Rocky Mountain PBS Presents

A SENTENCED LIFE

RACE IN COLORADO: JUSTICE
Blacks and Latinos are overrepresented in the criminal justice system nationally and in Colorado. Experts point to widely acknowledged discrimination within the system itself, often discussed as implicit or unrecognized bias. Others cite failure in schools and neighborhoods as the starting point to involvement with the system.

The system has a strong undertow for people of color: It’s easy to get caught up and difficult to escape. Even after someone has served time in jail or prison, a criminal record can carry lifelong negative consequences. A *Sentenced Life* focuses on four Coloradans and their experiences with four major stages of the criminal justice system – arrest, detention, release and reintegration.
During the nation’s “tough on crime” era of the 1980s, the Colorado legislature doubled sentence lengths for felonies. As a result, the state’s prison population grew by 637 percent from 1985 to 2009, at a time when the general population grew by 57 percent.

Source: Joint Budget Committee, Colorado General Assembly
On March 25, 2015, Ryan Brown and his brother Benjamin were driving home from a trip to buy bread when Colorado Springs police officer David Nelson stopped their car because he believed it might be involved in drug or criminal activity, according to an internal affairs report. Ryan recorded the stop with his phone: Officer Nelson patted down and handcuffed Benjamin, while another police officer pointed a gun at Ryan. Officer Nelson pulled Ryan out of the car and pushed him face down into the snow. In the end Ryan got a ticket for interference with a public official. Benjamin got a ticket for a cracked windshield.

The men complained to the police department about the stop. Ryan took his case to the American Civil Liberties Union. As a result, the police department dropped the charges against him. Even so, as of April 2016, the ACLU was considering a lawsuit against the Colorado Springs police department for alleged racial profiling. Watch a video of the stop at race.rmpbs.org/justice.

“No reasonable person in contemporary America can watch that video and believe that the same thing would have happened to two young white men at the hands of the police.”

- Mark Silverstein, legal director, American Civil Liberties Union, Colorado

“Stylistic difference in delivery of police services occur with each individual officer and every situation they encounter. These differences are not necessarily policy violations.”

- Peter Carey, Colorado Springs Police Chief
Some experts, including Department of Public Safety Executive Director Stan Hilkey, point to “implicit bias” as a reason for the disproportionate representation of people of color throughout the system. Implicit bias is a concept increasingly used by sociologists and psychologists to understand how bias manifests. As opposed to “explicit” or “blatant bias” where someone might openly say they don’t like a specific group based on race, ethnicity, gender, religion or something else, “implicit bias” relates to the subtle, unconscious and unacknowledged stereotypes that we hold toward different groups of people.

“Implicit bias occurs in all of us in one way or another and in areas of education, law enforcement, criminal justice ... ”

– Stan Hilkey, executive director, Colorado Department of Public Safety

“Not being white makes you automatically suspicious ... because of the stereotype of what criminality is.”

– Allison Cotton, professor of criminology, Metropolitan State University, Denver
Incarceration impacts more people than just the incarcerated. Families, and especially children, have to figure out how to cope with their loved one’s absence. Denver resident and single mother of two Krystle McKelvey (lower left) struggled to keep up with a series of mounting traffic tickets and fines until she found herself in jail when she was four months pregnant.

In 2014, close to 42,000 people were incarcerated or on parole in Colorado, according to data from the Colorado Department of Corrections and Bureau of Justice Statistics. On average, one prison inmate costs taxpayers $36,892 a year in Colorado, according to Department of Corrections numbers – more money than a year of in-state college tuition at the University of Colorado or Regis University.

“*You’re absolutely depleting the communities of color of natural resources like mothers, fathers, good neighbors, babysitters, carpool drivers … ”*

- Allison Cotton, professor of criminology, Metropolitan State University, Denver

*data from 2014*
RISK OF INCARCERATION

Black adults are six times more likely than white adults to be incarcerated in Colorado, while Latino adults are one-and-a-half times more likely than whites to be incarcerated.

Pueblo resident Isaac Sanchez (lower right) discovered the “collateral consequences” to a felony record after he made a bad choice as a teenager. He says his record limits his job opportunities to fast food restaurants. Many parts of state and federal law specify lasting prohibitions or restrictions for people with a felony or criminal record. Taken together, they pose barriers for people coming out of jail or prison attempting to reintegrate into normal life.

One reform that has been advanced both in Colorado and nationally is altering or reversing policies and laws that make it harder for those with criminal records to put their lives back together after their sentences are served. As is, the prohibitions include public housing and hundreds of different jobs, and severely restricted access to higher education.

“All of a sudden I was a felon ... My adult life just began and I’m already part of a class that I felt like I didn’t belong to ... It really changed, like, maybe this is who I am. Maybe I’m just a criminal. Maybe I’m not destined for greatness.”

- Issac Sanchez
Federal and state laws prohibit or restrict those with a criminal record, a felony in particular, from holding hundreds of diverse jobs, receiving public benefits, and participating in many parts of society.
Scholars are looking at ways to prevent people from falling into the justice system in the first place. Demetrius Snell’s (lower left) childhood was filled with violence and neglect. Thrown out of the house as a teen, he made a terrible decision over $50 that has turned his adult life into a long struggle.

We spend more money on punishment than prevention. Society spends up to $5.3 million dollars per high-risk teen who enters the criminal justice system, according to a 2009 study called “New Evidence on the Monetary Value of Saving a High Risk Youth” from Vanderbilt University and the University of Maryland. “Those millions of dollars in cost would be reduced if we could just get the money to invest on the front end,” said Beverly Kingston, director of the Center for the Study and Prevention of Violence at the University of Colorado.

Kingston points to over 50 evidence-based programs that have been shown to reduce youth violence in a database (www.ojjdp.gov/mpg) compiled by the U.S. Department of Justice’s Office of Juvenile Justice and Delinquency Prevention.

“Effective crime prevention strategies are not solely in the wheelhouse of the criminal justice system.”

- Juston Cooper, deputy director, Colorado Criminal Justice Reform Coalition
For more information and resources, visit: race.rmpbs.org/justice