



ELIMINATING THE USE OF CRIMINAL JUSTICE INFORMATION

Higher education admissions applications should collect and consider information relevant for determining whether a potential student can succeed at their institution. Criminal justice information (CJI) does not meet this threshold. In fact, collecting and considering CJI in college admissions perpetuates inequities within higher education.

Black men are 5.7 times and Latinx men are 2.5 times as likely to be incarcerated as their White counterparts. Black women are 1.7 times more likely and Latinx women are 1.3 times more likely than White women to experience incarceration.¹

Racial disparities in the U.S. criminal justice system begin as early as elementary school with the school to prison pipeline, when schools refer primarily Black students to the justice system for disciplinary sentencing.² In fact, Black youth are five times more likely to be incarcerated than White youth,³ and therefore more likely to be saddled with criminal records well before they apply to college. The school-to-prison pipeline harms both Black boys and Black girls, who are disproportionately and unfairly disciplined by the U.S. education system.⁴

Yet, the majority (72 percent) of selective colleges require prospective students to disclose their criminal history during the application process and research shows that students who report involvement with the justice system are rejected at 2.5 times the rate of similar applicants.⁵

Institutions often cite campus safety as a reason for collecting CJI, but research has not found a link between considering CJI in admissions decisions and rates of campus crime.⁶ **When institutions do collect CJI and use it to make admissions decisions, they not only fail to combat racist policies and practices in our justice and higher education systems, they actively maintain them.** CJI policies can lead to:



ATTRITION OF APPLICANTS WITH CRIMINAL RECORDS

Simply asking applicants to disclose CJI can deter them from completing their college application. For example, a study of institutions in the State University of New York (SUNY) system found that those who had a criminal record were three times more likely to halt the application process, compared with the general population.⁷



DENYING ADMISSION OF QUALIFIED STUDENTS OF COLOR

Using CJI to make admissions decisions limits postsecondary opportunities for students of color—particularly Black students.⁸ Committees responsible for deciding whether applicants with CJI should be admitted often have limited experience with the justice system and lack training on how to make decisions for these students.⁹ Only 40 percent of institutions that consider CJI in the admissions process train staff on how to interpret the information provided by students.¹⁰

Applicants with criminal records—including those formerly incarcerated—often have to deal with the “collateral consequences” of punishment, even after they have served their time and fulfilled the court’s requirements. These individuals deserve the rights and opportunities of their peers, including an opportunity to obtain a college degree or credential.

OPENING THE DOOR TO OPPORTUNITY: ELIMINATING THE COLLECTION AND USE OF CJI

Creating a more equitable and just higher education system starts with implementing equitable admissions practices.

INSTITUTIONAL LEADERS SHOULD:

NO LONGER CONSIDER CJI WHEN MAKING ADMISSIONS DECISIONS:

Considering CJI in the admissions process discriminates against Black people and other people of color, who are disproportionately likely to have been involved in the justice system.

PROVIDE RESOURCES AND SUPPORT TO STUDENTS WITH CRIMINAL HISTORIES TO NAVIGATE PROGRAM SELECTION AND TRANSITIONS INTO CAREERS:

While college admissions offices may not have control over employment laws and regulations around licensing, they can support students in applying for and declaring majors that will provide educational enrichment, social mobility, and employment opportunities post-graduation.

IF INSTITUTIONAL LEADERS CONTINUE TO USE CJI, THEY SHOULD:

EXAMINE THE INTENT AND EFFICACY OF COLLECTING THIS INFORMATION:

Institutions should carefully consider why and how they are currently using CJI and use their own data to better understand the impact these policies have on their stated goals and on campus diversity.

PROVIDE OPEN-ENDED SPACE FOR CONTEXT:

Sufficient space should be provided on applications to disclose involvement with the justice system in a prospective student's own words and with the context he or she wishes to share.

INVOLVE DIVERSE DECISION-MAKERS:

If CJI is to be reviewed through a secondary panel review process, institutions should convene a diverse group of practitioners, including diversity and inclusion officers, individuals with counseling or social work backgrounds, and administrators who have developed a deep and nuanced understanding of the justice system.

RESPECT STUDENTS' PRIVACY:

While admitting students who previously were involved in the justice system may be news that an institution wants to share as an interesting or uplifting story, colleges and universities should not publicly disclose student information without explicit informed consent from the student.

ISSUE STANDARD TRANSCRIPTS:

Institutions should not mention involvement with the justice system on student transcripts. Not only is that history immaterial to the higher education context, listing justice involvement may negatively impact future housing, employment, insurance, income, and other professional development opportunities.

For full citations, please visit: www.ihep.org/mostimportantdoor/sources

1. Carson, 2020.
2. The Sentencing Project, 2017.
3. The Sentencing Project, 2017.
4. Chakara, 2017; Morris, 2016.

5. Stewart & Uggen, 2020.
6. Custer, 2016.
7. Center for Community Alternatives, 2015.
8. Stewart & Uggen, 2020.

9. Center for Community Alternatives, 2010.
10. American Bar Association, 2020.

FOR MORE INFORMATION, VISIT WWW.IHEP.ORG

