

## Department of Criminology and Criminal Justice

Prepared for: Memphis City Schools

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### Highlights

- In July 2007, Memphis City Schools (MCS) received grant funding through the Disproportionate Minority Contact (DMC) Pilot Project to implement the School House Adjustment Program Enterprise (SHAPE).
- The purpose of SHAPE is to reduce the number of minority students referred to Juvenile Court for minor offenses.
- Many incidents involving juveniles do not require the police to transport and in fact, most can be settled with a juvenile summons.
- The SHAPE program has clearly had the effect of reducing transports to Juvenile Court from the targeted schools.
- SHAPE has made a significant impact on the number of minority youth being held in juvenile detention in Shelby County.
- 62.5% of student referred to SHAPE graduate by completing at least twelve sessions of the Mendez curriculum sessions and meeting all other requirements of the program.
- The SHAPE Juvenile Court recidivism rate of 19.1% is far less (about half) than reasonably comparable rates.

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November 2011

## School House Adjustment Program Enterprise: Two-year Outcome and Evaluation Study, 2009-2011

### What is the SHAPE Project?

#### Background

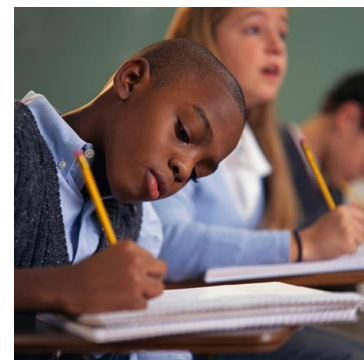
The School House Adjustment Program Enterprise, commonly known by its acronym SHAPE began in July 2007. Memphis City Schools (MCS) received grant funding through the Disproportionate Minority Contact (DMC) Pilot Project administered by the Tennessee Commission on Children and Youth (TCCY) to implement the SHAPE Program. The program is a collaborative effort between MCS, the Memphis Police Department (MPD), the Shelby County Mayor's Office, the Memphis City Mayor's Office, the District Attorney's Office, the Public Defender's Office, and the Shelby County Juvenile Court.

SHAPE is a diversion program that seeks to reduce the number of minority youth who are transported and booked into juvenile detention for especially minor charges. Mr. John Hall, a Memphis City School employee working in the Security Division, has seen the number of minority youth being transported to Shelby County Juvenile Court throughout his career. In 2007, Mr. Hall, who is also the Chair of the Shelby County Task Force on Disproportionate Minority Contact (DMC) and the Chair of the Statewide DMC Taskforce, developed a funding proposal to address the high number of minority youth being transported from Memphis City Schools.

In the proposal, the number of transports to Juvenile Court from each MCS High school and Middle School were counted and prioritized. Using this data and with considerations of the

amount of funding available from TCCY, one middle school and seventeen high schools were selected for inclusion in the program. In subsequent years, new SHAPE schools were added and others were dropped from the program. The decision to include or exclude a school from SHAPE were based on local staffing issues and emerging trends in transport trends. The schools with the highest transport number were always targeted and included in the program. In 2006-07, the number of transports for SHAPE eligible charges from SHAPE schools was nearing 1,000 students. Approximately one-tenth of all juveniles booked into Shelby County Juvenile Court in 2006 were transported for minor charges and were likely eligible for SHAPE diversion.

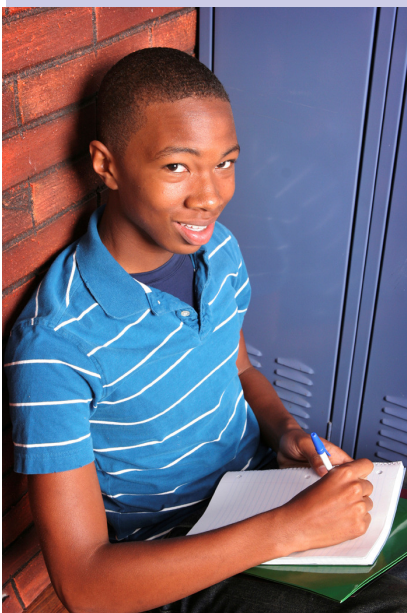
Originally, the SHAPE eligible charges were limited to three types of delinquent offenses: criminal trespassing, disorderly conduct, and simple assault. In 2010-2011, gambling was also added as SHAPE eligible offenses.



## Shape Eligibility

In order to be eligible for the SHAPE Program students must meet the following conditions.

- Students must have a pending juvenile charge for criminal trespassing, disorderly conduct, simple assault with no serious injuries, or gambling.
- Simple assault charges involving school personnel are not considered SHAPE eligible.
- A student must have no felony adjudications, convictions or pending charges.
- Participants cannot have any violent misdemeanor adjudications, convictions, or pending charges.
- Any other misdemeanor charges that have occurred within the past twelve months make a student ineligible.
- The student must agree to voluntarily participate in the program and the parent or guardian must give permission.



## SHAPE Diversion

A basic premise of the SHAPE project is that minority youth experience disproportionate levels of contact at all levels of the criminal justice system and that this situation is unjust. Individuals charged with one of the SHAPE eligible charges are not required to be transported to Juvenile Court. Law enforcement officers have substantial levels of discretion in the decision to transport. The SHAPE program reinforced the use of discretion and urged officers to instead make use of the juvenile summons rather than transport students with minor charges. In the SHAPE program, the form that precedes an actual juvenile summons form is known as the Pending Document Form. Discretionary use of summonses instead of transports to detention is in agreement with juvenile statutes which encourage detention only in cases where the juvenile poses a threat to themselves or the community.

## SHAPE Accountability

The SHAPE program is more than an adjustment in juvenile justice processes, however. SHAPE is also an early intervention program and that includes substantial emphasis on student and parental accountability. Once a student has received a Pending Document Form for a SHAPE eligible charge and meets all of the other requirements to be SHAPE eligible, the student is referred to enter the SHAPE program. Participation is voluntary. If students and their parents agree to the program, a juvenile summons will not be filed with Juvenile Court. The potential summons remains active for six months and can be filed any time during this period. In addition to reducing the number of minority youth transported on minor charges, SHAPE also seeks to substantially reduce the number of minority youth who make any contact with Juvenile Court. A true diversion occurs when there is no record

whatsoever that the student has had any contact with Juvenile Court. At the end of the six month period, if the student complies with the program the juvenile summons is destroyed. Thus, the student's name never enters any record at Juvenile Court. Student accountability for their behavior is a major component of SHAPE.

## SHAPE Curriculum

Those students and parents who agree to the SHAPE intervention must complete the SHAPE curriculum. The current SHAPE curriculum is based on best practice models developed by the Mendez Foundation. See <http://www.mendezfoundation.org/>. The curriculum is known as "Too Good for Drugs and Violence." It is a 14-week program which focuses on the latest research related to resiliency, risk and protective factors. Each session, which lasts two hours, is designed to equip students with the knowledge and behavioral skills they need to remain drug free, to improve decision-making, and to achieve positive outcomes. The curriculum is delivered after school through the week and some schools have weekend sessions as well. The MCS staff who work with the SHAPE program have received training to administer the curriculum. Students who do not complete at least twelve sessions of the curriculum as prescribed are removed from the program and their deferred juvenile summons is filed with Juvenile Court.

## SHAPE Administration

The SHAPE Program at each school has a Site Coordinator. Most schools are coordinated by a Behavioral Specialist who receives extra compensation from the funds provided by the Tennessee Commission on Children and Youth. Most Behavioral Specialists are managing programs at multiple schools. In addition to specific training to deliver the Mendez curriculum, those who are dedicated as behavioral specialists have additional education in training to deal with at-risk youth. The SHAPE coordinator is Mr. John Hall

## Evaluation Methodology

### Introduction

Early emphasis was placed on the evaluation of the SHAPE program. Wayne J. Pitts, Ph.D., an external evaluator from the Department of Criminology and Criminal Justice at the University of Memphis, has been working with the program administrators since the original proposal to TCCY was developed. This partnership has been especially beneficial for guiding self-corrections to SHAPE and monitoring the overall implementation of the program.

This report includes data for two consecutive school years between 2009-2011. During this time period, there have been slight variations in the participating schools due to funding and staffing issues. The data considered here includes information from twenty-two schools (seventeen high schools and five middle school) who participated in SHAPE between 2008-2011. The high schools have remained consistent over both years. Four middle schools were added to the existing one school in 2010-11.

### Data Collection

Behavioral Specialists were assigned to each school and charged with monitoring the students enrolled in SHAPE; implementing the curriculum and documenting the academic and behavioral progress of each of the participants. Behavioral Specialists also obtained the data needed for evaluation through the use of quantitative and qualitative structured interviews conducted on site at the participating schools throughout the school year.



The interview protocols included: referral forms, intake forms, monthly tracking forms, and exit forms for each student enrolled in the program. These forms were designed by the evaluator and approved by Memphis City Schools officials.

Extreme emphasis was placed on preserving student confidentiality and all methods discussed here were conducted in accordance with the written protocols approved by the Institutional Review Board for the Protection of Human Subjects at the University of Memphis. Site coordinators were instructed to utilize a three digit code assigned to each school. This three-digit number corresponds with the three-digit identification number assigned the students upon receipt of their information. This was done in order to protect the students identities. In addition to the individual school code, an evaluation ID code comprised of the student's initials, year of birth, and last four digits of the social security number were utilized to mask confidential data. No addresses, personal identifying information, or other contact information was stored or received by the evaluation team.

The data were transferred to the University of Memphis evaluation team in three ways: (1) a site visit to the SHAPE schools in which interview protocols were copied by the Behavioral Specialist and given to a member of the evaluation team; (2) the requested information was sent to the project facilitator and picked up by a member of the evaluation team; (3) the information was sent via fax or mail. As data were received from the site coordinators, each form was entered into a password protected Microsoft Access™ 20 database.

In addition to the data obtained by the individual MCS Behavioral Specialists, data regarding students' grades and behavioral infractions for the 2009-2010 school year was obtained from the MCS Office of Evaluation, Research, and Assessment by the evaluation team.

### Data Analysis

Official data were also obtained from Juvenile Court. Some of this data has already been aggregated while other information was subsequently merged without identifiers.

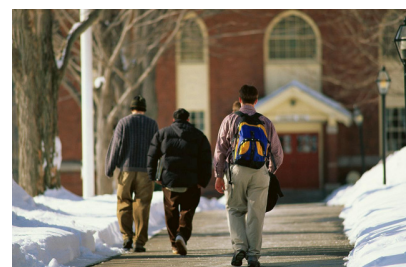
The final data set for this analysis includes information collected from 791 students. Of these, 494 completed the program successfully. The outcome investigation, which considers new referrals to Juvenile Court, is based on the performance of SHAPE graduates only. All of these analyses were done using the statistical package, SPSS 17.0™.

and he is responsible for the overall administration of the project including hiring and supervising Site Coordinators, ensuring compliance, monitoring evaluation activities, and serving as a spokesperson for the initiative.

Each month, the Site Coordinator tracks the students' excused and unexcused absences, any incidences of misbehavior while at school, suspensions, expulsions, and grade perfor-

mance in each class. If a student fails to complete at least twelve sessions of the Mendez curriculum or is otherwise non-compliant with the conditions of the program, the Pending Document Form can be upgraded to a juvenile summons and filed with the court. If the student completes the program, the Pending Document Form is destroyed and no record of any in-

volvement is ever recorded with the court.



**MCS SHAPE Schools, 2009-2011**

	# SHAPE Participants
• Chickasaw Middle	9
• Cordova High	76
• Craigmont High	61
• Fairley High	19
• Frayser High	36
• Hamilton High	37
• Hamilton Middle	1
• Hickory Ridge Middle	45
• Hillcrest High	36
• Kingsbury High	37
• Kirby High	104
• Manassas High	41
• Melrose High	34
• Mitchell High	38
• Northside High	46
• Oakhaven High	10
• Raleigh-Egypt High	66
• Raleigh-Egypt Middle	11
• Sherwood Middle	19
• Trezevant High	26
• Whitehaven High	15
• Wooddale High	24
<b>TOTAL</b>	<b>791</b>

**SHAPE Participants**

Memphis City Schools is Tennessee’s largest school district and the 23rd largest public school system in the United States. Demographically, MCS is comprised of predominantly minority students. Of the more than 100,000 students enrolled in MCS in 2010-11, 85.7% were identified as African-American and 5.9% as Hispanic. Whites comprise only 7.0% of the total MCS student body. Thus, it is perhaps not surprising that minority students account for the largest share of juveniles transported to Juvenile Court from Memphis City Schools. However, the fact still remains that minority youth come into contact with the juvenile and criminal justice systems at a disproportionate rate than non-minorities.

*Ethnicity*

Over the past two school years, African-American and Black students have accounted for 95.8% of the students referred to the SHAPE program while Whites have only comprised 1.8%. Hispanics are also under-represented compared to their percentage in the complete MCS dataset with only 2.3% of SHAPE participants identified as Hispanic.

*Gender*

There have been more females than males referred to the SHAPE program over the past two years despite the fact that females (49.2%) have a slightly lower percentage in the total MCS system. Females represent 51.8% of the students referred to SHAPE over the past two years. While only a slight difference, this is a trend to monitor moving forward.

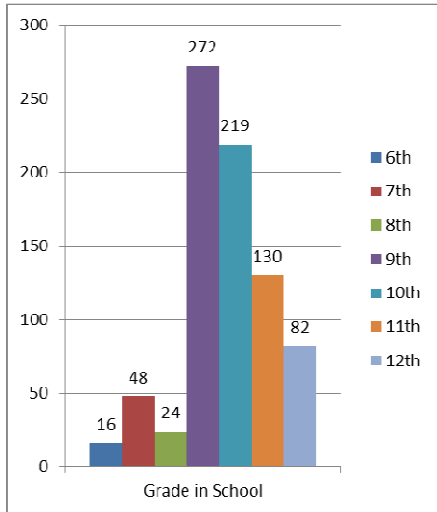
*Age*

Students referred to the SHAPE program are 15.8 years old on average with a range in age from

11-18 years old.

*Grade in School*

The SHAPE program receives referrals for students from the 6th through 12th grades. The mean grade for all students is 9.7. See Figure 1 below for a graphic representation of the distribution of SHAPE referrals by grade in school. Seventeen schools are high schools and five are middle schools. Four of these middles schools were added in the last year.



**Figure 1: Frequency of SHAPE Referrals by Grade in School**

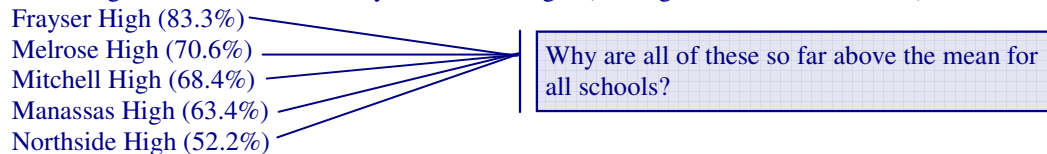


## Referring Offense

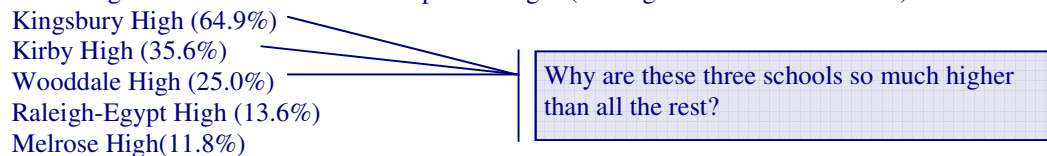
The most common offense for students referred to the SHAPE program is simple assault with no serious injury with 58.5% of all referrals being this type. Disorderly conduct (31.6%) was the second most common charge followed by criminal trespassing (12.6%), gambling (1.0%), or some other charge (1.3%). There were 40 students who had referrals for both simple assault and disorderly conduct.

A review of the referring charge information reflects some of the broad subjectivity and corresponding use of discretion by law enforcement officers between the various schools. This is not necessarily problematic since all of the charges considered are minor but it may shed some light on some potential training issues. Consider these findings.

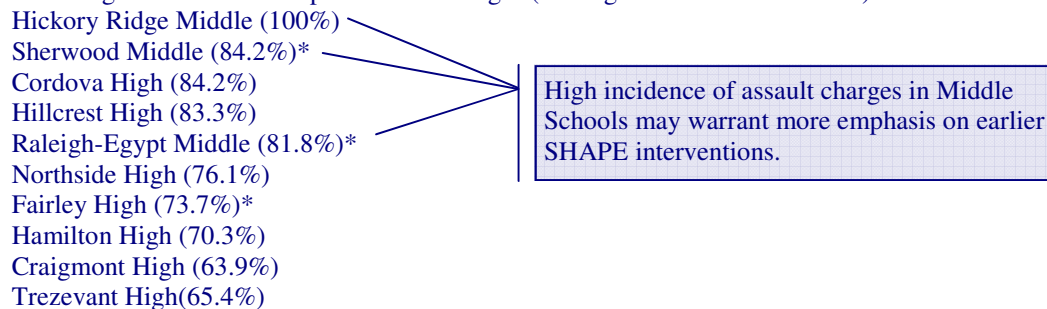
- Top Five Referring Schools with Disorderly Conduct Charges (Average of all schools=31.6%)



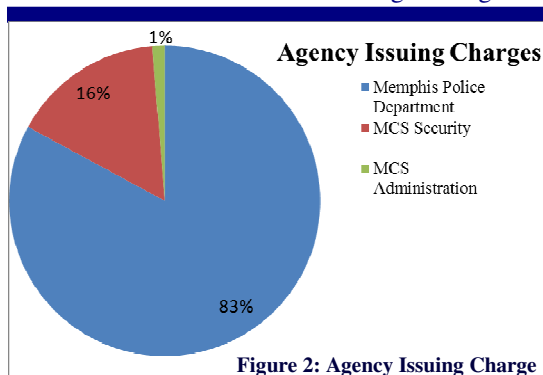
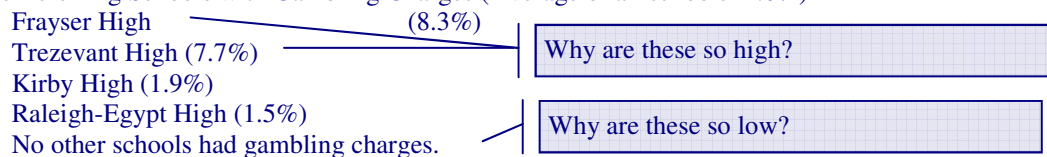
- Top Five Referring Schools with Criminal Trespass Charges (Average of all schools=12.6%)



- Top Ten Referring Schools with Simple Assault Charges (Average of all schools=58.5%)



- Top Five Referring Schools with Gambling Charges (Average of all schools=1.0%)



## Referral Agency

Referrals to the SHAPE program primarily come from MPD School Resource Officers that are assigned to most MCS schools although, other MPD beat officers called to the school can also make SHAPE referrals. MCS Security Officers made 16 percent of the referrals over the past two years and MCS administration made about one percent. Any of these referrals could have ultimately resulted in a juvenile summons to appear in Juvenile Court. See Figure 2. While most students were not arrested at the time of the incident, 83 students (10.5%) were arrested by police initially but later referred to SHAPE.

\*Fairley High, Raleigh-Egypt Middle, Sherwood Middle all have fewer than 20 cases referred.

### SHAPE Programming

SHAPE is a diversion and early intervention program. Once a student is accepted into the program, there are a number of sanctions that may be imposed in addition to the after school program and the completion of the Mendez Foundation curriculum. Nearly all students 89.6% of those referred to SHAPE are required to complete other activities.

The most common among these is a face-to-face meeting with the Behavioral Specialist. During this one-on-one interview, the trained school staff member is able to warn the students about the seriousness of their behavior and counsel them directly about the presenting issues. For many students, this initial contact is especially impactful.

Many SHAPE sites also take advantage of existing resources within the school and make referrals for tutoring. About 1 in 5 students is referred for tutoring.

Looking for positive ways to occupy a student's extracurricular time is another major area of concern for the Behavioral Special-

ists. Some students are eligible to work and a small but significant number of SHAPE participants are encouraged to apply for a job. At least fifty students (6.3%), did apply for jobs while in the SHAPE program and were assisted by program staff.

Community service is another positive activity for SHAPE participants and 106 students (13.4%) were referred to participate in community service. About half of the SHAPE students are underage and were not allowed to work or do most volunteer activities.

Restorative justice techniques are used in varying degrees in the SHAPE program. Some schools routinely use circle strategies to talk about how their behavior harms others. These circle strategies are also used by the Behavioral Specialists to organize the curriculum delivery and to discuss problem behaviors in a group setting. Although restorative justice training was provided to all Behavioral Specialists and other staff during 2010-11, there is a wide differences of opinion about how effective these strategies have been. Based on observations of the circle

strategies, it is clear that differences in the individual abilities of the circle leaders and disparities in the overall buy-in to the restorative justice models have limited implementation success. Certain schools favor the strategy, while others outright reject it.

Many students are required to write apology letters as a part of their SHAPE participation. This is also part of the restorative justice approach that defines many parts of SHAPE. A total of 133 students (16.8%) were required to write an apology letter for their behavior.

Finally, financial restitution is also sometimes used as a sanction though not very often. Only 4.9% of SHAPE participants were required to pay restitution as part of their SHAPE participation. Given the high levels of poverty among MCS students, low levels of restitution is not surprising.



### SHAPE Outcome Measure—Reduction in Transports

The primary goal of the SHAPE program since inception has been to reduce the number of minority youth that are transported from MCS and detained for minor offenses at Juvenile Court. The SHAPE project has clearly had the effect of reducing transports from the targeted schools.

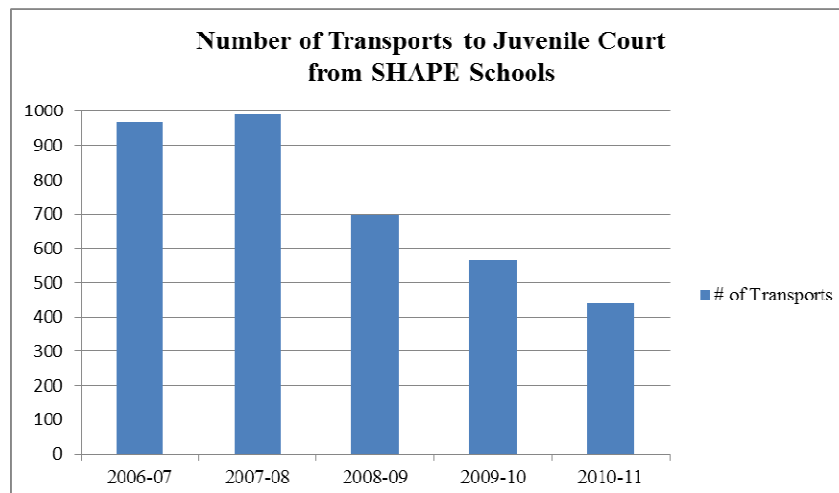


Figure 3: Number of Transports to Juvenile Court

### SHAPE Outcome Measure—Reduction in Overall Bookings

Another way of seeing the cumulative effect of SHAPE and other initiatives over the past few years is to look at the overall reduction in juvenile bookings. Table 4 below is based on the calendar year rather than the school year as in Table 3. Table 4 shows the number of bookings into juvenile detention in Shelby County since 2006. The reductions shown here are not solely the result of the SHAPE initiative. Gang reduction programs, truancy interventions, and other juvenile programming likely also contributed. Still, the overall reduction from SHAPE schools shown in Table 3 does isolate the effects of the SHAPE program well. SHAPE has made a significant impact on the number of minority youth being held in juvenile detention in Shelby County.

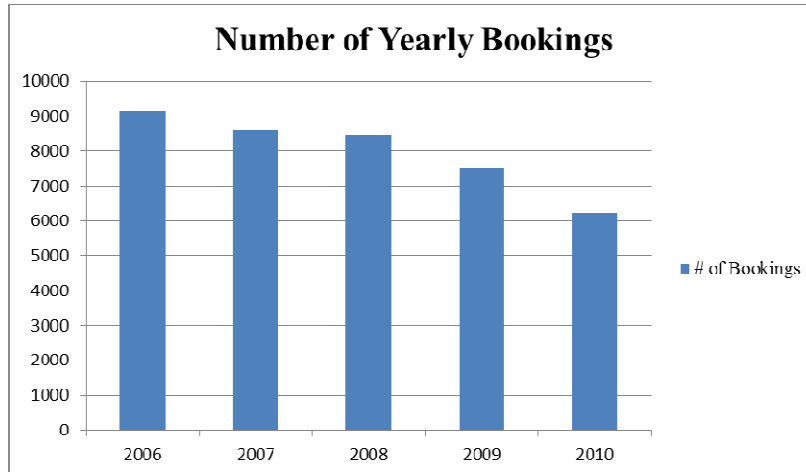


Figure 4: Shelby County Bookings into Juvenile Detention, 2006-2010

### SHAPE Outcome Measure—Completion of the Curriculum

A premise of the SHAPE program is that exposure to the intervention, especially the Mendez curriculum, will reduce future delinquency and criminal activity. Of the 791 students referred to the SHAPE program over the last two school years, 494 graduated the program (62.5%) by completing at least twelve of the Mendez curriculum sessions and meeting all other requirements of the program. A total of 114 students referred to the program refused to participate. Another 146 students (18.5%) were admitted into the SHAPE program but they were discharged prior to completion for non-compliance. These students were usually issued a juvenile summons to appear in Juvenile Court. A small number (3.7%) of those referred to the SHAPE program were dismissed from the program because they moved to a non-SHAPE school. In some case, these students were also referred back to Juvenile Court. See Figure 5.

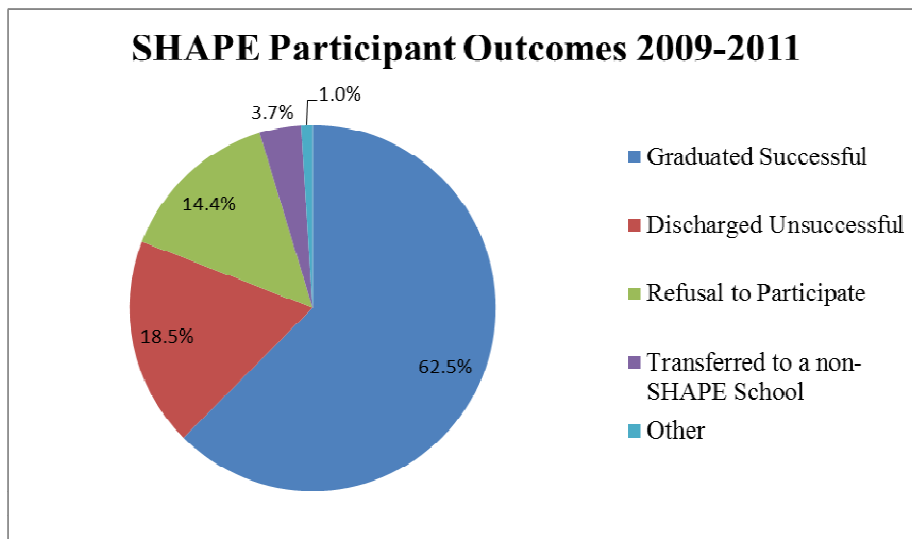


Figure 5: SHAPE Referral Outcomes, 2009-2011

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### **SHAPE Outcome Measure—Reduction in Future Contact with Juvenile Court**

Perhaps the ultimate goal of SHAPE is that all future contact with Juvenile Court will be avoided as a result of completing the SHAPE program. The evaluation team considered the outcomes of 494 graduates of SHAPE over the last two years. Nearly half (45.6%) could not be located in any of the databases at Juvenile Court for any reason. Another 35.3% had no new referrals whatsoever, although the evaluation team was able to find some reference to the child in the Juvenile Court records. These earlier records could have included previous delinquent referrals, traffic violations, or other contact with Juvenile Court. The major finding here is that 80.9% of SHAPE participants had not had any contact whatsoever with Juvenile Court since their initial referral to the SHAPE program. The State of TN does not systematically track juvenile recidivism for diversion or community corrections supervision programs. And, there is no national recidivism rate for juveniles. It is a really confusing measure of the success of juvenile justice outcomes. Based on other states, the comparable average 12 month juvenile recidivism rates are: 55% - rearrest for delinquent/criminal offense in juvenile and adult systems (FL, NY, VA); and 45% - re-referral to court for delinquent/criminal offenses in the adult and juvenile systems (CO, MD). The SHAPE Juvenile Court recidivism rate of 19.1% is far less (about half) than reasonably comparable rates.

### **Conclusions**

In August 2011, the SHAPE program was recognized as a national DMC Reduction Best Practice. Being recognized as an evidence-based practice after only a few years in existence is rare. The SHAPE model is now being considered statewide in Tennessee and there is significant interest in adopting the program in other states as well. There is some national interest in SHAPE as well and program officials have participated in national conferences with the Office of Juvenile Justice and Delinquency Prevention, the Coalition on Juvenile Justice, and recently, they have proposed a paper to the National Leadership Summit on School-Justice Partnerships sponsored by the New York State Permanent Judicial Division on Justice for Children. Also, the SHAPE model was featured in a book chapter in a book on DMC current issues and policies (Parsons-Pollard, 2011). All of this work has been made possible because the SHAPE administrator made an early commitment to evaluation and measurement of outcomes. This investment allowed the program to self-correct as issues became apparent and contributed to overall model integrity and credibility.

There are a number of areas where the SHAPE model could be improved. First, the curriculum needs to be administered uniformly. The program is necessarily decentralized and therefore the actual delivery of the curriculum is heavily dependent on the available human resources. Variation in program delivery will affect student outcomes. Furthermore, there is considerable pressure to make SHAPE accountable for matters that it was not designed to do. SHAPE is first and foremost a DMC reduction strategy. Communities that replicate this model should take this matter into account or the success of the program may be diffused. The initial years of funding from TCCY have now ended. Although steps have been taken to institutionalize SHAPE, it will be important to sustain and even increase the oversight especially as the Memphis City and Shelby County Schools merge. SHAPE could easily be lost in the mix. Perhaps, input from the newly announced partnership with the Annie E. Casey Foundation can help to continue the progress already realized.

While the effects of SHAPE have been demonstrated here, there are many other programs that have also had a hand in reducing the juvenile detention population. Perhaps the most important accomplishment of the SHAPE program has been to affect the culture of detention in this community. The partnership with the Memphis Police Department has been especially gratifying and SHAPE awareness is now a component of the annual in-service training. MCS administrators are taking advantage of intermediate sanctions and diversions like SHAPE more readily. Juvenile Court, and especially the administrators of the Detention Facility, are questioning every single transport. This cultural shift has been a complex process and the SHAPE program has been an important part.

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### **References**

Parsons-Pollard, N. (2011). Disproportionate Minority Contact: Current Issues and Policies. Carolina Academic Press, Durham, NC.

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**For more information about the Memphis City Schools SHAPE Program or this report, contact:**

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