

MEMORANDUM OF UNDERSTANDING

TO REDUCE ARRESTS AT USD 259 SCHOOLS

EXECUTIVE SUMMARY

Opportunity

Judge Teske and his team from Clayton County, Georgia visited Sedgwick County September 30, 2010. After sharing their success in DMC reduction attributed to a cross-system Cooperative Agreement to reduce arrests in public schools, Sedgwick County stakeholders realized that we had an opportunity to not only reduce Disproportionate Minority Contact (DMC); we had an opportunity to reduce arrests in our largest urban school district, Wichita Public Schools.

Concept

A cross-systems collaborative Memorandum of Understanding was developed between USD259, Wichita Police Department, and Sedgwick County Department of Corrections, Juvenile Intake and Assessment Center (JIAC) to reduce arrests at Wichita Public Schools. An Agreement to Appear (ATA) process was developed whereby the student and parent agrees to contact JIAC within 24 hours of being issued an ATA to schedule an appointment in lieu of being handcuffed at school and transported to JIAC immediately. This arrest alternative is only considered for low level offenses that are rarely charged.

Strategies

Team Justice Ad Hoc Committee

Sedgwick County's juvenile correctional advisory board is named "Team Justice". An ad hoc committee was developed whereby representatives from Team Justice were specifically tasked with developing the Memorandum of Understanding to reduce arrests in USD259 High Schools. Those individuals were: Deputy Chief Terri Moses (Law Enforcement), Chief Deputy District Attorney Ron Paschal (Prosecution), Stephanie Springer, CSOIII (Probation), Assistant High School Superintendent Denise Wren (Education), Emile McGill (African American Coalition), Tom Kimbrell (JIAC – Department of Corrections), Steve Stonehouse (Juvenile Field Services – Department of Corrections), and Lanora Nolan (Juvenile Justice Education Liaison – Department of Corrections). Presiding Juvenile Court Judge James Burgess, Sedgwick County Department of Corrections Director Mark Masterson, and Kansas State House Representative Melody McCray-Miller often attended to assist in guiding their work.

The ad hoc committee met regularly throughout the month of November 2011, January 2011, and again in May to research, conceptualize, develop and finalize the new ATA protocol and the MOU.

ATA Development

Many national and state arrest alternative models were reviewed by the committee: Clayton County's model, Memphis' School House Adjustment Program Enterprise (S.H.A.P.E.) model, and Overland Park and Great Bend, Kansas' Notice to Appear (NTA) protocol. Any barrier previously identified in regards to the Kansas Juvenile Justice Authority (KJJA) not supporting an arrest alternative in Sedgwick County was eliminated upon review of the support our sister communities were receiving from KJJA in successfully using their NTA protocol.

The committee chose to use an Agreement to Appear (ATA) model as no negative recourse would be immediately taken for students and parents who did not successfully complete the JIAC assessment as promised upon issuance. The ATA model does however allow for non-compliance to be considered in future

MOU Implementation

All aspects of the MOU were agreed to by the three collaborative systems before the 2011-2012 school year began. Once the MOU was completely written, and the administration and SROs from each USD259 high school were trained on the

process and protocols, the ATA materials were delivered to each school. The MOU was considered to be codified after all signatures were secured.

Implementation at the middle and elementary school required more time as

there are 100 school buildings with administrators in USD259 as well as many beat officers that required additional training on the new ATA procedure. The MOU will be fully implemented across the district by the end of October 2011.

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offenses in determining arrest or subsequent charging decisions made by the District Attorney.

The ATA form is a triplicate document distributed to the student at the time of issuance, the school administration where the offense to place and to the JIAC allowing for cross-system documentation, data collection in addition to checks and balances. A brochure was also developed to be distributed to the student and parent at the time of issuance. It was designed to continue the conversation and expectation once they are home. Within the brochure clear “next steps” are delineated as well as expectations and consequences for non-compliance. The shared beliefs between the three MOU systems are explained in the brochure as to why this arrest alternative is a more value added alternative to being handcuffed and

transported to the JIAC from school for low-level offenses.

JIAC Protocol

Once the ATA has been issued to the student by the SRO or the Wichita Police Officer, the top copy will be given to the school administrator who will then fax it to JIAC. This immediate process allows JIAC the opportunity to anticipate student/parent contact as well as document issuance of all ATAs. The JIAC staff will begin to contact those students/parents who do not set an appoint within 24 hours of the ATA issuance. The JIAC staff schedules appointments with students and parents for a time convenient for them to complete the risk assessment and to discuss community provided services identified by the assessment. Once the student/parent is connected to the identified community resources, the JIAC staff will follow up

with one contact to confirm that the services has begun. The JIAC staff does not continue case management services.

Data Collection

Spreadsheets including data point relevant to the ATA form are collected and documented by the JIAC Supervisor. Such data points include but are not limited to: name, gender, offense, location, date of offense, date of completion, time of average assessment, services recommended by assessment and connection to identified services.

The data is reviewed monthly as directed by the MOU through Monthly Oversight Meetings including representatives from all three collaborating systems. These meetings ensure fidelity of MOU implementation and sustainability.

Milestones

Leadership

A new superintendent was hired by the Wichita Public Schools Board of Education in 2008. He brought a new vision for collaboration with Juvenile Court, Wichita Police Department, and Sedgwick County Department of Corrections in an effort to support our community's youth to achieve more positive educational outcomes. This new partnership allowed for the ATA process to be piloted in USD259 schools who educate 50,000 students, 11% of Kansas students.

District Attorney Cooperation

The District Attorney's office agrees that the ATA is a very pragmatic, common sense approach with the appropriate partners. They choose to not be included as they cannot delegate their charging authority. Permission has been granted for law enforcement to work with the school district as set forth in the MOU. They retain all statutory and discretionary rights to charge any case that meets the standard for charging.

Inclusion of All USD259 Schools

The original concept was to pilot the ATA protocol at USD259 high schools however after determining that this value-added process

would benefit any student committing a low-level offense at school, the three systems agreed that ALL schools should be included for students identified by statute (ages 10 - 17).

First Month of Implementation

*The first month of implantation was September 2011. The following ATA data was celebrated at the first Monthly Oversight Meeting: 30 ATAs issued with 29 completed for a **97% success rate**.*

Additionally the assessments took 45 minutes to complete compared to 2 hours previously. The reduction in time is attributed to less stress on the student and parent/guardian.

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Services

The JIAC staff schedules appointments, administers questionnaires and assessments, connects clients to community services as well as document pertinent information and data for further evaluation and review.

Using locally developed screening tools, the JIAC gathers a multitude of information. The primary questionnaire is called the Juvenile Intake and Assessment Questionnaire (JIAQ), which gathers information about the student's social and family life, school issues, drug issues and arrest history. The Brief Screen is used to measure the risk for recidivating and the MAYSI-2 is used as a psychological screen.

JIAC staff members connect the student and parent/guardian to community services identified through the assessment process.

Oversight/Sustainability

The final section of the MOU a Monthly Oversight Meeting is mandated in an effort to bring all three collaborating systems together to review the data and determine what is working, what is not working and what can be done better.

The Police Department, the School District, and the Department of Corrections collectively review data to determine if the MOU is being implemented correctly and meeting the needs of all stakeholders as designed. During the first Monthly Oversight Meeting the partners identified the need to streamline the ATA notification process between the school and the JIAC.

Potential cross-systems training opportunities will be identified to strengthen the intent and operations of the MOU.

Potential Growth

USD259 educates the vast majority of students within Sedgwick County however the County boundaries contain ten different school districts accounting for over 60,000 students. The potential for growth is to not only to extend the success of the MOU throughout Sedgwick County, but with neighboring and sister counties across the state of Kansas.

The MOU partners anticipate that the positive educational outcomes for students served by this value-added arrest alternative will assist in the expansion of implementing the the ATA protocol throughout Sedgwick County.

Shared Beliefs

To accomplish this united cross-system collaboration the following shared beliefs were developed as the foundation of the ATA process:

- *Wichita Police Department officers will refer students to the school for conflict resolution alternatives rather than make an arrest(s) for the offenses of disorderly conduct or disturb the peace unless a greater public safety concern exists.*
- *Filing a complaint against a student, placing restraints on a student and*

transporting a student to secure detention should not be taken lightly.

- *The ATA provides parents/guardians and students a cooling off period before scheduling an appointment with JIAC, allowing the assessment process to take place in a more positive way.*
- *Avoiding formal arrest, handcuffing, and transporting the student to JIAC will avoid the student being negatively labeled by peers, teachers, and parents.*

- *Using the ATA will allow SROs to remain on school campuses maintaining their presence and role in providing security for all students instead of transporting students to JIAC for low level offenses.*

- *Agreeing to appear by appointment with their parent/guardian, the student will avoid association with more serious juvenile offenders at JIAC while being processed and/or waiting to be picked up by their parent/guardian.*