

## **Appendix 6**

**Juvenile Court of Memphis and Shelby County  
616 Adams Avenue, Memphis, TN 38105**

**Reporting Department:** Corrective Services  
**DMC Point of Contact:** Martha Rogers  
**Reporting Period:** June 2016  
**Department Manager:** Martha Rogers

**MONTHLY REPORT IDENTIFYING CONDUCT OR DECISION-MAKING THAT  
INCREASES DMC OR FRUSTRATES EFFORTS TO REDUCE DMC**

**Data**

Table 1: Non-judicial dispositions: 163

	<b>Female</b>	<b>Male</b>
<b>Asian/Pacific Islander</b>	0	1
<b>African American</b>	48	86
<b>Mixed race</b>	0	1
<b>Caucasian</b>	8	19

Table 2: Cases that were petitioned for court hearings: 121

	<b>Female</b>	<b>Male</b>
<b>African American</b>	15	94
<b>Mixed Race</b>	0	2
<b>Caucasian</b>	2	8

Table 3: Graduated Sanctions Grid Results: Offense Level and Sanction Level

		<b>Sanction Level</b>				<b>Total</b>
		<b>I</b>	<b>II</b>	<b>III</b>	<b>IV</b>	
<b>Offense Level</b>	<b>I</b>	122	0	0	0	122
	<b>II</b>	0	113	0	0	113
	<b>III</b>	0	0	28	0	28
	<b>IV</b>	0	0	0	21	21
<b>Total</b>		122	113	28	21	284

## Trends and Concerns

Figure 1: Cases that resulted in non-judicial hearings month by month

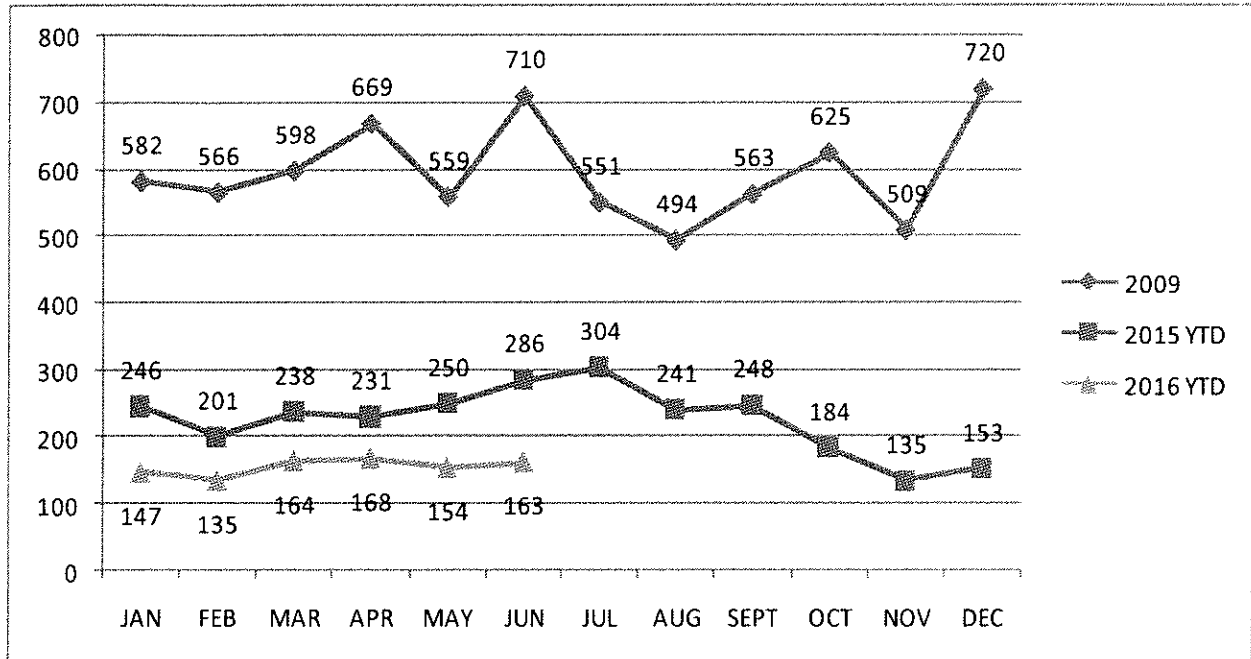
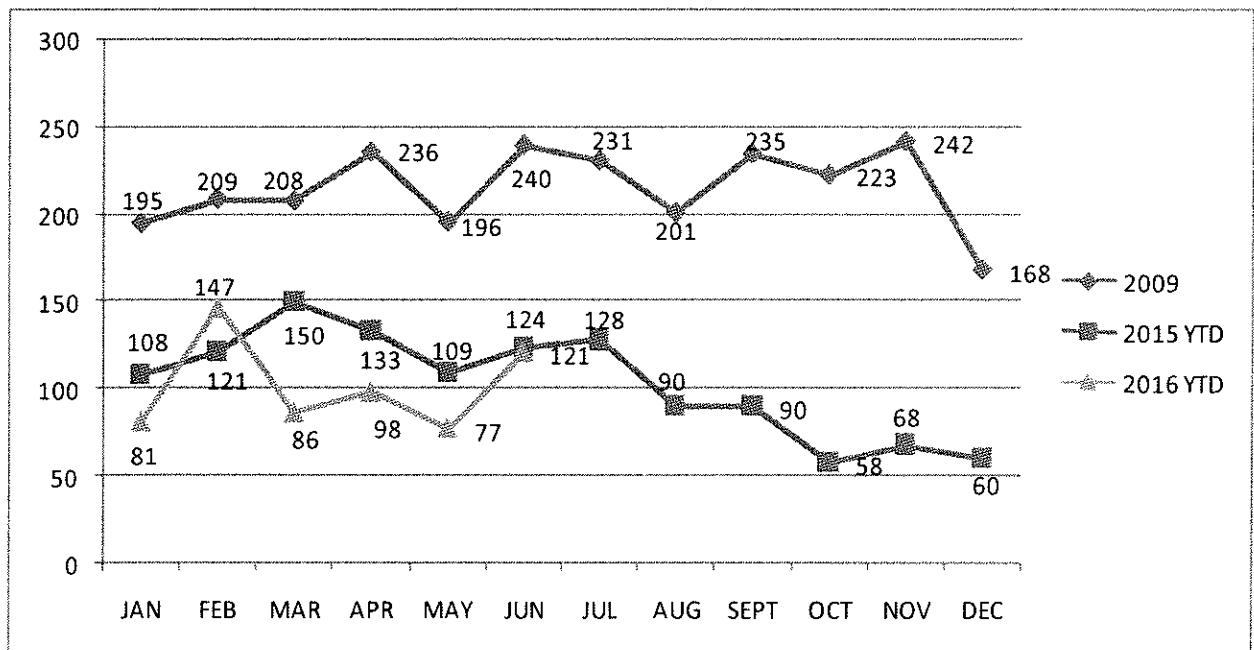


Figure 2: Cases that were petitioned for court hearings month by month



The graphs above use 2009<sup>1</sup> as a baseline to compare the numbers from 2015 and the 2016 year to date numbers. Figure 1 shows cases that resulted in non-judicial hearings month by month for 2009, 2015, and 2016 year to date. The data points for 2015 were consistently lower than the 2009 numbers and the data points for 2016 are lower than 2015. In June, Corrective Services saw 163 non-judicial cases. From May to June, there was a 5.84% increase in the number of non-judicial hearings.

Figure 2 shows cases that were petitioned for court hearings month by month for 2009, 2015, and 2016 year to date. So far, the data points for both 2015 and 2016 year to date are consistently lower than 2009's numbers and the data points for 2016 are lower than 2015, with the exception of February. In June, Corrective Services saw 121 petitioned cases. From May to June, there was a 57.14% increase in the number of cases petitioned.

### **Analysis**

#### *Non-Judicial Dispositions*

From the data in Table 1, we know that for the month of June, 82.2% of the cases that resulted in non-judicial hearings were for African American juvenile offenders, and 16.6% were for Caucasian juvenile offenders. The remaining 1.2% of the cases (total of 2) was for juvenile offenders that were Asian/Pacific Islander or Mixed Race. African American males represented 52.8% of these cases and Caucasian males represented 11.7% of the cases. The remaining 1.2% of the cases (total of 2) was for juvenile offenders that were Asian/Pacific Islander (.6%) or Mixed Race (.6%). African American females accounted for 29.4% of the cases, and Caucasian females accounted for 4.9% of the cases that resulted in non-judicial hearings.

#### *Cases Petitioned*

From the data in Table 2, we know that for the month of June, 90.1% of the cases that were petitioned for court hearings were for African American juvenile offenders, and 8.3% were for Caucasian juvenile offenders. Juveniles identifying as Mixed Race accounted for the remaining 1.7% of the cases petitioned for court hearings. African American males represented 77.7% of these cases, Caucasian males represented 6.6% of the cases, and Mixed Race males represented 1.7% of these cases. African American females accounted for 12.4% of the cases, and Caucasian females accounted for 1.7% of the cases that were petitioned for court.

### **Offense and Disposition Breakdown**

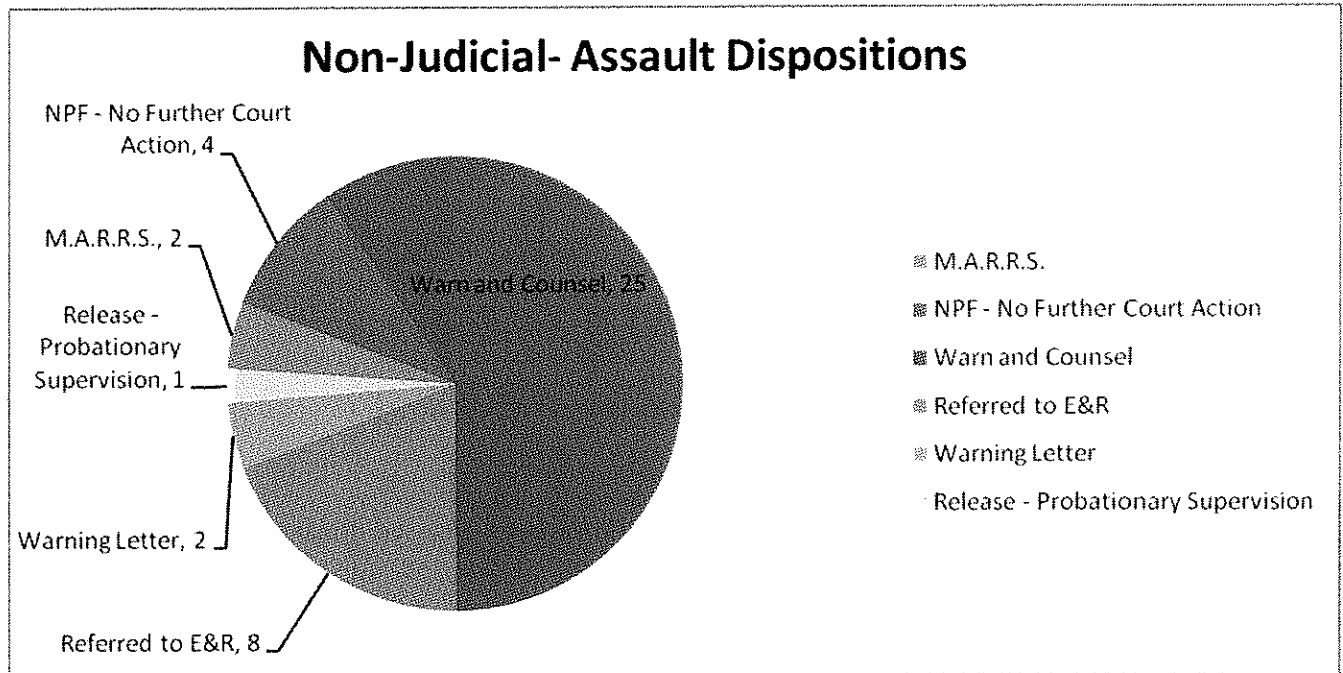
#### *Non-Judicial*

The pie charts presented below show the breakdown of dispositions for six of the seven offenses the DMC Coordinator and Research Specialist have begun to focus on intently regarding disproportionate minority contact (Assault, Criminal Trespass, Disorderly Conduct, Simple Possession Casual Exchange- Marijuana, Theft of Property Under \$500, and Vandalism),

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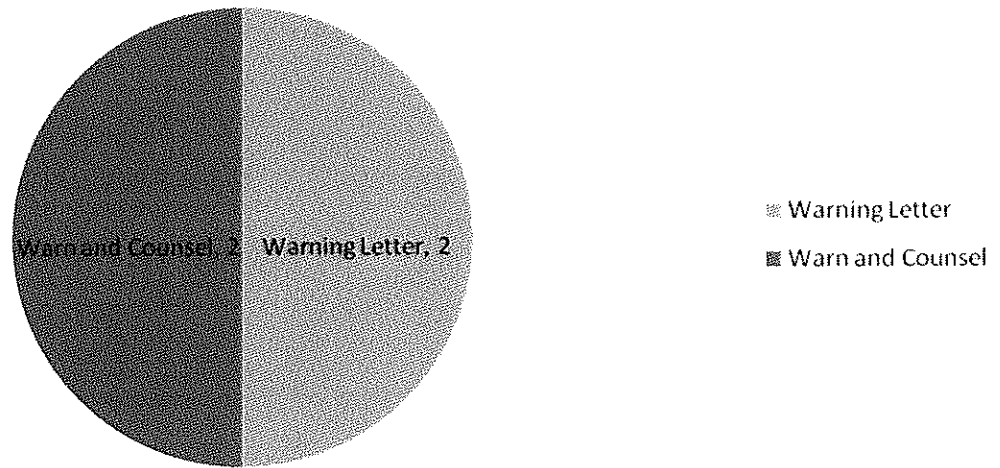
<sup>1</sup> 2009 would serve as the baseline year because it was the year prior to the implementation of changes agreed upon by the Court with the DOJ's Memorandum of Agreement.

as well as Domestic Assault because it has also been identified as an area of concern. Out of the seven offenses, there were no non-judicial findings for Gambling this month, so there is no chart for that offense. We will begin to analyze the various dispositions given for each of these offenses to determine if there is disparity in dispositions.



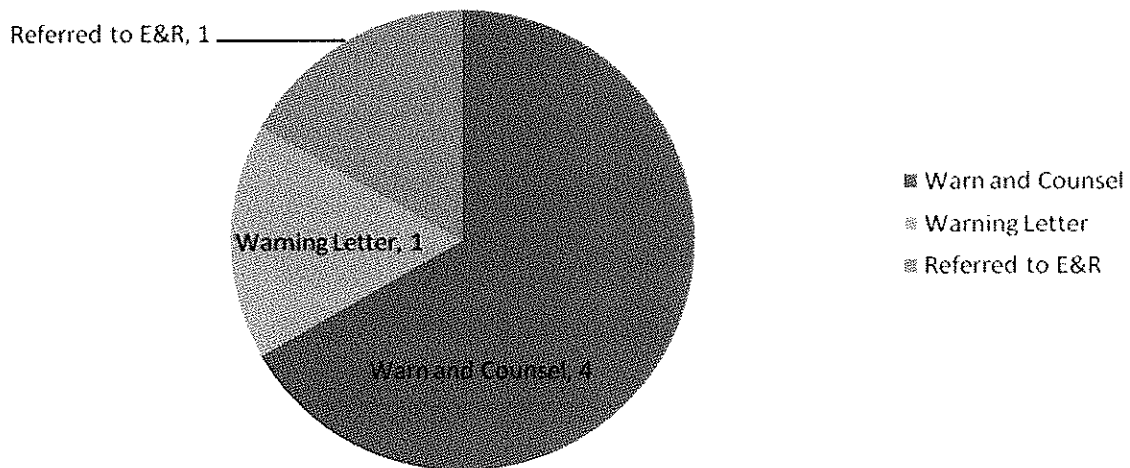
ThreeCaucasian juvenile offenders werecharged with Assault. One received a disposition of M.A.R.R.S., one received a disposition of Referred to E&R, and one received a disposition of Warning Letter. The remaining juveniles offenders charged with Assault were African American.

## Non-Judicial- Criminal Trespassing Dispositions



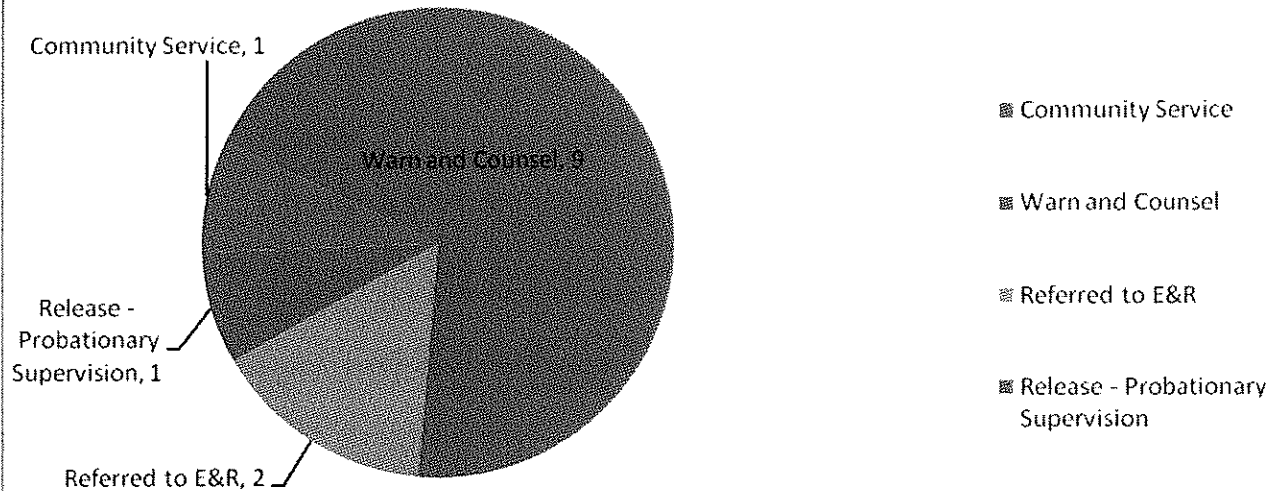
All juvenile offenders in this category were African American.

## Non-Judicial- Disorderly Conduct Dispositions



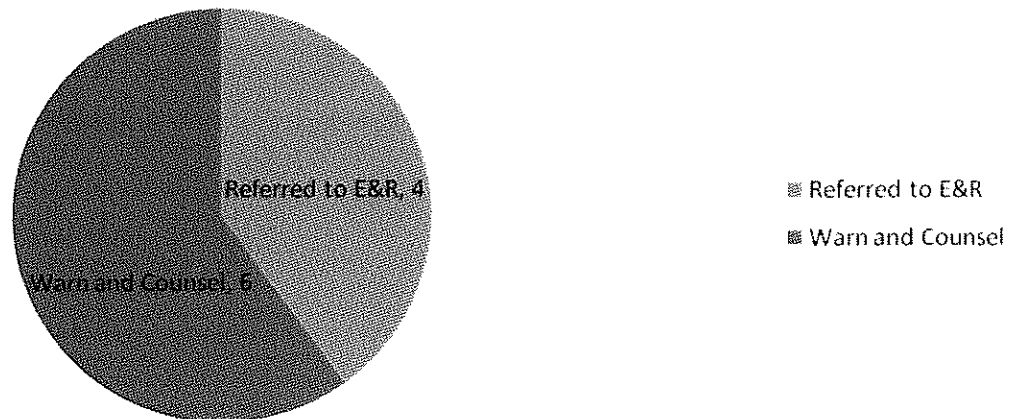
One Hispanic juvenile offender was charged with Disorderly Conduct and received a disposition of Warn and Counsel. The other five juvenile offenders were African American.

## Non-Judicial- Domestic Assault Dispositions

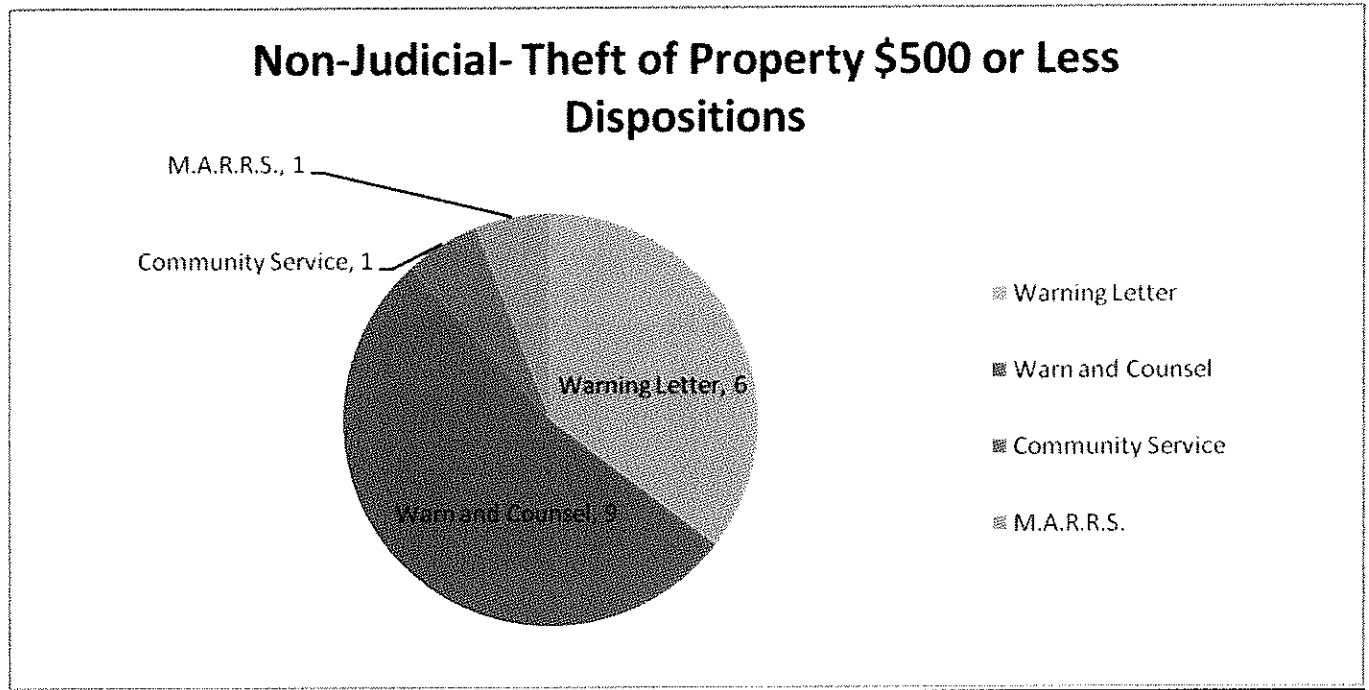


TwoCaucasian juvenile offenders were charged with Domestic Assault. Bothreceived Warn and Counsel dispositions. The remaining 11 juvenile offenders were African Americans.

## Non-Judicial- Simple Possession/Casual Exchange- Marijuana Dispositions



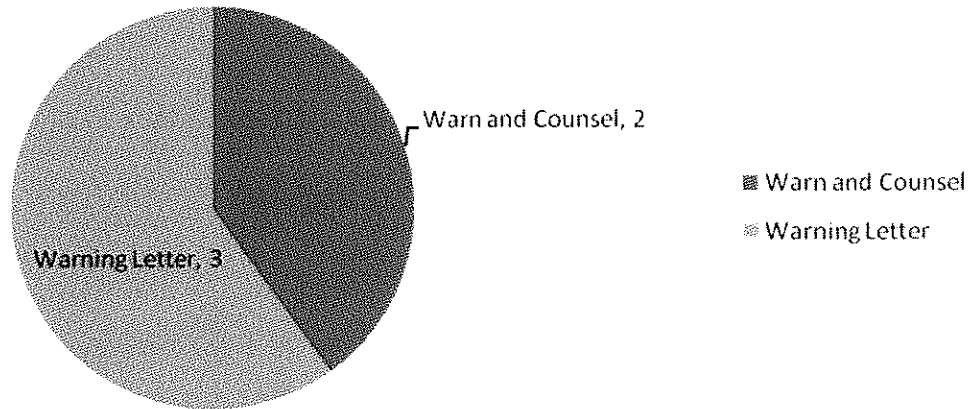
Two Caucasian juvenile offenders were charged with Simple Possession/Casual Exchange-Marijuana, and both received Warn and Counsel dispositions. The remaining 8 juvenile offenders were African American.



Three Caucasian juvenile offenders were charged with Theft of Property \$500 or Less. Two of them received Warn and Counsel dispositions while the other received a Warning Letter disposition. There was one Asian juvenile offender who was charged with Theft of Property \$500 or Less and received a Warning Letter disposition.



## Non-Judicial- Vandalisim (\$500 or Less) Dispositions



All juvenile offenders that were charged with Vandalism \$500 or Less were African American.

### Disposition \* Race Crosstabulation

Count		Race				Total
		ASIAN / PACIFIC ISLANDER	BLACK	MIXED RACE	WHITE	
Disposition	COMMUNITY SERVICE	0	3	0	1	4
	DEFENSIVE DRIVING SCHOOL	0	1	0	0	1
	M.A.R.R.S	0	3	1	1	5
	NO PETITION FILED - NO FURTHER COURT ACTION	0	9	0	2	11
	REF TO EVAL & REFERRAL	0	16	0	3	19
	REL - PROBATIONARY SUPERVISION	0	11	0	0	11
	WARN AND COUNSEL	0	61	0	8	69
	WARNING LETTER	1	30	0	12	43
Total		1	134	1	27	163

### **Non-Judicial Disposition Breakdown**

The table above shows that 82.2% of the juvenile offenders who were handled non-judicially were African American. Caucasian children made up 16.6% of the juvenile offenders who were handled non-judicially in the month of June. The remaining 1.2% of the juvenile offenders who were handled non-judicially this month identified as Asian/Pacific Islander and Mixed Race.

45.5% of African American juvenile offenders and 29.6% of Caucasian juvenile offenders received the non-judicial disposition of Warn and Counsel. Of the total children who received the disposition of Warn and Counsel, 88.4% were African American, while the remaining 11.6% were Caucasian.

22.4% of African American juvenile offenders and 44.4% of Caucasian juvenile offenders received a non-judicial disposition of Warning Letter. Of all the children who received a Warning Letter disposition, 69.8% were African American and 27.9% were Caucasian.

### **Analysis of Non-Judicial Cases**

Assault—There were 42 children that were charged with Assault whose cases were handled non-judicially. Three of these children were Caucasian. In two of these cases, this was the child's first delinquent contact with the Court; one of the children received a M.A.R.R.S disposition and the other received a Warning Letter disposition. The other Caucasian child had a previous delinquent history with the Court and received a Referred to E&R disposition.

Criminal Trespassing – All four of the children charged with Criminal Trespassing this month were African American. Two of these children received a Warn and Counsel disposition and the other two received a Warning Letter disposition.

Disorderly Conduct—Out of the six children that were charged with Disorderly Conduct, only one of them was Hispanic. This charge was the child's first delinquent contact with the Court and he received a Warn and Counsel disposition.

Domestic Assault – There were a total of 13 children charged with Domestic Assault this month. Two of the children were Caucasian and both received Warn and Counsel dispositions. The most severe disposition of Community Service was given to an African American child who had three prior Domestic Assault complaints against him.

Simple Possession/Casual Exchange – Marijuana – There were 10 juveniles who were charged with Simple Possession/Casual Exchange – Marijuana this month. Out of these 10, 2 of the children were Caucasian and both received dispositions of Warn and Counsel. In one of these cases, this was the first delinquent contact the child had with the Court and in the other case, it was the second delinquent contact the child had with the Court. All of the other dispositions in the other 8 cases were comparable to these 2 cases.

Theft of Property \$500 or Less – Out of the 17 children charged with Theft of Property \$500 or Less, 3 of these children identified as Caucasian and one identified as Asian/Pacific Islander. Two of the Caucasian children received dispositions of Warn and Counsel. One of these children

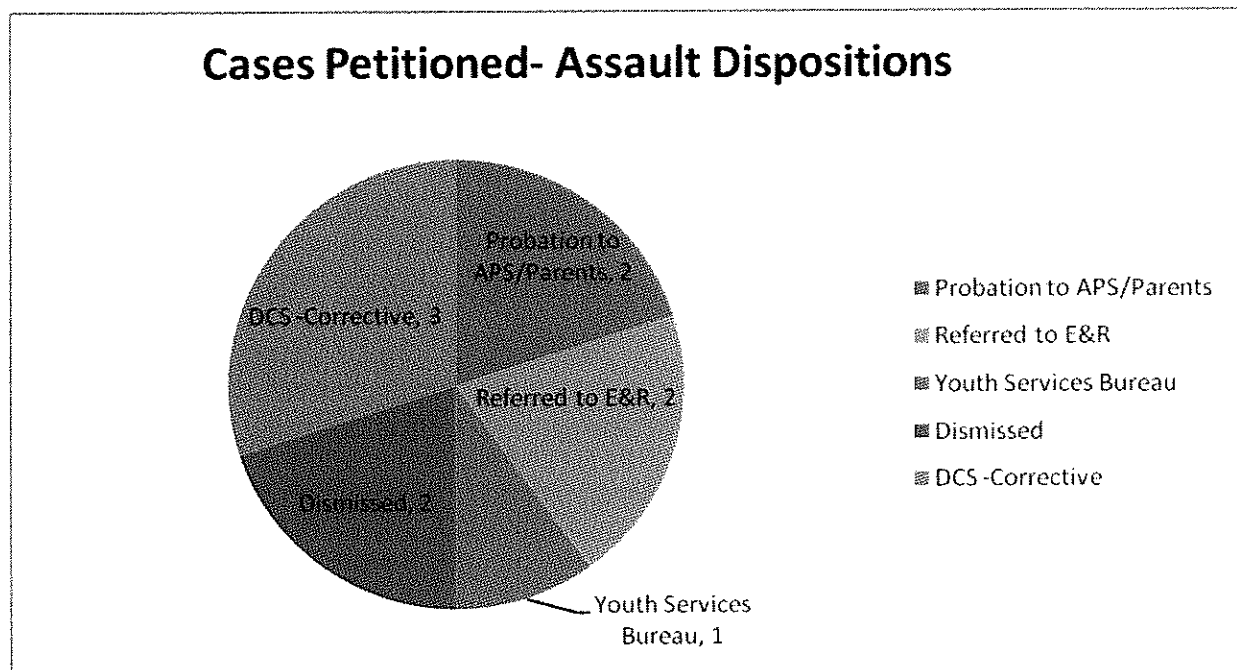
had no prior delinquent contact with the Court and the other had one prior delinquent contact with the Court. The other Caucasian child had one prior delinquent contact with the Court and received a comparable disposition of a Warning Letter. The Asian/Pacific Islander child had no prior delinquent contact with the Court and also received a disposition of a Warning Letter.

There was one African American child who received the most severe disposition of Community Service. He had a previous delinquent history with the Court including weapons charges and aggravated complaints.

Vandalism \$500 or Less – There were five children charged with this offense and they all identified as African American. It was the first delinquent contact with the Court for four of the five children, and only the second prior delinquent contact with the Court for the remaining child. All five received comparable dispositions.

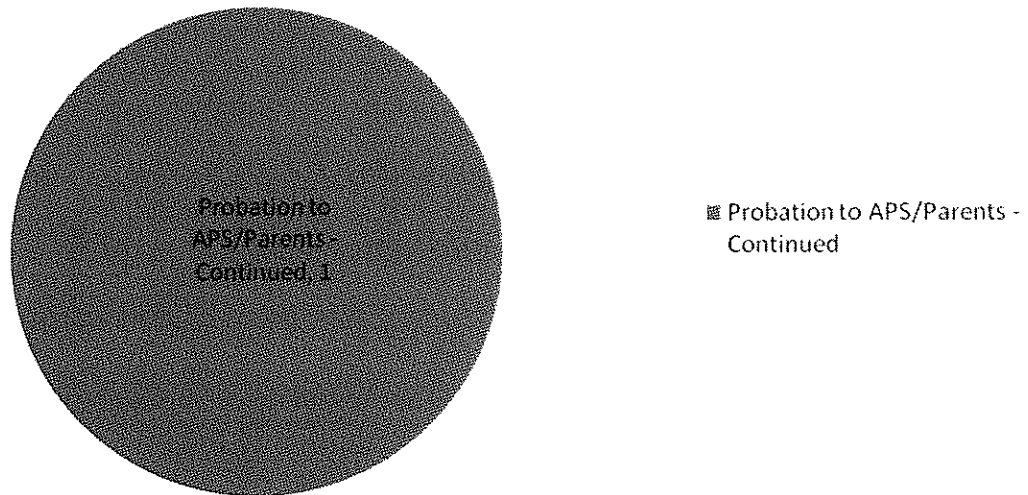
*Cases Petitioned*

The pie charts presented below show the breakdown of dispositions for six of the seven offenses the DMC Coordinator and Research Specialist have begun to focus on intently regarding disproportionate minority contact (Assault, Criminal Trespass, Disorderly Conduct, Gambling, Simple Possession Casual Exchange- Marijuana, Theft of Property Under \$500, and Vandalism), as well as Domestic Assault because it has also been identified as an area of concern. Out of the seven offenses, there were no court hearings held for Gambling this month, so there are no charts for that offense. We will begin to analyze the various dispositions given for each of these offenses to determine if there is disparity in dispositions.



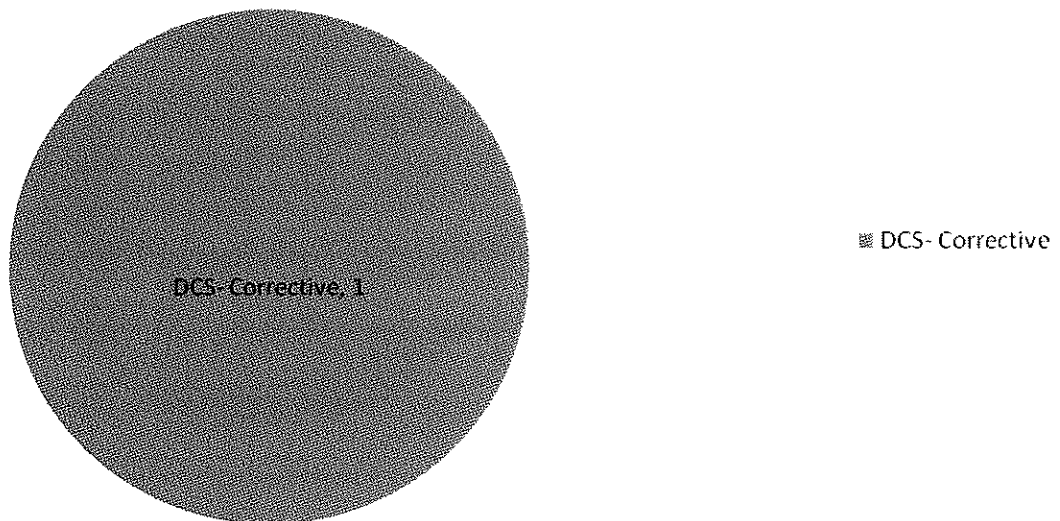
All juvenile offenders that were charged with Assault were African American.

## Cases Petitioned - Criminal Trespass

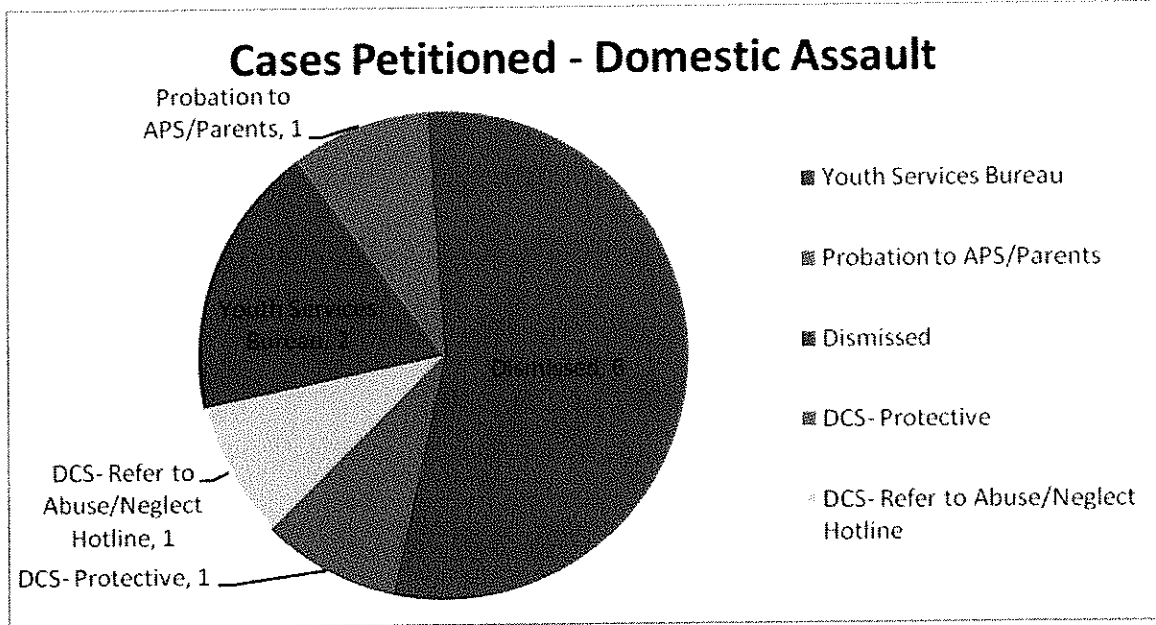


The only juvenile offender charged with Criminal Trespassing was Caucasian and received a Probation to APS – Continued disposition.

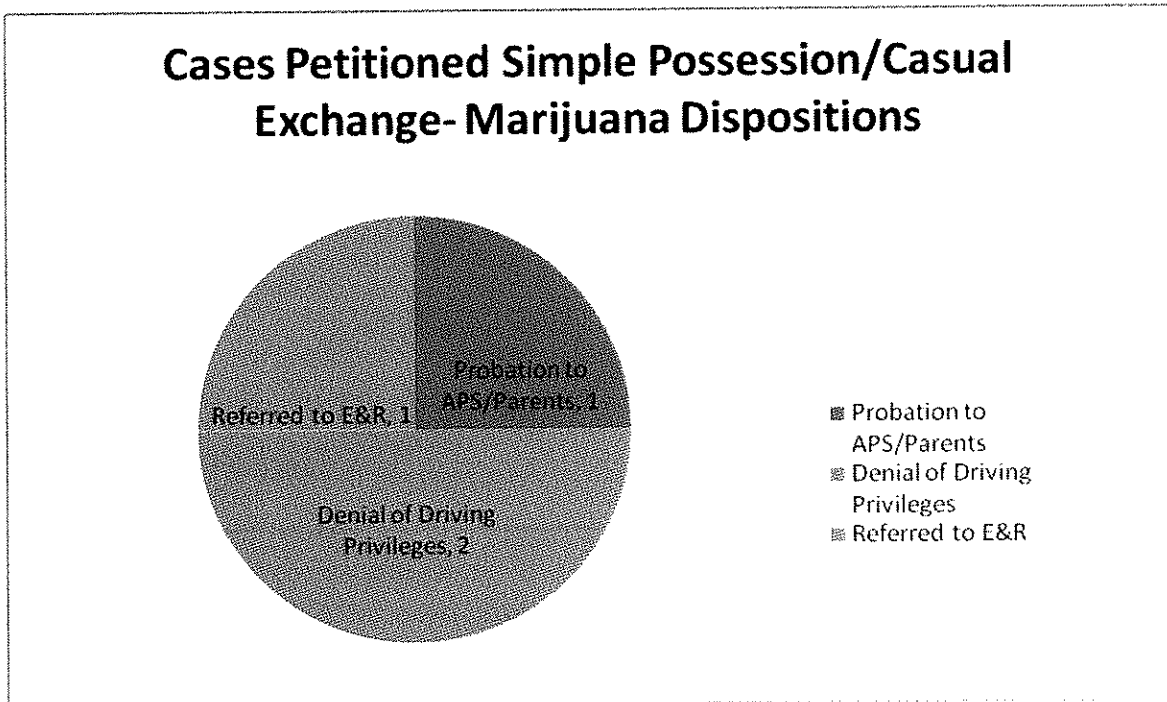
## Cases Petitioned - Disorderly Conduct



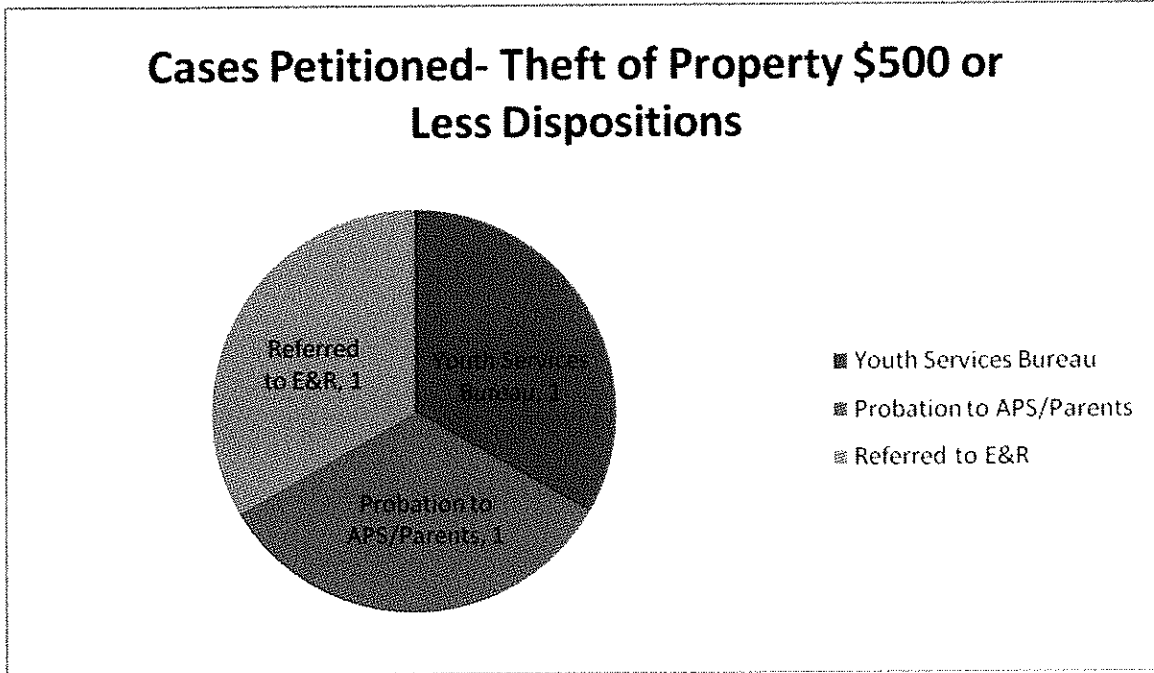
The only juvenile offender charged with Disorderly Conduct was African American and received a DCS-Corrective disposition.



One juvenile offender charged with Domestic Assault identified as Mixed Race and received a disposition of Youth Services Bureau. The rest of the juvenile offenders charged with Domestic Assault were African American and received the other dispositions listed above.

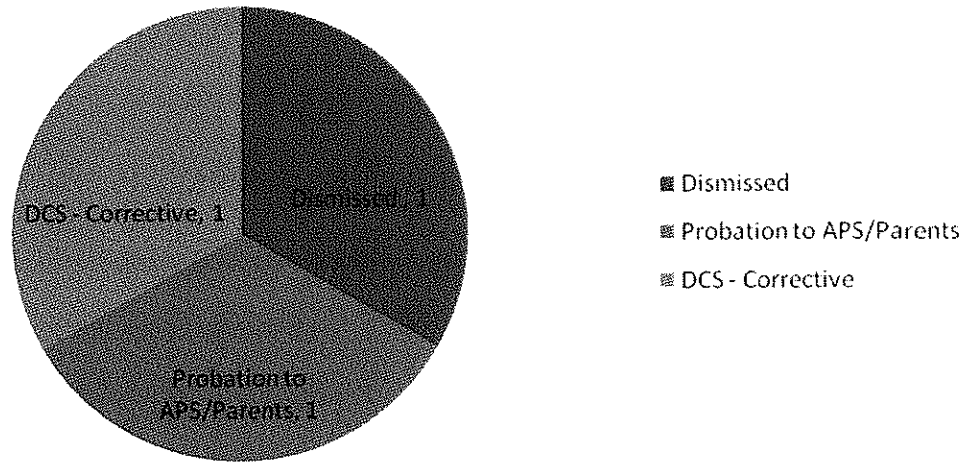


There was oneCaucasian juvenile offendercharged with Simple Possession/Casual Exchange – Marijuana who received a disposition of Probation to APS. The rest of the juvenile offenders charged with Simple Possession/Casual Exchange – Marijuana were African American.



All juvenile offendersthat were charged with Theft of Property \$500 or Less were African American.

### Cases Petitioned- Vandalism \$500 or Less



All juvenile offenders that were charged with Vandalism \$500 or Less were African American.

### Disposition \* Race Crosstabulation

Count		Race			Total
		BLACK	MIXED RACE	WHITE	
Disposition	COMMUNITY SERVICE	1	0	0	1
	DCS - CORRECTIVE	14	0	0	14
	DCS - PROTECTIVE	1	0	0	1
	DCS - REF TO ABUSE / NEGLECT HOTLINE	1	0	0	1
	DENIAL OF DRIVING PRIV	3	0	0	3
	DISMISSED	29	1	1	31
	PROBATION APS - CONTINUED	0	0	1	1
	PROBATION TO APS	17	0	6	23
	PROBATION TO PARENTS	2	0	0	2
	REF TO EVAL & REFERRAL	13	1	0	14
	TRANS TO OTHER COURT/DISP	2	0	0	2
	WAIVED CRIMINAL COURT-MOTION FOR TRANSFER GRANTED	9	0	0	9
	YOUTH SERVICE BUREAU	16	0	2	18
Total		108	2	10	120

### Cases Petitioned Disposition Breakdown

The table above shows that 90% of the children whose cases were handled in a Court Hearing were African American. Children who identified as Caucasian made up an additional 8.3% and children who identified as Mixed Race made up the additional 1.6% of the children whose cases were handled with a Court Hearing.

26.9% of African American juvenile offenders and 10% of Caucasian juvenile offenders received dispositions of Dismissed from a court hearing. Out of all the children who received a Dismissed disposition, 93.5% of them identified as African American. 3.2% of the children who received a Dismissed disposition were Caucasian and 3.2% of the children identified as Mixed Race.

17.6% of the African American juvenile offenders and 70% of Caucasian juvenile offenders received dispositions of Probation to APS/Parents or Continuation of Probation to APS. Out of all the children who received dispositions of Probation to APS/Parents or



Continuation of Probation to APS, 73.1% of these children identified as African American and 26.9 & identified as Caucasian.

### **Analysis of Cases Petitioned**

Assault – All 10 of the juveniles charged with this offense were African American. Out of the 10 juveniles charged with Assault, three received dispositions of DCS-Corrective. All three of these children have previous delinquent histories with the Court and, those histories, in all three cases, included previous Aggravated charges. There was one child who received a disposition of YSB, and she had a previous delinquent history with the Court including several other Assault charges and a previous disposition of YSB.

Criminal Trespass – There was only one child charged with Criminal Trespass and he identified as Caucasian. His disposition showed that he continued his Probation with APS.

Disorderly Conduct – There was only one child charged with Disorderly Conduct and he identified as African American. He received a disposition of DCS-Corrective. This child had a previous commitment to DCS-Corrective as well as a history of Aggravated offenses in other complaints. The petition before the Court in this case included multiple complaints.

Domestic Assault – Of the 11 children charged with Domestic Assault, all identified as African American except one who identified as Mixed Race. The Mixed Race child received a disposition of YSB as did one of the African American children. Both children who received the YSB disposition had previous delinquent histories with the Court stemming from Assault or Domestic Assault charges against them.

Simple Possession/Casual Exchange – Marijuana – Of the four children who were charged with Simple Possession/Casual Exchange – Marijuana, there was one child who identified as Caucasian while the other three identified as African American. The Caucasian child received the most severe disposition of Probation to APS of the four children charged with this offense. This child had the largest previous delinquent history with the Court.

Theft of Property \$500 or Less – The child with the YSB disposition had also been charged with other Aggravated offenses in different complaints. The petition before the Court included multiple complaints.

Vandalism \$500 or Less – The child with the DCS-Corrective disposition had also been charged with an Aggravated offense in a different complaint. The petition before the Court included both complaints.

**JUVENILE COURT OF MEMPHIS AND SHELBY COUNTY**  
**616 Adams Avenue, Memphis, TN. 38105**

**Reporting Department:** Detention&Children's Bureau

**Point of Contact:** Mamie G. Jones

**Reporting Period:** June 2016

**Department Administrator:** Mamie G. Jones, Deputy Administrator, Children's Bureau

**MONTHLY MANAGEMENT REPORT IDENTIFYING CONDUCT OR DECISION-  
 MAKING THAT INCREASES DMC OR FRUSTRATES EFFORTS TO REDUCE DMC**

**Data**

*Referrals*

Table 1: Delinquent Referrals by Type and Race: 467

	<b>Summons</b>	<b>Transport</b>	<b>Total</b>
<b>Youth of Color<sup>1</sup></b>	292	96	388
<b>White</b>	62	17	79
<b>Total</b>	354	113	467

Table 2: Delinquent Referrals by Race and Gender

	<b>Female</b>	<b>Male</b>	<b>Total</b>
<b>Youth of Color</b>	116	272	388
<b>White</b>	22	57	79

*Admits to Secure Detention*

Table 3: Youth Admitted to Secure Detention by Race and Gender: 66

	<b>Female</b>	<b>Male</b>	<b>Total</b>
<b>Youth of Color</b>	12	44	56
<b>White</b>	1	9	10

Table 4: Misdemeanor Offense Admissions: 13

<b>Assault</b>	6
<b>Domestic Assault</b>	3
<b>Evading Arrest-Misdemeanor</b>	2
<b>Theft of Property \$500 or Less</b>	1
<b>Vandalism \$500 or Less</b>	1

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<sup>1</sup> This category represents any non-White youth.

Table 5: Top Five Charges for Admitted Youth

<b>Aggravated Robbery</b>	10
<b>Unlawful Possession of a Weapon-Misdemeanor</b>	9
<b>Aggravated Assault</b>	7
<b>Assault</b>	6
<b>Aggravated Burglary</b>	5

### Analysis

#### *Overview*

Of the 113 youths transported to Central Detention Control (CDC), only 66 youths were admitted. The 47 youths (42%) who were transported but not admitted were refused admittance due to release eligible DAT scores or mitigated DAT scores.

#### *Referrals*

Since 2006, referrals overall have decreased by forty-three percent (42.6%), and referrals for youth of color have decreased by forty-one percent (41.2%). The total number of delinquent referrals increased from 434 to 467 for the month of June. Eighty-three percent (83%) of delinquent referrals to the Court were for youth of color which is a reduction from 90% last month.

Juvenile summonses accounted for seventy-six percent (76%) of delinquent referrals with eighty-eight percent (82%) percent of summonses issued to youth of color. The number of juvenile summonses issued increased by 23% from May to June, however, transports were lower for June.

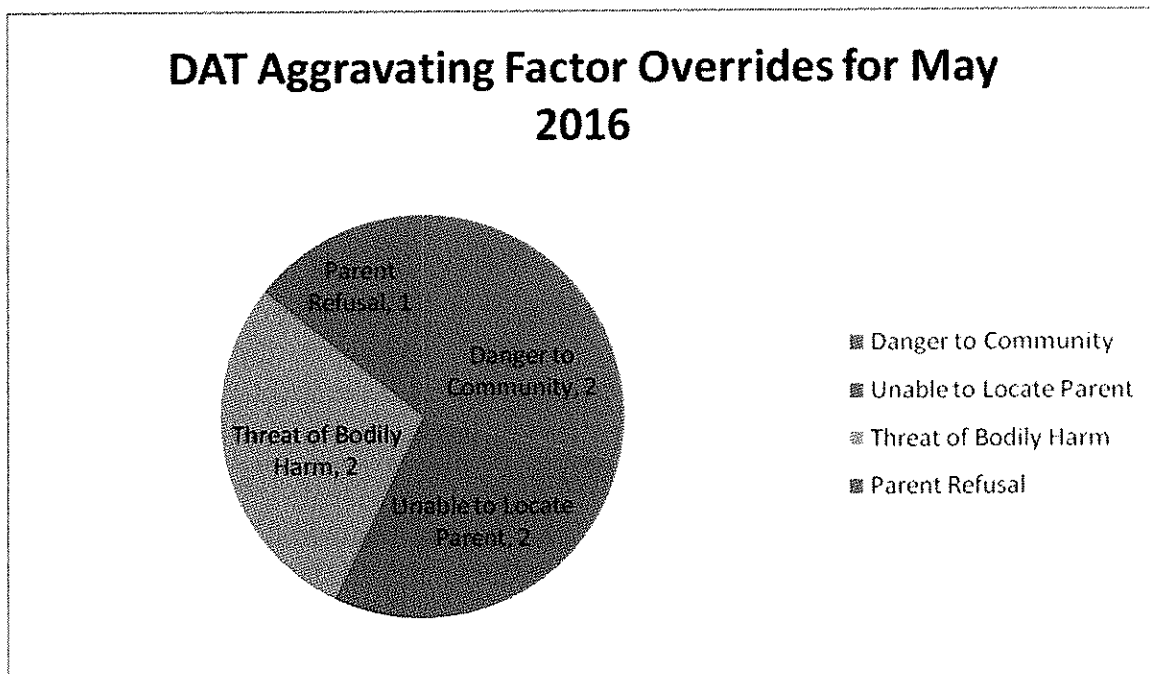
Thirty-nine percent (39%) of delinquent referrals were the result of transports to the detention center with 93% of transports for youth of color. The number of transports to the Court decreased from 171 to 113 from May to June.

The data show that a disproportionate number of minority youth are still making contact with the Court via referrals. As pointed out by Dr. Leiber in his fourth compliance report on equal protection, this could be due to “differential offending, bias, and procedural or administrative factors (e.g., police referrals especially for minor offenses and domestic assaults, admission of these minor offenses into detention, etc.)” From Table 4 above, though, it is clear that only sixteen percent (16%) of youths admitted to secure detention were charged with misdemeanor offenses.

#### *Admits to Secure Detention*

Admissions to detention have decreased by 84% since 2006. The data reveals that youth of color are overrepresented in admissions to secure detention, constituting 85% of admissions. This is a reduction for admits to detention for youth of color. Last month, 95% of admits were for youth of color.

There were a total of nine (9) DAT overrides for the month of June. There was one mitigated override for release to a responsible adult. There were six (6) overrides for felony offenses and three (3) overrides for misdemeanors. Seven (7) overrides were for youth of color. The aggravating factors resulting in the overrides for secure detention were Danger to Community (2), Unable to Locate Parent (2), Threat of Bodily Harm (2), and Parental Refusal (2). According to Rule 15 of the Tennessee Rules of Juvenile Procedure, any youth who poses a threat of bodily harm to himself or others and/or is a danger to the community shall be detained at the detention hearing.



The standard practice for the Juvenile Detention Services (JDS) when a youth is not going to be admitted to detention is to attempt to make contact with the youth's parent/guardian. If the parent/guardian refuses to pick up their child from CDC, the child is considered abandoned in detention, and they are at risk of being placed in the protective custody of the Department of Children's Services (DCS) through a Protective Custody Order (PCO). JDS advises the parents of this possibility. They are also informed that a Detention Bill of Costs may be assessed if admitted. CDC staff also attempts to locate parents through police notifications if the parent cannot be reached by phone or the parent refuses to accept the call from CDC staff.

All contact information for parent and/or other family members is stored in JCS's *Family Member/Contacts*, and all attempts to contact are recorded on the DSB parental notification tracking form. Each time CDC staff attempt to contact an individual to pick up a child, the names and phone numbers are recorded on the tracking form. Once contact is made, that information is recorded on the youth's detention card.

When JDS is unable to locate a parent/guardian or the parent/guardian is unwilling or unable to pick up the youth, efforts to avoid detention for release eligible youth are taken. Contact is made

with Porter-Leath which has a total of four shelter beds available, and, if possible, the youth is relocated. A meeting is scheduled with Porter-Leath on July 14, 2016, to discuss bed availability.

The DSB Management reviews the files of youths whose DAT scores indicate they should be placed in secure detention in order to identify mitigating factors such as intellectual disability, no prior court contact, age, medical status, and no re-offense within one year. If these factors exist, the youth is released instead of being admitted to the Detention Center.

### **Recommendations**

#### *Referrals*

It is our recommendation that trainings be conducted regularly for the Memphis Police Department (MPD) on adolescent brain development, the LEAP Program, and JDAI. Trainings should be continued because it is evident that, despite the fact that MPD signed the Call-In Program Memorandum of Understanding (MOU) on October 22, 2014, many Officers may be unaware that the Call-In Program allows them to call CDC before transporting a youth the Court so that the CDC staff can administer the DAT and advise them whether or not a child meets the criteria for secure detention. There are four categories of offenses that require mandatory transport. These categories of offenses are: Escape; APC/Warrant; Court Ordered; and Possession/Use of a Firearm. Data collection is in progress so that we can study the number of successful call-ins and the number of times Officers arrived and were told the child's DAT score did not meet the threshold for admittance. Lastly, Collierville Police Department and Germantown Police Department signed the LEAP Program MOUs on August 25, 2015 and September 3, 2015, respectively.

Juvenile Court has managed to reduce the numbers of transports to the Detention Center through the SHAPE, LEAP and the Summons Programs. However, a reduction in the total number of delinquent referrals will need to focus on juvenile summonses as well as transports. It is my recommendation that alternatives for youth who are "eligible" for a juvenile summons be explored. No significant reduction in delinquent referrals will be seen until the Court discovers a way to reduce the number of summons issued. Another option would be to look at program referrals for youth who received a summons in lieu of a formal record. The Corrective Services management team plans to form a review team with formalized criteria to determine how to process delinquent and unruly summonses that come to the Court.

#### *Admits to Secure Detention*

The City of Memphis has approved the Juvenile Court Precinct Liaison (JCPL) Program. MPD has selected the Old Allen and Raines precincts. The program allows probation counselors from the Court to be present at the precincts to review juvenile's cases and make recommendations prior to the youth being referred to the Court and/or transported to the Detention Center. The program serves as an intermediate step between the police and the Court. Juvenile Court met with MPD leadership from both Raines and Old Allen precincts on September 23, 2015 at the Urban Child Institute. Juvenile Court plans to place one probation officer at the Old Allen Precinct on Fridays from 2PM-8PM. The precinct liaison started at

the Old Allen precinct on November 6, 2015. The precinct liaison reported that no cases have been referred to the JCPL Program since December 4, 2015. The precinct liaison's hours were adjusted to 11AM-5PM as of March 1, 2016. This adjustment was based on the time of day that the majority of Juvenile Summonses were issued for the 38127 and 38128 zip code areas. A meeting with MPD at Old Allen Precinct was held on May 25, 2016, at 11:00 AM at Old Allen Precinct to discuss how to increase referrals. It appears that assigning a liaison to Old Allen Precinct on Monday through Friday from 8:00 AM-8:00 PM would allow more access to the liaison and perhaps reduce the number of juvenile summonses issued to youth from the 38127 and 38128 zip codes. Staffing issues are currently being discussed.

The recommendations based on the DAT Validation Study conducted by the University of Memphis were implemented the last week of May. The revised DAT went live on May 27, 2016.

**Juvenile Court of Memphis and Shelby County  
616 Adams Avenue, Memphis, TN 38105**

**Reporting Department:** Judicial  
**Point of Contact:** Jasmine Newsom  
**Reporting Period:** June 2016  
**Department Manager:** Magistrate Felicia Hogan

**MONTHLY REPORT IDENTIFYING CONDUCT OR DECISION-MAKING THAT  
INCREASES DMC OR FRUSTRATES EFFORTS TO REDUCE DMC**

**Data**

Table 1: Juveniles with Formal Court Hearings: 86

	<b>Female</b>	<b>Male</b>
<b>African American</b>	7	67
<b>Mixed Race</b>	0	2
<b>Caucasian</b>	2	8

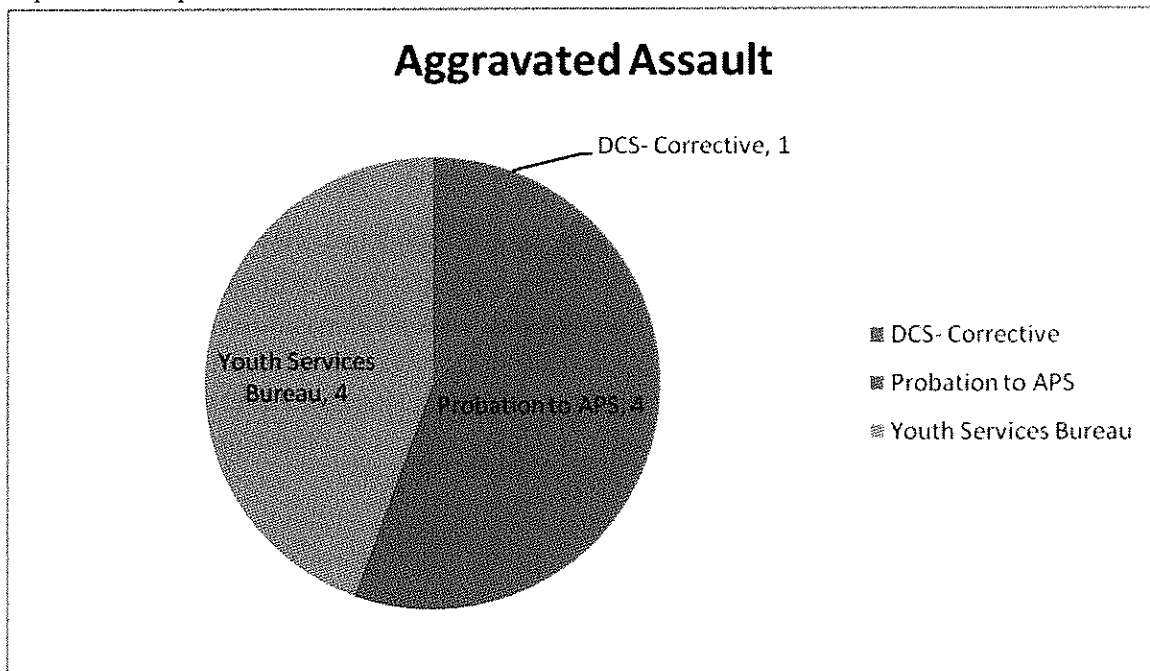
Table 2: Magistrate by Disposition and Race of Youth

<b>Magistrate</b>	<b>Auxiliary Probation Services Total Cases = 30</b>			<b>Youth Services Bureau Total Cases = 27</b>			<b>Department of Corrective Services Total Cases = 18</b>			<b>Transfers to Criminal Court Total Cases =</b>		
	<b>African American</b>	<b>Mixed Race</b>	<b>White</b>	<b>African American</b>	<b>Mixed Race</b>	<b>White</b>	<b>African American</b>	<b>Mixed Race</b>	<b>White</b>	<b>African American</b>	<b>Mixed Race</b>	<b>White</b>
Addison, Carlyn	1	0	0	0	0	0	0	0	0	1	0	0
Erguden, Garland	0	0	0	0	0	0	0	0	0	1	0	0
Fratesi, Terre	0	0	2	0	0	0	0	0	0	0	0	0
Hogan, Felicia	0	0	0	0	0	0	1	0	0	0	0	0
Horne, Harold	1	0	0	1	0	0	0	0	0	0	0	0
Lepone, Raymond	17	0	5	12	2	3	10	0	0	0	0	0
Michael, Dan	0	0	0	0	0	0	2	0	0	7	0	0
Pollard, Mitzi	3	0	0	5	0	0	2	0	0	0	0	0
Walker, David	1	0	0	4	0	0	3	0	0	2	0	0
<b>TOTAL</b>	<b>23</b>	<b>0</b>	<b>7</b>	<b>22</b>	<b>2</b>	<b>3</b>	<b>18</b>	<b>0</b>	<b>0</b>	<b>11</b>	<b>0</b>	<b>0</b>

## Analysis

For the month of June 2016, 86 juvenile offenders had formal court hearings resulting in one of the four dispositions reflected in Table 2. For the purpose of this analysis, there was five instances in which the dispositions for juveniles could have indicated disparity based on race. While this report is designed to look at the current *most severe offense and disposition*, this new report looks very briefly at the previous histories of the juveniles. However, this report should guide Judicial to the cases that need to be reviewed in an effort to ensure that there are no implicit or explicit biases leading to disparity in sentencing and disproportionate minority contact.

The instances in which disparity may have appeared were in the dispositions of juvenile offenders who were charged with Aggravated Assault, a Class C Felony; Assault, a Class A Misdemeanor; Burglary of a Building, a Class D Felony; Simple Possession/Casual Exchange – Marijuana, a Class A Misdemeanor; and Theft of Property \$1,000-\$9,999; a Class D Felony. Each charge is shown in graph form and then an explanation is provided.



Two Caucasian children who were charged with Aggravated Assault received dispositions of Probation to APS and Youth Services Bureau. One child who identified as Mixed Race received a disposition of Youth Services Bureau. The remaining 6 offenders identified as African American and received dispositions of DCS- Corrective, Probation to APS and Youth Services Bureau.

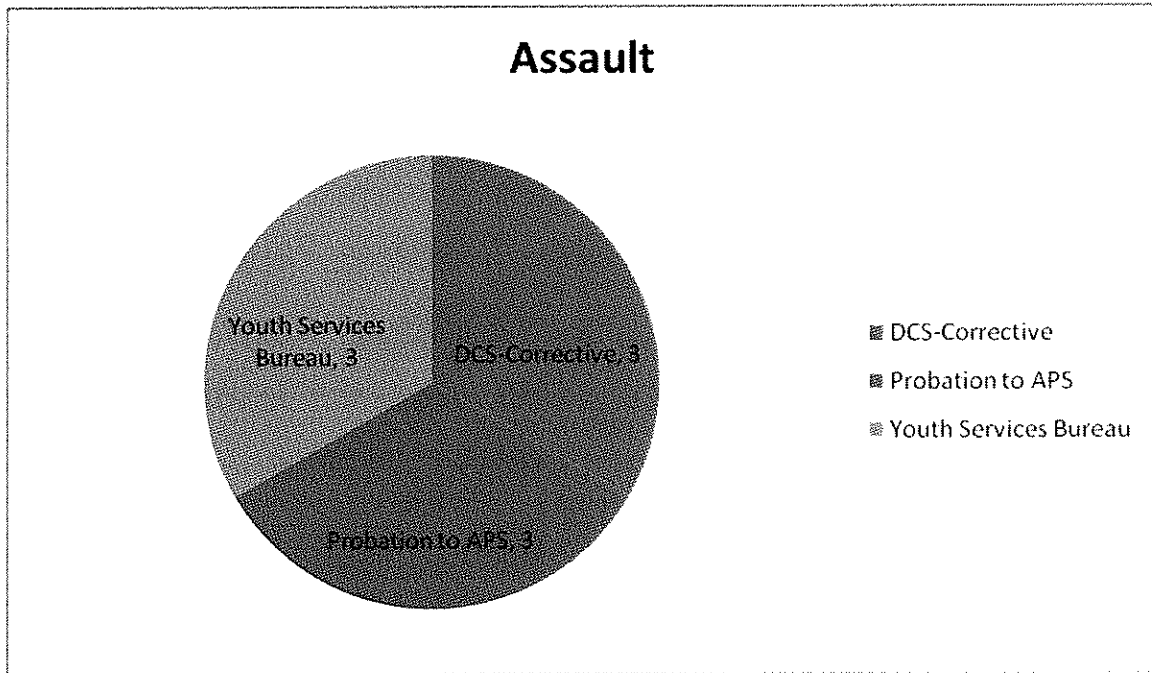
The African American juvenile who received the DCS-Corrective disposition had 8 prior delinquent contacts with the Court and the petition before the Court included multiple offenses.

The children who received a disposition of Youth Service Bureau (2 African Americans, 1 Mixed Race, and 1 Caucasian) varied in the number of prior delinquent contacts with the Court, but all had at least 1



prior delinquent contact. However, this could be indicative of an instance in possible disparity and a list of names was forwarded to the Judicial POC for further examination.

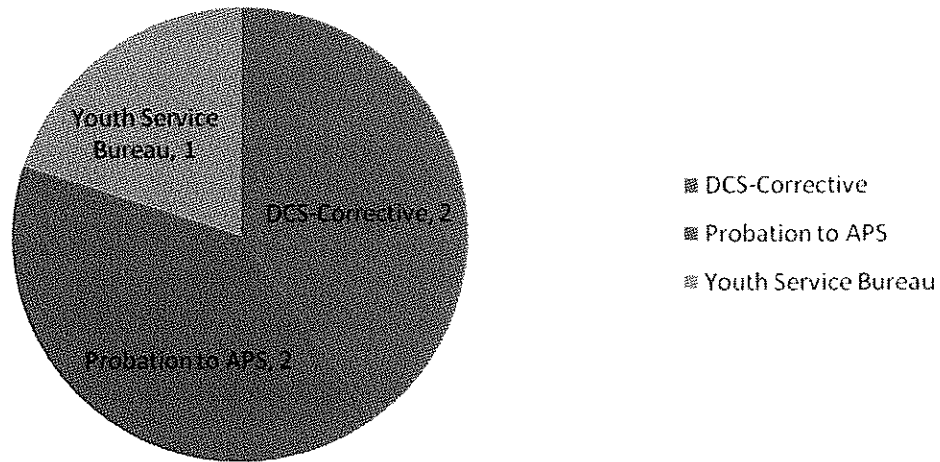
Out of the children who received a disposition of Probation to APS (3 African Americans and 1 Caucasian), there was one child in which this was the first contact with Court. The others had prior delinquent contact with the Court. Again, there is a possibility that this could indicate possible disparity and a list of names was forwarded to the Judicial POC for further examination.



One child who identified as Mixed Race who was charged with Assault received a disposition of Youth Services Bureau. The remaining 8 children charged with this offense identified as African American and received dispositions of DCS-Corrective, Probation to APS, and Youth Services Bureau.

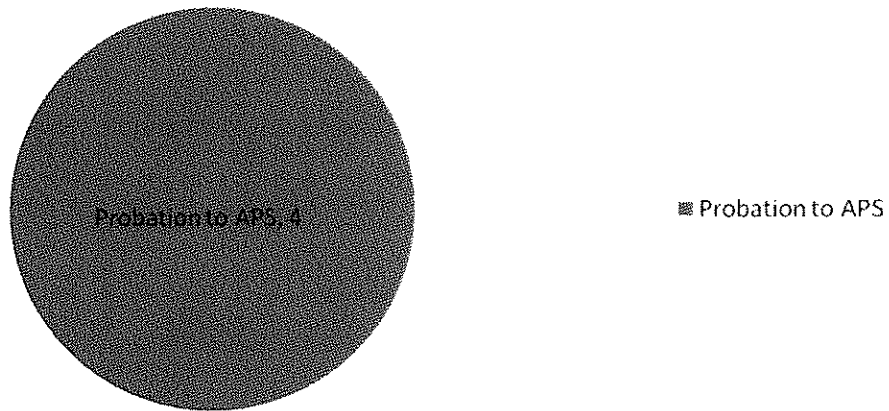
The African American juveniles who received DCS-Corrective each had 7 prior delinquent contacts with the Court. Of the African American children who received Youth Services Bureau dispositions, each had previous delinquent contacts with the Court and 1 had previous aggravated offenses. The child who identified as Mixed Race also had previous delinquent contact with the Court and this petition before the Court included multiple offenses. A list of names was forwarded to the Judicial POC for further examination as to whether this could indicate possible disparity.

## Burglary of a Building



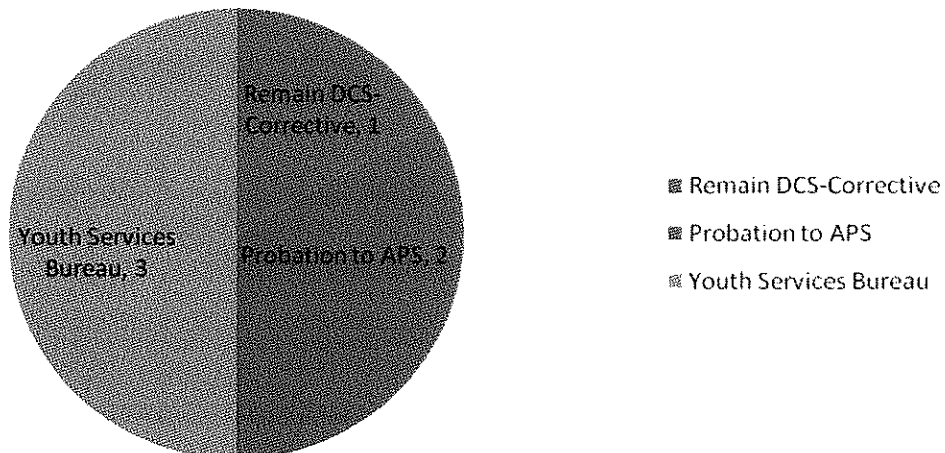
Of the 5 children who were charged with Burglary of a Building, 2 identified as African American and the other 3 identified as Caucasian. The two African American children both received dispositions of DCS-Corrective. Both of these children had extensive previous delinquent histories with the Court (one had 9 prior contacts; one had 13 prior contacts including an Aggravated charge). Of the 3 Caucasian children charged with this offense, the 1 child that received YSB as a disposition had 4 prior delinquent contacts with the Court. The other 2 Caucasian children who were charged with this offense received a disposition of Probation to APS. Both of these children had limited prior delinquent contact with the Court (one had 1 prior contact and the other had 2 prior contacts). A list of names was forwarded to the Judicial POC for further examination as to whether this could indicate possible disparity.

## Simple Possession/Casual Exchange - Marijuana



There were 4 children who were charged with Simple Possession/Casual Exchange – Marijuana. Three of these children identified as African American and one identified as Caucasian. All of the children received a disposition of Probation to APS. All of these children had similar delinquent histories with the Court. A list of names was forwarded to the Judicial POC for further examination as to whether this could indicate possible disparity.

## Theft of Property \$1,000 - \$9,999



Of the 6 children who were charged with Theft of Property \$1,000 - \$9,999, only 1 identified as Caucasian. The other 5 identified as African American. One of the African American children and the Caucasian child who received a disposition of Probation to APS both had minimal previous delinquent histories with the Court. The other African American children who received more severe dispositions had more prior delinquent contacts with the Court. A list of names was forwarded to the Judicial POC for further examination as to whether this could indicate possible disparity.

## **Appendix 7**

## Policy Review Plan

The team has begun its review of policies and procedures related to the following items. The team expects to have policy report cards completed on each by September 22, 2016.

1. Processing of juvenile summons
2. Filing of petitions
3. The validity and effectiveness of decision-making tools:
  - a. Graduated Sanctions Grid
  - b. YASI
4. Criteria-based programs and their utilization
  - a. Youth Court
  - b. BY-PASS
  - c. APS
  - d. Community Service
  - e. MARRS

8-29-16

Juvenile Court of Memphis & Shelby County  
Policy Report Card

Policy to be reviewed: \_\_\_\_\_

- *Copy of policy attached*

Review Date: \_\_\_\_\_

Reviewed by: \_\_\_\_\_

Does the policy lend to possible disparate treatment? If so, explain.

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Recommendation:

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Date submitted to Administration: \_\_\_\_\_

Signature: \_\_\_\_\_

## **Appendix 8**



### **Preventative Contact Approach – Summons Alternative Strategy – Graduated Response Grid**

The mission/objective to ensure that all children will be afforded the same rehabilitative opportunities begins with the Preventative Contact Approach, an effort to decrease referrals to the Court, followed by the Summons Alternative Strategy, a review of processing summonses through the Juvenile Justice System, and continues with the Response Grid, a tool used in conjunction with policy to provide uniformity for consistent rehabilitative outcomes. Policies are being reviewed and revised at each point to identify and create uniform and objective procedures.

#### **Preventative Contact Approach -Impact the initial contact between Law Enforcement (LE) and Youth**

- LE returns child home – no summons
- LE contacts JC Precinct Liaison for juvenile's court history (variation of LEAP)
- LE transports child to LE Juvenile Specialist who coordinates with the JC Precinct Liaison and Detention Staff to determine if juvenile should be transported, summons issued or no action taken.
- LE refers juvenile to JC Precinct Liaison to assess and conference with child for services – no summons issued

**Summons Alternative Strategy – Track the timeline for Juvenile Summons processing, create a Summons Review Team and based upon specific agreed upon criteria, impact the entry of the summons into the Juvenile Justice system.**

- Summons issued to juvenile
- Summons received at JC and researched for juvenile/family history
- Summons forwarded to record room to pull juvenile/family file or create a summons number (the summons number and the child's name IS entered in JCS at this point, but not the charge – this is a factor to consider at this point)
- Enter Summons Review Team to review the summonses before the charge is entered in JCS. Need a tracking tool for this process and criteria for review team. Criteria may include age, facts to substantiate charge, juvenile history, etc. At this point, the summons may not be entered into JCS, therefore no action taken. Some summonses could be referred for an "advisory letter" but do you really want the Summons Review Team to even make that determination at this level or let the PO make the determination at the Graduated Response level – if you have it both places, again, you have overlap of options.
- Summons charges entered into JCS
- Supervisors (Ruby Jones, Jason Tate, Jacqueline Parson, Avis Lamar Allen –Youth Court) may review summonses at this point for a warning letter or Youth Court intervention or to the APS to handle the summons). Eliminate this step.
- Supervisors would assign summonses to probation counselor staff that will refer to the Graduated Response Grid for possible outcomes. (I would still recommend using Y. Rumph to assign property crimes to for the MARRS program but staff can also refer. I would also consider


if you still need the APS handling conferences since the supervisor would no longer pull those to refer to them).

**Response Grid** – Impartial and objective tool to assist in determining outcomes that are fair and consistent in diverting juveniles from Court. The Grid will be used in conjunction with the YASI assessment and policy.

Attach Grid.

**Graduated Response Grid  
 Corrective Services - Juvenile Court of Memphis and Shelby County**

Level 0 (No Process)	Response	Case Actions	Wrap Around Services
<ul style="list-style-type: none"> <li>• <b>Status Offenses</b> <ul style="list-style-type: none"> <li>○ Truancy</li> <li>○ Curfew Violation</li> <li>○ Runaway</li> <li>○ No Driver's License</li> <li>○ Poss. Alcohol/Tobacco</li> </ul> </li> <li>• <b>Juvenile Traffic</b></li> </ul>	<ul style="list-style-type: none"> <li>• Do not process. Track</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Informal Adjustment</b> <ul style="list-style-type: none"> <li>○ No Action Taken</li> <li>○ Advisory Letter</li> </ul> </li> <li>• <b>Informal Adjustment</b></li> </ul>	
<p><b>Level I Offenses – First Contact</b></p> <ul style="list-style-type: none"> <li>• <b>APS Summons Offenses</b> <ul style="list-style-type: none"> <li>○ Gambling</li> <li>○ Simple Possession --</li> <li>○ Marijuana</li> <li>○ Criminal Trespass</li> <li>○ Disorderly Conduct</li> <li>○ Theft of Property (under \$500)</li> <li>○ Vandalism (under \$500)</li> </ul> </li> <li>• <b>First Time Delinquent/All Other Misdemeanors (A-C)</b></li> </ul>	<p><b>Response</b></p> <ul style="list-style-type: none"> <li>• Track, Inventory, Schedule Meeting</li> <li>• Do not process. Track</li> <li>• Process (Expungement)</li> <li>• No conference</li> <li>• Do not process</li> <li>• Process (No Conference)</li> </ul>	<p><b>Case Actions</b></p> <p><b>Informal Adjustment</b></p> <ul style="list-style-type: none"> <li>○ No Action Taken</li> <li>○ Advisory Letter</li> </ul>	<p><b>Wrap Around Services</b></p> <p>Expungement</p>

<ul style="list-style-type: none"> <li>• Violation of Probation (Technical)</li> </ul>	<ul style="list-style-type: none"> <li>• Conference to set </li> </ul>	<ul style="list-style-type: none"> <li>• <b>Informal Adjustment</b> <ul style="list-style-type: none"> <li>◦ No Action Taken</li> <li>◦ Advisory Letter</li> </ul> </li> <li>• <b>Conference (Non-admission based)</b> <ul style="list-style-type: none"> <li>◦ YASI Risk Assessment</li> </ul> </li> <li>• <b>Informal Adjustment</b> <ul style="list-style-type: none"> <li>◦ No Action Taken</li> <li>◦ Advise and Counsel</li> </ul> </li> </ul>	<p>Referral to E &amp; R based on medium to high risk or request for services made by youth/parent.</p> <p>Expungement</p>
<p><b>Level II (Minor) Offenses</b></p> <ul style="list-style-type: none"> <li>• <b>Second Time/APS Summons Offenses</b> <ul style="list-style-type: none"> <li>◦ Gambling</li> <li>◦ Simple Possession - Marijuana</li> <li>◦ Criminal Trespass</li> <li>◦ Disorderly Conduct</li> <li>◦ Theft of Property (under</li> </ul> </li> </ul>	<p><b>Response</b></p> <ul style="list-style-type: none"> <li>• No Conference</li> </ul>	<p><b>Case Actions</b></p> <ul style="list-style-type: none"> <li>• <b>Informal Adjustment</b> <ul style="list-style-type: none"> <li>◦ No Action Taken</li> <li>◦ Advise and Counsel</li> </ul> </li> </ul>	<p><b>Wrap Around Services</b></p> <p>Referral to E &amp; R based on medium to high risk or request for services made by youth/parent.</p>

<ul style="list-style-type: none"> <li>◦ Vandalism (under \$500)</li> <li>◦ <b>Second Time Delinquent/All Other Misdemeanor Offenses</b></li> <li>• Domestic Assault</li> <li>• DUI</li> </ul>	<ul style="list-style-type: none"> <li>• Conference</li> <li>• Conference</li> <li>• Conference</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Conference (Admission based) – Non-acceptance will require Admn.</b> <ul style="list-style-type: none"> <li>◦ No Action Taken</li> <li>◦ YASI Risk Assessment</li> <li>◦ Criteria-based Referral <ul style="list-style-type: none"> <li>▪ MARRS</li> <li>▪ Youth Court</li> <li>▪ BY-PASS</li> <li>▪ CPS</li> <li>▪ Gang Intervention</li> <li>▪ Substance/Alcohol Assessment</li> </ul> </li> </ul> </li> <li>• <b>Conference (Admission based) – Non-acceptance will require Admn.</b> <ul style="list-style-type: none"> <li>◦ No Action Taken</li> <li>◦ YASI Risk Assessment</li> <li>◦ Criteria-based Referral <ul style="list-style-type: none"> <li>▪ <b>Operation Cansfire</b></li> </ul> </li> </ul> </li> <li>• Refer to E &amp; R</li> </ul>	<p>Referral to E &amp; R based on medium to high risk or request for services made by youth/parent.</p> <ul style="list-style-type: none"> <li>• E &amp; R</li> <li>• Full YASI Assessment or Trauma Assessment</li> <li>• Family Therapy</li> <li>• Cog. Behav. Treatment</li> <li>• Anger Management</li> </ul>
<p><b>Level III (Serious) Offenses</b></p> <ul style="list-style-type: none"> <li>• All Non-Violent Felony Offenses (No Firearms Used)</li> <li>• Chronic Delinquent Behavior (3+ in one year)</li> </ul>	<ul style="list-style-type: none"> <li>• Conference</li> <li>• Conference</li> </ul>	<p><b>Case Actions</b></p> <ul style="list-style-type: none"> <li>• See DUI Policy</li> <li>• Informal Adjustment vs. Formal Adjustment</li> <li>• Informal Adjustment vs. Formal Adjustment</li> </ul>	<p><b>Wrap Around Services</b></p>

<ul style="list-style-type: none"> <li>Felony Weapon/Firearm on School Campus</li> <li>1 prior + non-violent felony</li> </ul>	<ul style="list-style-type: none"> <li>Conference</li> <li>Conference</li> </ul>	<ul style="list-style-type: none"> <li>YASI Assessment</li> <li>Petition</li> <li>YASI Assessment/Informal Adjustment/ Attorney General Consult/Formal Adjudication</li> </ul>	
<p><b>Level IV (Violent) Offenses</b></p> <ul style="list-style-type: none"> <li>Violent Felony Offenses <ul style="list-style-type: none"> <li>Murder 1<sup>st</sup> and 2<sup>nd</sup> Degree,</li> <li>Kidnapping,</li> <li>Agg Robbery,</li> <li>Rape</li> </ul> </li> <li>Attempts Agg Offenses):</li> <li>Carjacking</li> </ul>	<p><b>Response</b></p> <ul style="list-style-type: none"> <li>Petition Filed</li> </ul>	<p><b>Case Actions</b></p> <ul style="list-style-type: none"> <li>Formal Adjudication</li> </ul>	<p><b>Wrap Around Services</b></p> <ul style="list-style-type: none"> <li>Court Ordered</li> </ul>

## **Appendix 9**

## **Parent Orientation**

**Status:** The Parent Orientation is currently active

- Parent Orientations are scheduled for the second Tuesday evening of every month and are designed to provide basic general information and definitions to parents and allow time for parents to ask questions. The Parent Orientation provides a forum for both staff and parents to share information so the Court may better serve the children and families.
- Probation Officers, Magistrates, and Detention personnel are working in unison to distribute invitations to the monthly Parent Orientation at numerous stages and points of contact for the child and/or parent so that the parent will not have to seek out the information. The parent is provided information and encouraged to participate in the Orientation from the time the child is processed into the detention facility, during visitation hours, at the Detention Hearing and through contact with the assigned Probation Officer.
- It is important to note that parents that attend the Orientation are given Administrators' direct contact information, and they are encouraged to contact the Administrator and/or Deputy Administrator should they have questions or need any information. It is clear that we are making ourselves available to assist a parent whether they are at the orientation or not.
- One topic that may be added to the Parent Orientation is to provide pre-trial diversion information that will reflect the new changes to the Tennessee Rules of Juvenile Procedure in that Probation Officers should now be able to utilize a pre-trial diversion in an informal setting without having to file a petition to have the child considered for diversion. The benefit to the child and the parent is that upon successful completion of the pretrial diversion it will trigger an automatic expungement procedure which will be of no cost to the parent and a child.

## **Case Review Process**

**Status:** Almost Complete

- The team has been assembled and includes Probation Officers, Managers, and Supervisors. The review process includes 20 cases pulled randomly. The legal and social files were collected and placed in an office where each team member could go and review the files independent of each other.



- A procedure and policy was established with guidelines for each team member to follow in their review process. Each team member will complete a separate information/report card type document for each case that they review. This document will give the reader an opportunity to review why that particular team member made his or her recommendation and/or disposition. A copy of the policy, as well as a copy of the report card/note used to evaluate each individual case, will be provided.
- After the team has recorded their individual dispositional observations, we will meet to compare and discuss why there may be inconsistencies in the outcomes and/or disposition recommendations.
- The team leader, Ms. Martin, has begun utilizing a spreadsheet to collect and summarize the different chosen dispositions so that it will make for an easy read/comparison of the 20 cases which were evaluated and reviewed.

### **Ceasefire Program**

**Status:** Active

- Ceasefire classes are scheduled for the fourth Tuesday of every month.
- The attendance, participation and feedback thus far have all been positive indicators of a successful initiative. The program has only been in place since April but initial data indicate a very low recidivism rate; only one youth that attended the program has come back into the juvenile justice system.
- The future of this program is also to work in conjunction with or may be partnered with Parent Orientation and may be included in the Community Outreach Programs to make parents and/or children aware of the program's success and the impact it's having on Memphis and the surrounding communities/area.

Sandra Johnson has been working with Eric Roberts, Martha Rogers, Bridgette Bowman and Ito put together an informational pamphlet about the Ceasefire program. This pamphlet will include a program description and the people/departments involved, recidivism information, success stories and essays compiled by the children who have attended and completed the program and will focus on the positive impact the program can have in the Memphis community. The pamphlet is in final draft form and will be completed and ready for review by August 22.

## **Summons Alternative Strategy (SAS)**

**Status:** In design

- The Summons Alternative Strategy (SAS) includes a policy review initiative and will begin with tracking the timeline for Juvenile Summonses processing, create a Summons Review Team and based upon specific agreed upon criteria, attempt to impact the entry of the juvenile summonses into the Juvenile Justice system.
- An initial policy review regarding the assignment and outcome of juvenile summonses has determined the need for a more in depth review of how youth are referred to some diversion programs.
- Once a juvenile summons charge is added in the JCS database, supervisors will assign summonses to probation staff, who will refer to the Response Grid Application for possible outcomes.

## **Violation of Probation Warrant Elimination Initiative**

**Status:** In design

- The number of warrants issued for violation of probation is extremely low to the point where they're almost nonexistent; however, that does not prevent putting in place a policy to exercise discretion and alternatives to issuing attachments for children who have violated the terms of their probation.
- The design is to try and find more creative ways of notifying children and/or parents about appearing in court or to meet with the probation officer to discuss the status of their case and/or whether or not they are on track to successfully complete certain programs such as community service or referrals for counseling.
- Instead of issuing warrants the parent and or child could be given some kind of summons to court similar to that kind of process that we see in civil cases.
- More importantly, the newly designed Response Grid recommends that violations of probation be conferenced and reviewed for an informal adjustment, eliminating the need to file a warrant and/or file a petition for violation of probation and forcing the parent and child to attend a hearing in a formal court setting.
- Also working with the Attorney General's office to eliminate treating violations of probation as a separate delinquent offense. For example, if the child is currently on probation and is charged with a new delinquent offense then that offense will be handled in and of itself separate from that of a probation violation because obviously the court and the probation officer would be much more concerned about the fact that there was new to link with behavior not whether or not there was conditions of probation which may or may not have been followed or completed.

## **Response Grid Application (RGA)**

**Status:** In Overhaul Design

- The Response Grid Application, also known as the Graduated Sanctions Grid, has gone through a complete overhaul. The grid has been streamlined to allow for more informal adjustment opportunities, as well as a redesigned structure to promote uniformity and consistency. The improvement and effectiveness of the new response grid is based on a more accurate categorization of delinquent behaviors and looking at alternatives to filing unnecessary petitions and possibly eliminating entering certain juvenile summonses into JCS based on review team criteria.
- The restructured response grid identifies not only minor offenses which can be handled by no action taken, but also recognizes first time offenders, and ensures that in the informal adjustment process, decisions are made based on certain criteria and/or new and improved policies. These improvements and policies will work to prevent disproportionate minority treatment. Equally important, we hope to eliminate counting or adding up a youth's prior contacts and using them in some way to inappropriately advance them higher into the response grid than is necessary.

The response grid will be reviewed on a regular basis to determine its effectiveness. We recognize it is not a document that should stay etched in stone and should be flexible, and it will work to help Juvenile Court and probation officers safeguard to make sure that all children are treated with equity and not just equality.

PCA

Preventative contact approach

LEAP-P

Precinct liaison program.

Things that will be attached

Cease fire information memo

Pictures of response grid flowchart

Response grid in word document format

Parent orientation materials

Score card/report document used in case review initiative

Triangle spelling out the three components SAS, RGA and PCA

The policy review report card

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**INTEROFFICE MEMORANDUM**

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**TO:** PAMELA SKELTON, CHIEF ADMINISTRATIVE OFFICER,  
JUVENILE COURT  
**FROM:** LISA HILL AND KIMBRELL OWENS  
**SUBJECT:** REDUCING, RACIAL ETHNIC DISPARITIES CAPSTONE PROJECT  
AUGUST 11, 2016  
**DATE:** 8/12/16

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The Capstone members met on August 4, 2016, and the following update is provided to the Court detailing the project's current status:

The Capstone project's focus remains on addressing the needs of youth with domestic assault charges brought to juvenile court. The group discussed how the recent discussions regarding developing a JAC may represent an opportunity to create the 'safe places' described in the group's last report to Georgetown.

**Proposed:**

During this meeting, the team brainstormed and suggested an interim solution: possible DV "safe places" that might be located at current community provider sites, such as, Compass, Lakeside, Delta Medical and MMHI.

**Barriers:**

- Adequate funding would need to be obtained to support the creation of a pilot program while JAC discussions proceed.
- Requirement for a mental health diagnosis at most of these sites for admission under current rules and reimbursement policies.

**Next steps:**

The group agreed that our final recommendations will be presented to the Juvenile Justice Board (JJB) for consideration to move forward for funding requests. A draft of the final report should be ready for submission by the end of August, and will be presented to the JJB during the September Board meeting. An update for the Court should be available towards the end of September.



*Juvenile Court of Memphis and Shelby County*  
616 ADAMS AVENUE MEMPHIS, TENNESSEE 38105

MEMORANDUM

To: Michael Leiber, Ph.D., Equal Protection Monitor

From: Pam Skelton, CAO, Juvenile Court of Memphis and Shelby County

Re: Meeting held with Memphis Police Department upper command on August 11, 2016

Date: August 12, 2016

The purpose of this memorandum is to reduce to writing our initial meeting with new Memphis Police Department Director Michael Rallings, Deputy Director Mike Ryall, and upper command staff on Thursday, August 11, 2016. Judge Michael, Ms. Bridgette Bowman, and I attended this meeting. Our purpose was to discuss our recent review of LEAP (Jan-June numbers) and to share them with the command staff. We also wanted to discuss ideas and alternatives when handling Domestic Violence cases other than arrest and transport to Detention.

The one-pager LEAP review, which has previously been submitted, was shared with MPD and the numbers discussed. We particularly discussed the large amount of misdemeanor cases which handled, and in particular that 25% of the youth transported were charged with Domestic Violence. It was interesting in that many of the commanders thought the DV statute required arrest. Upon further discussion, it is actually the Order of Protection statute with requires arrest; the DV statute states that arrest is the "preferred response" to a DV case. Major Charles Newell indicated that he would review MPD policies to see if the requirement is actually in their policy manual.

We also discussed community alternatives, and it is apparent that Porter Leath is the only DCS-approved overnight program in the County that is known. Many of the commanders assured us that they would be taking a look to see if any other alternatives might be an option and in particular the Frayser precinct commander wants us to meet and talk.

I plan to go back and review the affidavits of complaint for all youth brought in on a DV charge to determine if there may or may not be particular officers involved. Major Newell and I will review to see if this is an issue.

Director Rallings and Deputy Director Ryall agreed that better communication is needed, and we will work towards getting on the command agenda every couple of months. More to come once we review affidavits and policy of MPD.

## Reassessment of Existing Partnership between Juvenile Court and Others

May 2016

Juvenile Court of Memphis and Shelby County is in partnership with various agencies. Many of these partnerships are strategic to the court's DMC reduction efforts. The court's partners include:

- Annie E. Casey Foundation
- Memphis Leadership Foundation
- Shelby County Schools
- Shelby County Government
- City of Memphis
- U.S. District Attorney's Office
- Shelby County Public Defender's Office
- Memphis Police Department
- Shelby County Sheriff Department
- Collierville Police Department
- Germantown Police Department
- Bartlett Police Department
- Millington Police Department
- University of Memphis
- University of Tennessee
- Tennessee Department of Corrections
- Juvenile Intervention and Faith-based Follow-up
- Mediation & Restitution/Reconciliation Services
- Operation Hope
- National Council of Juvenile and Family Court Judges
- Tennessee Bar Association
- Memphis Bar Association

A brief summary of each partnership DMC reduction effort is mentioned below:

**Annie E. Casey Foundation (AECF), Juvenile Detention Alternative Initiatives (JDAI) Site-**  
Assisting in reducing the number of youth in Detention

**Gang Reduction Assistance for Saving Society's Youth (GRASSY) (SCS)** - The GRASSY Program is a school and community based prevention and intervention program that works with gang members to reduce their involvement and provide assistance when feasible approaches. GRASSY is based on an OJJDP Model Program, a comprehensive wrap-around to gang

intervention and to reduce, address, and focus on gang member issues as well as community quality of life concerns.

**Juvenile Cease Fire Gun Safety Program- (New)** -Partnership with the Tennessee Department of Corrections, U.S. Attorney's Office and Memphis Police Department for juveniles aged 12-17. All of the organizations will work together to create a strategy to help young people put down their weapons.

**Juvenile Court of Memphis and Shelby County Evening Reporting Center (ERC) Pilot Program** - The ERC is a community-based alternative to detention for a target group of youth under supervised probation. Referrals from Juvenile Court are made in response to probation violation for youth who need additional supervision and a structured environment for a brief time. The ERC is designed to help keep youth involved in positive experiences while ensuring they are occupied during times they are most likely to recidivate.

**Juvenile Court Precinct Liaison (JCPL) Initiative-** On October 5, 2015, an MOU was executed between Shelby County Government, Juvenile Court, City of Memphis and Memphis Police Department to implement the Juvenile Court Precinct Liaison (JCPL) Initiative. The Initiative calls for placing an experienced Juvenile Court staff member at MPD precincts selected by the MPD Director. The JCPL will act as liaison with Juvenile Court to assist law enforcement officers in screening and/or referral of juveniles brought to the precinct. Further, the JCPL will serve as facilitator for communication and coordination with the Court. The objective is to reduce the need for detention where possible and assist MPD officers in communicating and dealing with juveniles and Juvenile Court staff.

**Juvenile Intervention & Faith Based Follow-up (JIFF)** – Provides juvenile justice system involved youth with the skills, support and direction necessary to break the destructive cycle of delinquent behavior. JIFF provides holistic, intensive intervention with a goal of successful reintegration to the community for youth under the supervision of Youth Services Bureau (YSB).

**Law Enforcement Assessment Phone-In (LEAP) Pilot Program**– LEAP was created to reduce the number of youth transported to Juvenile Court who do not pose a danger to themselves or the community. LEAP allows law enforcement (Memphis, Collierville, Germantown, Millington, and Shelby County Sheriff) to phone in information about a youth taken into custody to determine if they may be issued a Juvenile Summons in lieu of transport.

**Mediation and Restitution/Reconciliation Services (MARRS)** - MARRS is a program of Memphis Leadership Foundation (MLF). The mission of MARRS is to intervene in the lives of first and second-time juvenile offenders by providing mediation, restitution, character development and positive outreach activities.

**National Council of Juvenile and Family Court Judges (School Pathways to Juvenile Justice System Project)-** The NCJFCJ provides training and technical assistance to help judicial

leaders develop efforts to reduce referrals of youth to juvenile courts for school-based misbehaviors and expand positive disciplinary practices in schools. The goal is to support student engagement and reduce students' school exclusion.

**Operation Hope** –Operation Hope is a faith-based program designed to provide intervention for high-risk juveniles and empower them toward a healthy productive future. Operation Hope provides intensive intervention for those at highest risk of custody.

**School-Based Probation Liaison (SBPL) Initiative** - The SBPL Initiative is a partnership between Juvenile Court and Shelby County Schools (SCS) whereby trained school faculty/staff serve as liaisons with regularly assigned probation counselors for probationers who are students in those schools. The Initiative serves students under the active supervision of Juvenile Court's Auxiliary Probation Service (APS) or Youth Services Bureau (YSB) in 15 target schools.

**School House Adjustment Program Enterprise (SHAPE)** –SHAPE provides immediate intervention with students who commit minor offenses & provides alternatives from transporting to Juvenile Court. Coordinators at target schools assign dispositional alternatives such as community service, restitution, and/or counseling. The Seven Challenges Curriculum has been added and interns from the University of Tennessee monitor their progress post-release.

**Youth Court** - Juvenile Court and project partners, Tennessee Bar Association, Memphis Bar Association, Memphis Area Legal Services, and Shelby County Schools implemented a Youth Court in 2010 pursuant to state statute. Teen/Youth Court is a model program of the OJJDP and incorporates elements of restorative justice to hold youth accountable for offenses and prevent future delinquency. Youth courts are an alternative sentencing mechanism for first time, non-violent juvenile offenders who appear before and are sentenced by a jury of their peers.



## **Appendix 10**

## School-Based Probation Liaison Initiative

### Evaluation for 2014-2015

#### Data Analysis:

The School-Based Probation Liaison (SBPL) Initiative is a partnership between Juvenile Court and Shelby County Schools (SCS) whereby trained school faculty/staff serve as liaisons with regularly assigned probation counselors for probationers who are students in those schools. The Initiative serves students under the active supervision of Juvenile Court's Auxiliary Probation Service (APS) or Youth Services Bureau (YSB) in 15 target schools. The following data was collected for the 2014-2015 academic school year.

• Number of student referrals	113
• Number of students enrolled	96
• Number of "No Shows"	17
• Number of participants with academic improvement	47
• Number of participants who passed and/or transitioned	58
• Number of participants with improved behavior	60
• Number of participants incarcerated while enrolled	10
• Number of enrolled participants receiving expulsions	19
• Number of participants provided additional services	20

Additional services and programming is offered to students enrolled in SBPL. These services and programs include::

- Gang intervention services through GRASSY
- SNAP
- SHAPE Program
- Coordinated School Health Services
- Man of the House
- COPS
- Drug and Alcohol Awareness
- Teen Smart
- Young Men Achieving newness
- Individual Counseling
- Meeting with Social Worker
- Streets Ministries
- Boy to Men Youth Program
- Memphis Police Department

**The above-mentioned information can be translated as follows:**

- 85% of the youth referred to SBPL were enrolled
- 50% of the youth enrolled in the program demonstrated academic improvements
- 60% of the youth enrolled in the program passed and/or transitioned
- 63% of the youth enrolled in the program demonstrated improvement in behavior
- 10% of the youth enrolled in the program were incarcerated while enrolled
- 20% of the youth enrolled in the program were expelled while enrolled in the program
- 21% of the youth enrolled in the program received additional services.

**Conclusion:**

The School-Based Probation Liaison program appears to be operating as intended. Based upon its success, this program should be expanded to other schools within Shelby County. One foreseeable impediment is funding. Currently school-based probation liaison receive stipends; given the current financial status of Shelby County Schools, stipends for liaison may be problematic which could impact the success of this program.

**DMC Impact:**

The School-Based Probation Liaison program assists with youth who are in contact with the Juvenile Court. The program is instrumental in decreasing the number of youth who recidivate while on probation. As a result of reducing recidivism, **the program prevents youth from moving deeper into the system.**

**Preliminary Evaluation: Juvenile Court Police Precinct Liaison Program  
Old Allen Road Precinct**

The Juvenile Court Police Precinct Liaison Program was implemented in November 2015. Limited activity was recorded in November and December; therefore, data collected from **January 2016 through April 12, 2016** was used to generate this report.

Table 1: Juvenile Summons Issued and History of Juvenile

# Contacts w/ Court	Jan. 2016	Feb. 2016	March 2016	April 2016	Total
1 <sup>st</sup>	5	17	20	34	76
2 <sup>nd</sup>	6	9	3	6	24
3 <sup>rd</sup>	3	4	3	8	18
4 or more	5	11	3	7	26
YSB	3				3
<b>Total</b>	<b>22</b>	<b>41</b>	<b>29</b>	<b>55</b>	<b>147</b>

The data indicates the following:

- The Old Allen Road Precinct has the potential to be a good pilot site based upon the number of juvenile summons issued monthly. Over the last three and one half months, officers from the Old Allen Road Precinct issued a total of **147 juvenile summons**.
- Of the 123 juvenile summons issued, 61 were issued to **1<sup>st</sup> time juvenile offenders**. An additional 21 juveniles were **2<sup>nd</sup> time offenders**. These two groups comprise **68% of the population of alleged offenders**.

Table 2: Time of Day for Incidences and Summons

Time Frame	Number of Contacts b/t juvenile and law enforcement
<b>Before 7:00 am</b>	<b>2</b>
<b>7:00 am – 11:00 am</b>	<b>30</b>
<b>11:00 am – 2:00 pm</b>	<b>55</b>
<b>2:00 pm – 5:00 pm</b>	<b>31</b>
<b>5:00 pm – 8:00 pm</b>	<b>29</b>
<b>8:00 pm – 11:00 pm</b>	<b>18</b>
<b>After 11:00 pm</b>	<b>7</b>

The data indicates the following:

- Officers serving at Old Allen Road Precinct issued most juvenile summons between the hours of **11:00 am – 5:00 pm**
  - **86 juvenile summonses** were issued during this time frame. This comprises **53%** of the number of summons issued.

Table 3: Day of Week for Juvenile Summons

Day of the Week	Jan. 2016	Feb. 2016	Mar. 2016	April 2016	Total
Sunday	2	2	2	4	10
Monday	3	5	0	12	20
Tuesday	2	10	3	12	27
Wednesday	5	4	1	2	12
Thursday	5	2	16	0	23
Friday	3	10	4	9	26
Saturday	2	8	3	16	29

The data shows no specific trends or patterns; at best, Thursdays, Fridays, and Saturdays seemingly are the days of the week with more incidences than other days.

Table 4: Types of Offenses and Frequency

Offenses	Jan. 2016	Feb. 2016	March 2016	April 2016	Total
Truancy	4	1	0	7	12
Curfew	3	4	0	1	8
Assault	3	9	16	17	45
Poss. Of Mari.	1	8	5	2	16
No Driver's Lic.	1	1	0	0	2
Crim. Trespass	1	0	0	8	9
Disorderly Conduct	1	1	0	3	5
Theft under \$500	6	6	4	3	19
Vand. under \$500	0	3	1	6	10
Poss. & Crim. Tres.	0	2	0	0	2
Assault & Truancy	1	0	0	0	1
Assault & Disord.	0	1	1	1	3
Assault & Theft	0	0	1	0	1
Theft over \$500	0	2	0	1	3
Agg. Trespass	0	1	0	0	1
Vand. over \$500	0	0	0	6	6
Domestic Assault	1	2	1	2	6

The data can be broken down into four categories of offenses: status offenses, misdemeanor offenses, felony offenses, and domestic assault. **Domestic assault is placed in a separate category because of the Court's choice to pay special attention to youth involved with this specific offense.**

Table 5: Offense type and frequency

Categories	Number of Offenses
Status Offenses	20
Misdemeanors	111
Felonies	10
Domestic Assault	6
	147

The data suggests the following:

- Status offenses and misdemeanor offenses account for 133 of the juvenile summons issued.
- The above-mentioned categories comprise 89% of the juvenile summons issued.

As previously recorded, officers at Old Allen Road Precinct issued **147 juvenile summons** between the specific timeframe mentioned. During that same timeframe, the **court liaison was only assigned to 10 cases (not included in the 147).**

Table 6: Summary of Cases Assigned

Listed Offense/Misbehavior	Prior Contact with JC	Outcomes
Disorderly Conduct	Yes	Transported to JC
Ungovernable Behavior	No	Non-arrest: Referral to Barbara Jackson
Ungovernable Behavior	No	Non-arrest: Referral to Barbara Jackson
YSB Involved	Yes	Notify YSB
Shoplifting	No	Non-arrest: Referral for anger management
Shoplifting	No	Non-arrest: Referral for anger management
Not listed (but could be Agg. Assault)	No	Emergency Commitment (Lakeside)
Not listed (but could be Burglary)	Yes	Under investigation
Simple Possession	No	Non-arrest: Referral to E & R
Not listed (School Suspension)	No	Non-arrest: Referral to Health Quest (Cordova)

Data shows:

- 7 of 10 juveniles had no prior contact with JC
- 3 youth had prior contact with JC
- 5 cases permanently disposed of without court action
- 3 juveniles remain under investigation
- 2 of 10 juveniles made contact with JC
  - 1 transported to JC – harm to self
  - 1 was referred to E & R as a result of risk assessment score – moderate

## Summary:

- The Old Allen Road Precinct has the potential to be a good pilot site based upon the number of juvenile summons issued monthly. Over the last four months, officers from the Old Allen Road Precinct issued a total of **147 juvenile summonses**.
- Of the 147 juvenile summons issued, 76 were issued to **1<sup>st</sup> time juvenile offenders**. An additional 24 juveniles were **2<sup>nd</sup> time offenders**. These two groups comprise **68% of the population of alleged offenders**.
- Officers serving at Old Allen Road Precinct issue most juvenile summons between the hours of **11:00 am – 5:00 pm**
  - **86 juvenile summonses** were issued during this time frame. This comprises **53%** of the number of summons issued.
- The data shows no specific trends or patterns; at best, **Thursdays, Fridays, and Saturdays** seemingly are the days of the week with more incidences than other days.
- The data can be broken down into four categories of offenses: status offenses, misdemeanor offenses, felony offenses, and domestic assault. **Domestic assault is placed in a separate category because of the Court's choice to pay special attention to youth involved with this specific offense.**
- **Status offenses and misdemeanor offenses account for 133** of the juvenile summons issued.
  - The above-mentioned categories comprise **90%** of the juvenile summons issued.
- Old Allen Road Precinct issued **147 juvenile summonses**, the court liaison was assigned to **10 cases**.
- **Of cases assigned to liaison:**
  - 7 of 10 juveniles had no prior contact with JC
  - 3 youth had prior contact with JC
  - 5 cases permanently disposed of without court action
  - 3 juveniles remain under investigation
  - 2 of 10 juveniles made contact with JC
    - 1 transported to JC – harm to self
    - 1 was referred to E & R as a result of risk assessment score – moderate

## How does this information impact to DMC?

- The decision point that is impacted is referrals.
- The program has the potential to decrease the number of referrals to JC
  - 80% diversion rate for juveniles assigned to precinct liaison
- Increases the pool of alternative resources and diversion options:

## Recommendation:

Juvenile Court recognized the value of the Juvenile Court Precinct Liaison Program. It has the ability to positively impact the number of Black youth making contact with the court by increasing the pool of alternative resources and diversion options. The implication is that the program has the potential to **decrease the number of referrals by at least 50%** at the Old Allen Road Precinct.

The program currently operates in the following manner:

1. Court liaison is stationed at the precinct multiple hours one day per week.
2. Law enforcement officers have the option of using the court liaison as an additional resource as well as a consultant who is informed of services within the community and alternatives to court referrals.
3. In addition to advising officers of other options, the liaison also counsels youth and their families, makes recommendation for services and offers information on additional community resources.
4. Court liaison collects information on all juvenile summons issued through the precinct.

The current state of affairs suggests a high level of ineffectiveness due to the limited amount of time that the court liaison is allotted at the precinct. As a way to address the dilemma created by time and money, the following changes are being suggested.

1. Juvenile summons written at Old Allen Precinct will be targeted by specific court personnel.
2. Court personnel will remove all juvenile summons issued from the Old Allen Road Precinct on diversionary offenses: **theft of property under \$500, vandalism under \$500, simple assault without injury, criminal trespass, disorderly conduct, simple possession of marijuana, and gambling;** withholding their input into JCS.
3. All youth receiving a juvenile summons on one of the above-mentioned offenses will be contacted via mail for the purpose of attending a court scheduled appointment with a probation counselor.
4. Upon meeting with the probation counselor, the juvenile will be given an informal disposition in accordance with the risk level assessed for that individual.
5. In the event that the youth fails to comply with the terms of the informal disposition, the probation counselor will contact the family and offer another time-sensitive opportunity for compliance. In the event that the youth fails to comply a second time, another graduated sanction will be put into place. In the event the youth fails to comply with the third opportunity, the juvenile summons will be entered into JCS thereby creating an official record of the offense.