well.

Your assessment will help the national LRE community reflect on what good LRE looks like and how we can promote it in America's classrooms. Return your completed assessment by March 1 to:

Carolyn Pereira
Constitutional Rights Foundation Chicago
407 South Dearborn, Suite 1700
Chicago, Illinois 60605-1119
Fax: 312/663-4321

For more information about participating in the national LRE assessment, contact Carolyn Pereira at CRFC 800/801-9933x204 or pereira@crfc.org.



Racial Profiling

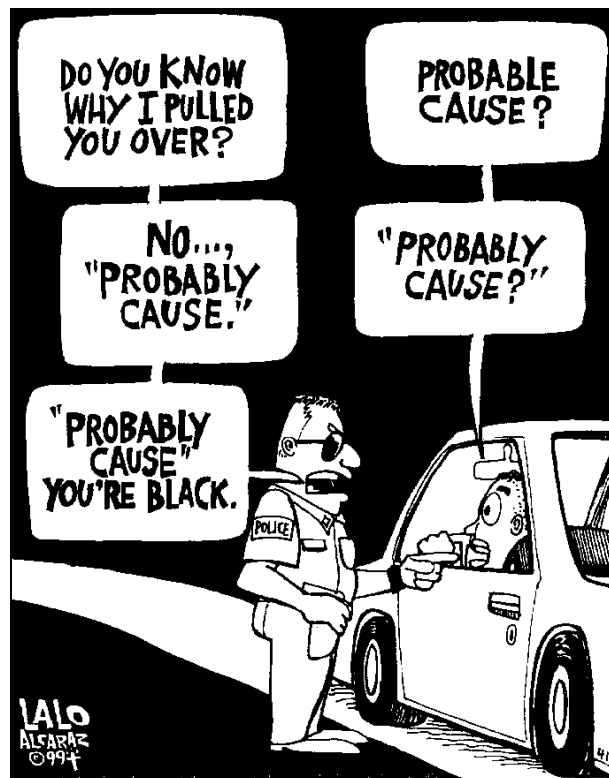
For many years, blacks and other minorities have complained that police often target minority drivers, pulling them over for minor infractions or no reason at all and often subjecting them to humiliating car or body searches. Christopher Darden, an African American and former prosecutor, has been stopped many times by police. He said that “to be pulled over for no good reason is very offensive. But then to be asked for consent to search your vehicle just ratchets things up another notch. And in those situations where you’ve been forced out at gunpoint or you’ve been asked to spread out on the street, to lay out on the pavement, makes you boiling with anger.”

John Lambeth of Temple University conducted a study to determine whether blacks were being targeted on the New Jersey Turnpike. He found that African Americans made up 13.5 percent of highway users and 15 percent of the speeders, but he found that they represented 35 percent of those stopped by police. They were almost five times more likely to be pulled over as other drivers. Similar results were found in studies conducted in Maryland and Florida.

Other minority community members complain that they too are stopped and questioned by authorities for no good reason. Latinos protest that they are targeted at Border Patrol checkpoints within the United States, and Arab-Americans claim that they are often detained for long periods by airport security, especially after some terrorist scare.

Pulling over a car, or stopping a person, solely on the basis of the driver’s race violates the 14th Amendment to the U.S. Constitution, which guarantees equal protection under the law. If proven, it would invalidate an arrest or the use of any evidence seized from the driver. Federal civil rights laws outlaw it and several states have passed laws specifically against this practice.

The more difficult question arises over police officer discretion in deciding who to pull over. In the 1996 case of *Whren v. U.S.*, the U.S. Supreme Court unanimously ruled that police may stop a car for any traffic or equipment violation even if they have a different motivation for making the stop, such as the suspicion of drug trafficking.



Some experts point to “profiling” as the major cause of disproportionate traffic stops on minorities. Profiles are systems used by police to predict criminal behavior. Some use scientific methods and statistics to develop a list of factors that make up a profile of a potential suspect. They might include age, location, type of car, time of day, driving patterns, route of travel, and whether the driver is alone. Profiles can also target white citizens. For example, a police officer might be more likely to pull over a late-model car for a minor traffic violation if it were driven by a white youth at night in an inner-city neighborhood where drug dealing occurs. In this case, the driver might fit a profile of someone who is likely trying to buy drugs.

There are two types of racial profiling—full and partial. A full racial profile is when race is the only factor that causes an officer to stop someone. As mentioned above, this practice is unconstitutional, illegal, and universally condemned. Even so, many minorities complain that it happens all the time. Police officials disagree and say the practice is not widespread.

Racial Profiling

In 1999, Connecticut and North Carolina passed laws requiring police to keep track of the race and ethnicity of everyone they stop. The data will be forwarded to experts to analyze whether and to what extent officers are targeting people on the basis of race or ethnicity. These laws are widely supported by minority leaders. Walter Wilson, legislative director of the National Association for the Advancement of Colored People, has stated: “The NAACP believes that comprehensive data collection is critical to the process of ending racial profiling. Without data collection, there is no progress on this issue.”

Other states and the federal government are considering such laws. But strong opposition to these laws has come from police groups. They argue that stopping people is already hazardous and forcing officers to ask people about their race and ethnicity will needlessly lengthen stops and inflame the situation. They also don’t think the statistics will prove anything because people stopped will probably reflect the racial makeup of the community they are stopped in. They believe that instead of collecting data, all allegations of officers targeting minorities should be thoroughly investigated.

Another set of issues concerns partial racial profiling, where race or ethnicity is one of several factors. Many people support this type of profiling. They argue that it is an effective law-enforcement tool. Bernard Parks, chief of the Los Angeles Police Department, has stated: “We have an issue of violent crime against jewelry salespeople. . . . It’s a collection of several hundred Colombians who commit this crime. If you see six in a car in front of the Jewelry Mart, and they’re waiting and watching people with briefcases, should we play the percentages and follow them? It’s common sense.” Parks is an African American. He sees nothing wrong with partial racial profiling.

Randall Kennedy, a law professor at Harvard, opposes using race as a factor in profiles. He doesn’t think that police necessarily use this practice because they have racist motives. He thinks they may believe it is an effective law-enforcement tool, and Kennedy believes they may be right. But Kennedy points out that many innocent people get stopped by police using these profiles. And, he says, they often don’t just get stopped once, but many times. This, he says, causes great anger and alienation. “Alienation of that sort gives rise to witnesses who fail to cooperate with

the police, citizens who view prosecutors as ‘the enemy,’ . . . and jurors who yearn to ‘get even’ with a system that has, in their eyes, consistently mistreated them. For the sake of better law enforcement, we need to be mindful of the deep reservoir of anger toward the police that now exists within many racial minority neighborhoods. Racial profiling is a big part of what keeps this pool of accumulated rage filled to the brim.”

For Discussion

1. A bank is robbed and the suspect is described as an Asian woman driving a red sports car. Police start looking for such a suspect. Is this a racial profile? Explain.
2. What is the difference between *partial* and *full* racial profiling?
3. Do you think profiling is an effective law-enforcement tool? If so, are its benefits worth its costs? Explain.
4. Should police ever be allowed to consider race when deciding whether to stop someone?

Class Activity: What Should Be Done About Profiling?

To find out more about racial profiling, some states have passed laws requiring police to collect data on the race and ethnicity of everyone they stop. Other states and the federal government are considering doing the same. Opponents of data collection support other measures such as police videotaping every traffic stop or police distributing their card to everyone they stop so that people can easily file complaints. In this activity, students role play advisers to a state governor who is considering introducing legislation on racial profiling.

1. Divide the class into small groups.
2. Each group should:
 - a. Discuss the problem of racial profiling and various proposals for addressing it.
 - b. Decide which proposal, if any, to support. (Students may create their own proposal.)
 - c. Prepare to report its decision and the reason for it back to the class.
3. Have the groups report back and discuss the various proposals. Conclude the activity by voting as a class on the proposals.

Teacher Reflections

1. What essential LRE knowledge/skills did you expect your students to gain as a result of participating in this lesson? What outcomes of the lesson were most important to you?

What evidence do you have that students achieved or did not achieve the desired outcome?

2. The following have been identified as “best practices” in law-related education. Note that it is unlikely that all will be well represented in any one lesson. The purpose of the exercise is to prompt and deepen your thinking about LRE—NOT to evaluate a particular individual or specific lesson. To what extent was each practice represented in the lesson as you taught it?

- a. The issue raised controversial issues for students that were appropriate for their age and ability level.

Well represented

5 4 3 2 1

Not represented

Comments:

- b. The issue was covered with both balance and depth. Students explored more than one perspective regarding the issue. Students had enough information and enough time to gain more than superficial understanding of the issue.

Well represented

5 4 3 2 1

Not represented

Comments:

- c. Students were engaged in active teaching/learning strategies. In particular, instruction fostered true student interaction—that is, students interacted directly with other students, including those with whom they do not regularly interact. Students were provided with the opportunity to practice skills and to draw on and connect their existing knowledge to the lesson.

Well represented

5 4 3 2 1

Not represented

Comments:

- d. Students had opportunities to interact with community resource persons who were prepared so that their involvement supported the goals of the lesson and linked to instruction that came before and after the lesson.

Well represented

5 4 3 2 1

Not represented

Comments:

3. Were there other aspects of either the lesson or your approach to teaching it that represent your vision of exemplary LRE teaching? If so, please describe them.

4. What problems or challenges, if any, did you encounter while teaching the lesson? How might you revise the lesson or your approach to address those problems/challenges?

5. Please use the table below to record students' ideas and comments on the issue of disproportionate minority confinement. These comments and ideas will be useful in discussing the teaching of controversial issues in the LRE classroom. You may find it helpful to make a large copy of the chart and have a student record in it during the class discussion.

Policy Recommendations and Arguments for Supporting or Not Supporting the Policies
(Record Actual Quotes from Students When Possible)

Policies Recommended	Arguments Supporting	Arguments Against

What policy, if any, was adopted by students?

If a policy was adopted, what arguments did students cite as most compelling?

Criminal Justice in America

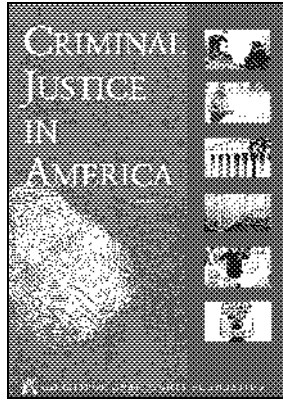
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