

SHELBY COUNTY DISTRICT ATTORNEY TRUANCY PROSECUTION AND TRUANCY REDUCTION/MENTORING PROGRAM



CHRONIC ABSENTEEISM & TRUANCY

- Chronically absent or tardy
- Patterns are set at elementary age
- Impact on academic performance
 - Immediate impact (e.g. engagement, literacy and grade completion)
 - Long-term impact (e.g. graduation and postsecondary success)
- First pre-cursor to delinquent behavior
- Lack of commitment to school risk factor to multiple problems
 - Substance abuse
 - Teen pregnancy
 - Dropping out of school

OVERVIEW

- Arlington School District
- Achievement School District
- Bartlett School District
- Collierville School District
- Germantown School District
- Millington School District
- Shelby County School District

Shelby County School District

- 305 Schools
- 116,000 Students
- 87,800 Economically Disadvantaged
- 22,000 truant students

LETS TALK NUMBERS

FIRST 100 DAYS

In the 2013-2014 schools year, 16.3 percent of enrolled students (19,101 students) had missed 10 or more days.

In the 2014-2015 school year, that rate rose to 17.3 percent (20,284 students) who missed 10 or more days. By the end of said school year over 18,000 students missed 18 or more days.

LATE OR NEVER REGISTERED

- This is a major problem for Shelby County Schools
- New focus for 2015-2016 school year
- SCS targeted 1100 students habitually not registered
- After efforts only 100 not registered
- 50-75 will be prosecuted in Criminal Court and a jail sentence will be sought
- DA schools had 311 students register late
- 97 of those parent issued criminal summonses

REPORTING

All seven municipalities



DA's Office/General
Sessions Court

Truancy Division at
Juvenile Court

TENNESSEE CODE ANNOTATED § 49-6-3001

- ***Compulsory Student Attendance (Class C misdemeanor) - Parents/guardians*** residing within Tennessee who have control of any child between six (6) years of age and seventeen (17) years of age ***shall cause the child to attend*** public or non-public school.

“As the parent, legal guardian, or person otherwise responsible for this child, you could be prosecuted for violating Tennessee's compulsory school attendance law. If found guilty of this offense, you could be fined for each day your child missed school, you could go to jail, or your child could be removed from your custody. If you receive public assistance, this matter will be referred to the appropriate agency for possible negative action against you. Habitual truancy is a significant predictor of juvenile crime and gang involvement, and therefore the Shelby County District Attorney General's Office has made a firm commitment to fight truancy in this community. The DA's office will aggressively prosecute parents and students who ignore Tennessee's laws against truancy.”

TENNESSEE CODE ANNOTATED § 49-6-3009

- ***Educational Neglect (Class C misdemeanor)***- (a) Any parent, guardian or other person who has control of a child, or children, and who violates this part commits educational neglect, which shall be a **Class C misdemeanor**.
- Punishment for Class C Misdemeanor - Tenn. Code Ann. § 40-35-111(e)(3): Not greater than **thirty (30) days** or a fine not to exceed **fifty dollars** or both, unless otherwise provided by statute.
- (b) Each day's unlawful absence constitutes a separate offense.
- (c) Pre-charge alternative to prosecution (prosecutor's discretion)—parent education training and parent-teacher conferences
- (d) Parents, guardians or other persons having control of a child who is required to attend remedial instruction under § 49-6-3021 commit educational neglect if the child is found truant from class instruction.

TENNESSEE CODE ANNOTATED § 49-6-3009 (C)

- (c) As an alternative to prosecution for educational neglect, at the prosecutor's discretion, parents, guardians or any other person who has control of a child or children against whom a petition of truancy has been brought for being absent more than five (5) days during the school year, may participate in parent education training and parent-teacher conferences. The prosecutor may provide the parent, guardian or other person with the option to participate in such alternative program prior to filing the criminal charge. Failure of the parent, guardian or other person to timely respond to such option shall result in the revocation of the option and immediate filing of the criminal charge.

TENNESSEE CODE ANNOTATED § 37-1-156

- ***Contributing to the delinquency of an unruly minor (Class A misdemeanor) - (a)***
Any adult who contributes to or encourages the delinquency or unruly behavior of a child, whether by aiding or abetting or encouraging the child in the commission of an act of delinquency or unruly conduct or by participating as a principal with the child in an act of delinquency, unruly conduct or by aiding the child in concealing an act of delinquency or unruly conduct following its commission, commits a Class A misdemeanor, triable in the circuit or criminal court.
- ***(b)*** When any juvenile judge shall have reasonable ground to believe that any person is guilty of having contributed to the delinquency or unruly conduct of a child, such judge shall cause the person to be arrested and brought before such judge. In such case, when the defendant pleads not guilty, the juvenile court judge has the power to bind the defendant over to the grand jury or to proceed to hear the case on its merits without the intervention of a jury if the defendant requests the hearing in juvenile court and expressly waives in writing an indictment, presentment, grand jury investigation and jury trial. In the event the defendant enters a plea of guilty, the juvenile court judge has the same power as the circuit or criminal court in making final disposition of the case.

TRUANCY PROSECUTION AND PREVENTION

Goals

- Every child possible in class
- Registration on time
- Reduce Habitual Truancy

Approach

- Coordinated action between the school districts, Juvenile Court and the District Attorney General's Office

Focus

- Parents & Students
- Attempt to Identify social or economic issues preventing attendance
- Attempt to provide community services before prosecution

PROCESS

School

- Identify Truancy Problems Quickly
- Student Attendance Review Team

District

- Student Attendance Review Board Meeting with Parents
- Follow up on Attendance Plan

Court
Services

- Review for Services
- Contact with Parent
- Attempt to Provide Services

FINAL OPTION

- Prosecution
 - Review all Cases before a summons is issued
 - Recommend charges or alternatives to prosecution to Juvenile Court Services
 - Once charges are filed determine appropriate outcome
- Options
 - Use the weight of prosecution to motivate parents to have their children in school
 - If all else fails seek an appropriate period of incarceration

INCARCERATION AND ZERO TOLERANCE

- Zero Tolerance
 - This has been used in the recent past
 - There is some advantage to having clear and consistent policy
 - However if the goal is to have the child in school it does not allow any flexibility to work with the parent to resolve the issue
- Incarceration
 - Can be effective when all else fails and a deterrent to others
 - Major drawback—it removes the parent from the child and creates instability for the child

COLLABORATION



ALWAYS BE OPEN TO NEW IDEAS

- This year Tony Allen of the Memphis Grizzlies is giving a wakeup call to students of Shelby County Schools
- "Hello everyone. This is the Grindfather, Tony Allen--Memphis Grizzlies. Being successful takes a lot of hard work and dedication. It includes going to school every day. Go get that education. Grit-n-grind."



TRUANCY REDUCTION/MENTORING PROGRAM

- Implemented in 2006
- Commissioner Bill Gibbons
- 37% juvenile crime during school hours
- Intensive/preventative approach
- Two prong approach
- Redirect youth in community
- Positive reinforcement
- Incentive programs



INTENSIVE/PREVENTATIVE APPROACH

- Each school has assigned advocates
- 10 Case Advocates
- Following SART meetings
- Truancy referral
- Conduct weekly truancy meetings
- Monitor attendance, behavior and academic success
- Identify needed community resources/target support
- Empower schools to address critical challenge

PARTICIPATING SCHOOLS

- Alton Elementary
- Chickasaw Middle
- Coleman Elementary
- Ford Road Elementary
- Georgian Hills Middle
- Hamilton Middle
- Hanley Elementary
- Hawkins Mill Elementary
- Hickory Ridge Middle
- Hickory Ridge Middle
- Magnolia Elementary
- Ridgeway Middle
- Sherwood Middle
- Winridge Elementary

11 Shelby County Schools and 3 Achievement School District Schools

STATS BY SCHOOL YEAR

2014-2015 School Year

- Elementary students referred=1,070
- Middle students referred=924
- Total overall= 1,994
- Criminal Summonses= 303

2015-2016 School Year

- Elementary students referred=1,272
- Middle students referred=1,085
- Total overall= 2,357
- Criminal Summonses= 372

VARIATIONS BETWEEN SCHOOLS

Elementary Schools

- 7 elementary schools
- Monitor attendance, behavior and academic success
- Work closely with parents
- Wrap around services
- Attendance Awareness Program
- Gang/bull prevention

Middle Schools

- 7 middle schools
- Monitor attendance, behavior and academic success
- Work closely with students
- Assign mentors to all middle school students
- Group mentoring
- Gang/Bullying prevention
- DtWT Essay Contest

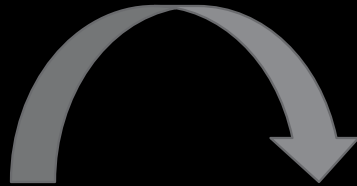
GANG/BULLYING PREVENTION

Gang Prevention

- Work closely with MGU
- Approximately 182 gangs in county
- 9,100 documented members
- Begin recruiting elementary age
- Public/school nuisance

Bullying Prevention

- Work closely with C.O.P
- Negative physical, school and mental health
- Get into fights
- Aggressive behavior
- Poor academic performance



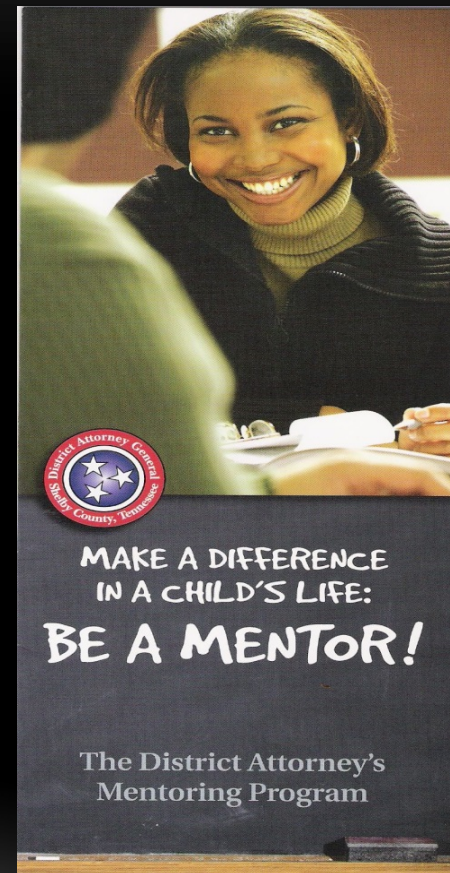
Chronic absenteeism and increased truancy rates

CREATE PARTNERSHIPS

- Memphis Grizzlies
- MPD Community Outreach Program (C.O.P.) Unit
- Girlz Life
- Girls Inc.
- University of Memphis
- MUS
- Streets Ministries
- Department of Youth Development (Operation Restart)
- Biker Dads
- Hyde Family Foundation
- Peak Pyramid
- Faith Based Community (Operation Safe Serve)
- Urban Youth Ministries
- Service and Suspension
- Agape
- Communities in Schools

MENTORING COMPONENT

- All middle school students matched
- Mentors receive extensive training
- Criminal background check
- Driving record/insurance
- 8 hours required a month
- 1 year duration
- One on one mentoring
- Group mentoring



MENTOR STATS

- 46% less likely to use drugs
- 59% more likely to get better grades
- 73% more likely to reach their goals
- 81% more likely to participate in sports
- 55% more likely to attend college



ATTENDANCE AWARENESS PROGRAMS

- Elementary schools
- Incentives to promote good attendance
- Partnered with Walmart
- C.O.P.
- Awarded 40 students per school



BIKES FOR PERFECT ATTENDANCE

- Pipkin Building
- Hyde Family Foundation
- Anonymous donor
- 213 bikes/helmets

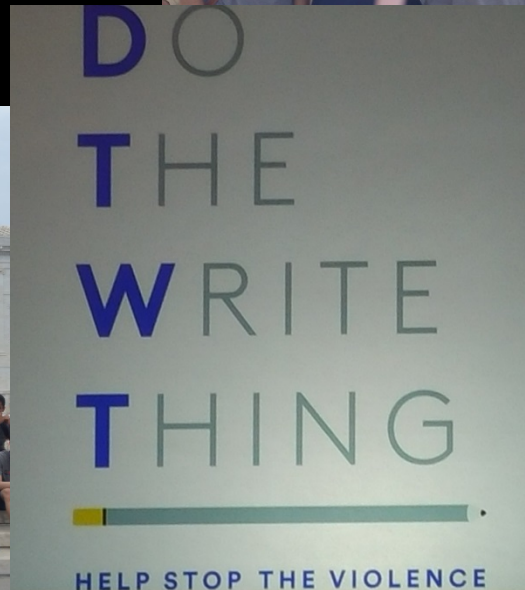
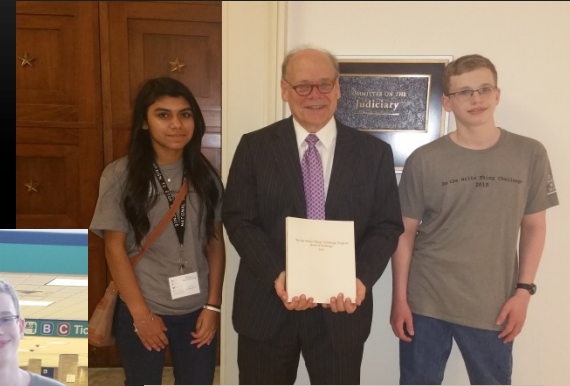




NATIONAL CAMPAIGN TO STOP VIOLENCE

- **Founded by Kuwait-America Foundation**
- **Do the Write Thing** essay Challenge
- 11th year to participate
- 23 participating cities
- Offered to all middle schools in county
- Platform for voice to be heard
- 1,100 essays from 15 schools

DO THE WRITE THING





2015-2016 NATIONAL AMBASSADORS



QUESTIONS