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UNINTENDED CONSEQUENCES

“Good intentions can often lead to unintended consequences.” Tim Walberg, Congressman (R)

It’s been twenty-two months since the killing of seventeen innocents at the Marjory Stoneman Douglas High School in Parkland, Florida. The killer remains in the Broward County Main Jail waiting trial on murder charges. The wheels of justice turn very slow.

The heinous act by Nikolas Cruz led to widespread cries for gun control. But, an underlying factor to the mass shootings has received little discussion. Why was Cruz able to escape the attention of law enforcement, pass a background check and purchase the weapon he used to slaughter?

The trail starts in July, 2011 when then Education Secretary Arne Duncan and Attorney General Eric Holder, signed the “Supportive School Discipline Initiative.” The Initiative is intended to improve school discipline procedures and end the “school to prison pipeline.”

Broward County School Superintendent, Robert Runcie, was hired in 2011. He hailed from Chicago and served under Arne Duncan when Duncan was Superintendent of Chicago’s schools. Runcie was a supporter of the Duncan/Holder initiative. “We had the largest number of student arrests, expulsions, and suspensions in the state of Florida,” said Runcie.

In 2013 the Broward County school system rewrote its discipline policy to make it much more difficult for administrators to suspend or expel problem students. More difficult for campus police to arrest them for misdemeanors. This included some of the crimes Cruz allegedly committed in the years and months leading up to the deadly shooting. The school system’s new discipline policy was tailored to meet the Duncan/Holder initiative. It was designed to rein in perceived excesses in “zero tolerance” policies.

Superintendent Runcie’s goal was to slash arrests and ensure that students, no matter how delinquent, graduated without criminal records. The thought was that minority students, in particular, were treated unfairly by traditional approaches to school discipline.

Broward County Sheriff Scott Israel backed Runcie’s plan to diminish the authority of police in responding to campus crime. The Sheriff signed the district’s 16-page “collaborative agreement on school discipline.” It lists more than a dozen

misdemeanors that can no longer be reported to police. It includes five steps police must “exhaust” before even considering placing a student under arrest.

The core of the district’s approach is a program called PROMISE (Preventing Recidivism through Opportunities, Mentoring, Interventions, Support & Education). PROMISE substitutes counseling for criminal detention for students who break the law. PROMISE states: “This approach focuses on the situation as being the problem rather than the individual being the problem.” Personal responsibility for one’s actions appears not to be a factor.

Under PROMISE, in-school misdemeanors receive an alternative punishment known as restorative justice. These misdemeanors include assault, theft, vandalism, underage drinking and drug use. Under restorative justice, delinquents gather in “healing circles.” Present are counselors, and sometimes even the victims of their crime. They talk about their feelings and “root causes” of their anger.

The district’s new discipline policy lists “assault without the use of a weapon” and “battery without serious bodily injury,” as well as “disorderly conduct,” as misdemeanors that “should not be reported to law enforcement agencies or Broward District Schools Police.” This document also recommends “counseling” and “restorative justice.”

Nikolas Cruz was a repeat offender of the school’s discipline policy. Although he was disciplined for a string of offenses, he was never taken into custody or even expelled. Assault, threatening teachers and carrying bullets in his backpack were some of his violations. He did receive a one-day internal suspension for an “assault.” It was his second offense for fighting in less than four months. His evaluation as a potential “threat” did not lead to an arrest.

Without a criminal record, Cruz passed a federal background check in February 2017. He was able to buy an AR-15-style semiautomatic rifle. This was the weapon used in the mass shooting.

The unintended consequences of a lenient school discipline policy led to mass murder.

Peter Kirsanow, a black conservative on the U.S. Commission on Civil Rights, had strong words about lenient discipline policies. He offered: “Broward County adopted a lenient disciplinary policy similar to those adopted by many other districts under pressure from the Obama administration to reduce racial ‘disparities’ in suspensions and expulsions.” Further, “In many of these districts, the drive to ‘get our numbers right’ has produced disastrous results, with startling increases in both the number and severity of disciplinary offenses, including assaults and beatings of teachers and students.”

Some examples of what teachers face:

In St. Paul, MN, a high school science teacher was “beaten and choked out.” A 16-year-old student, called him a “f--king white cracker.” He put the teacher in a stranglehold, before bashing his head into a concrete wall and pavement. The student, got 90 days of electronic home monitoring and anger management counseling for the attack. The teacher ended up with traumatic brain injury.

In Oklahoma City, school discipline policy was softened to address a race-based Federal complaint. A public school teacher said: “students are yelling, cursing, hitting and screaming at teachers, and nothing is being done.” The teacher added: “These students know there is nothing a teacher can do.”

Walter E. Williams is a professor of economics at George Mason University. He asks the pertinent question: “Is there any reason whatsoever for adults to tolerate this kind of behavior from our young people?”