

JOINT RESOLUTION TO APPROVE ADOPTION OF THE FIVE-YEAR PLAN FROM THE  
MEMPHIS/SHELBY CRIME COMMISSION AS A FRAMEWORK TO ENACT LEGISLATION TO  
SUPPORT PUBLIC SAFETY INITIATIVES

WHEREAS, The Memphis City Council and the Shelby County Board of Commissioners have placed Public Safety as a key priority in its initiatives for the 2022-2023 Term; and

WHEREAS, The Memphis and Shelby County Crime Commission is an independent, non-profit 501(c)(3) organization that acts as a catalyst to bring agencies together to focus on innovative crime prevention methods and seeks to improve public safety in the Memphis and Shelby County community by identifying and promoting evidence-based best practices. It is the responsibility of all levels of government agencies, schools, businesses, neighborhood associations, hospitals, public safety agencies and local violence prevention organizations to ensure the appropriate measures are being taken to make the community a safer place for all citizens; and

WHEREAS, Specific action items for the county commission should include: scaling up and allowing police to drop youth off at Youth and Family Resource Centers instead of Juvenile Court, scaling up the Office of Re-Entry efforts, supporting Juvenile Court with resources for more intensive supervision and rehabilitation of youth and especially violent youth including residential facility, schools, and job training, supporting temporary expansion of criminal courts to eliminate backlog, evaluating and strengthening the bail system, supporting Youth Villages/Memphis Allies program, supporting after-school programs, and evaluating the prison/jail system for re-entry preparation; and

WHEREAS, Where overall crime has gone down 1.4% in 2021 compared to 2020, major violent crime has increased by 1.2%, gun related violent incidents have risen 8.3%, serious juvenile charges have risen by 20.7%, murder has risen by 7.2%, and aggravated assaults have risen by 2.4% all while Memphis Police Department officers and Shelby County Sheriff's Deputies numbers have decreased in this time period; and

WHEREAS, The Shelby County Commission supports these steps to ensure public safety and endeavors to collaborate to reduce crime and recidivism while also improving positive outcomes and reentry.

NOW, THEREFORE, BE IT RESOLVED by the Memphis City Council that the Five-Year Plan from the Memphis/Shelby Crime Commission, adopted by the Shelby County Commissioners, is hereby adopted; a copy of which is attached hereto as Exhibit A and incorporated herein by reference.

BE IT FURTHER RESOLVED, that this Resolution shall take effect shall take effect from and after the date it shall have been passed by the Council, certified and delivered to the Office of Mayor in writing by the comptroller and become effective as otherwise provided by law.

Sponsor:

Chase Carlisle

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# SAFE COMMUNITY ACTION PLAN

2022 - 2026







600 Jefferson, Suite 400 | Memphis  
901.527.2600 – Fax 901-577-0286 | [www.memphiscrime.org](http://www.memphiscrime.org)

February, 2022

A message to the community:

The 2022-2026 Safe Community Action Plan is the result of broad community input as well as input from numerous key stakeholders. While the Crime Commission Board of Directors set certain parameters for the plan and approved it, we do not view it as a Crime Commission plan but rather a true community-based plan of action. It is not intended as a strategic plan encompassing every good idea that various entities are pursuing but rather an action plan composed of steps that can be taken rather immediately to prevent and reduce crime, especially violent crime.

Recently, the Council on Criminal Justice identified ten essential steps that a community's action plan to reduce violence should include. We feel that this plan addresses all ten steps.

- ◇ The plan commits to specific, concrete outcomes.
- ◇ The plan has a focus on key people and places driving the violence.
- ◇ It engages key players as stakeholders in the plan's implementation.
- ◇ It offers those responsible for violence opportunities to change their behavior.
- ◇ The plan emphasizes place-based policing and investments.
- ◇ It places responsibility for violence reduction at the top.
- ◇ With focus on victims of domestic violence, it recognizes the need for trauma-informed approaches.
- ◇ The plan recognizes the importance of workforce development for ex-offenders.
- ◇ It supports funding for new stakeholders and approaches.
- ◇ It recognizes the importance of assessing performance based on data and information sharing.

With these essential steps in mind, coupled with the parameters set by the Crime Commission Board of Directors, we believe that, taken together, the Action Steps spelled out in this plan can, if implemented promptly and properly, have a significant impact on our community's crime rate.

A handwritten signature in blue ink, appearing to read "Bill Gibbons".

Bill Gibbons, President

A handwritten signature in blue ink, appearing to read "Ben Adams".

Ben Adams, Board Chairman



# Safe Community Action Plan 2022 – 2026

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**Mr. Craig Weiss**

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## About the Crime Commission

The Memphis Shelby Crime Commission is a 501(c)(3) non-profit corporation governed by a diverse 50-member board of directors made up of key stakeholders from both the public and private sectors. Its mission is to improve public safety in the Memphis and Shelby County community by identifying and promoting evidence-based and evidence-informed best practices. It is the leading community-based entity focused on public safety. It has created unprecedented partnerships with businesses, schools, neighborhood organizations, faith-based entities, public safety agencies, and local violence prevention organizations.

The Crime Commission was created in 1996 at a time when the Memphis community was experiencing a disturbing increase in violent crime in particular. Looking at approaches taken in a number of other cities, key public and private stakeholders came together to create the Crime Commission as an independent entity to identify and promote best practices to improve public safety. These key stakeholders included Memphis Mayor Willie W. Herenton, Shelby County Mayor Jim Rout, Guardsmark president Ira Lipman, Plough Foundation chair Diane Rudner, and new District Attorney Bill Gibbons.

Numerous best practices were identified during the initial years of the Crime Commission. Based on population, density, and crime rates, one best practice report in 1998 concluded that the Memphis Police Department (MPD) needed approximately 2,500 police officers. Mayor Herenton adopted that as a goal – a goal that was almost achieved in 2011. Other best practices adopted during the initial years of the Crime Commission included creation of a drug treatment court and a domestic violence court, creation of the D.A.'s Drug Dealer Eviction Program, and adoption of a no-plea bargaining policy by the D.A.'s Office on serious violent crimes.

## The Safe Community Plan Approach

In 2006, the community witnessed another disturbing increase in violent crime. Once again, key community stakeholders came together and agreed on the need for a community-wide plan composed of evidence-based and evidence-informed best practices. Key stakeholders included U.S. Attorney David Kustoff, Shelby County Mayor AC Wharton, Sheriff Mark Luttrell, District Attorney Bill Gibbons, business members of Memphis Tomorrow, and faculty members at the University of Memphis. The Crime Commission was quickly identified as the neutral entity that could bring every level of government and the private sector together behind a common community plan to prevent and reduce crime. Rather than identified best practices being in silos as in the past, best practices would be placed under the umbrella of a common community plan.

After a crime summit in late 2006 involving some 400 community leaders, the first five-year Safe Community Plan (2007-2011) was developed and adopted by the Crime Commission Board of Directors. Best practices in that plan included:

- The continued need for approximately 2,500 Memphis police officers but also a commitment to data-driven deployment of MPD resources to ensure those resources were in the right places at the right times to have the maximum positive impact;
- Effective use of the state's nuisance law to tackle specific locations where criminal activities were occurring, including drug houses in neighborhoods, apartment communities with high levels of crime, and clubs with high levels of prostitution and/or drug trafficking; and
- Vigorous prosecution under tough federal laws of gun crimes, in particular, convicted felons in possession of guns.

*During the five-year period of the first plan, reported major violent crime (murder, rape, robbery, and aggravated assault) dropped almost 25 percent.*

The Crime Commission took the lead in developing a second five-year Safe Community Plan (2012-2016). The plan contained a number of beneficial best practice action steps, including:

- Continued data-driven deployment of police officers and vigorous prosecution of gun crimes under federal law;
- Creation of a Multi-Agency Gang Unit in order to bring together a more coordinated approach to both preventing and investigating gang-related crime; and
- Creation of the Family Safety Center to serve as an umbrella organization for connecting domestic violence victims to services.

However, a critical setback was the net loss of some 20 percent of Memphis' police force – dropping from almost 2500 officers to less than 2000 officers by 2016. There were fewer officers to deploy in a data-driven manner to impact the crime rate. Also, the federal government no longer made prosecution of gun crime the priority it had been previously.

In addition, while the second plan included a number of key best practice action steps, including those set forth above, the plan was too broad and unwieldy with 64 specific action steps – far too many to effectively advocate, monitor, and measure their impact if implemented. Simply put, the plan lacked focus.

In 2016, the Crime Commission once again took the lead in developing a new five-year Safe Community Plan (2017-2021) but with focus on a more limited number of action steps targeting primarily violent crime.

Launched in 2017, the third Safe Community Plan consisted of five key goals and sixteen objectives or action steps. District Attorney Amy Weirich chaired the overall implementation effort.



Best practice action steps under this most recent plan included:

- A community prosecution model under which assistant D.A.s are assigned to work from specific police precincts in order to improve communications with law enforcement and be more responsive to the needs and concerns of citizens;
- A renewed commitment to increased law enforcement resources and data-driven deployment of those resources;
- Enhanced law enforcement training;
- A violence intervention initiative that includes a focused deterrence model to curb violent crime by focusing on serious repeat offenders;
- Expansion of the Multi-Agency Gang Unit;
- Strong federal prosecution of gun crime, enactment of stronger state gun crime laws, and a communications campaign to convey the consequences of engaging in gun crime;
- Expansion of the SafeWays crime prevention program in apartment communities;
- Strengthening intervention programs for ex-offenders; and
- Evaluating the existence and availability of services to domestic violence victims.

Progress was made on implementing a number of action steps/objectives under the 2017-2021 plan. MPD has made a renewed commitment to data-driven policing. While progress has been slow in expanding the number of MPD officers, the significant net loss of officers has ceased, helped to a large degree by \$6.1 million in private sector funding through the Crime Commission to, in part, provide retention bonuses to MPD officers. The Multi-Agency Gang Unit has grown from 34 officers in 2016 to 57 officers. Community prosecutors are assigned to three MPD precincts. A comprehensive assessment of domestic violence services has been conducted. A focused deterrence model has been launched under the leadership of District Attorney Amy Weirich and the Tennessee Department of Correction, with some 200 serious repeat offenders now involved. Tougher state sentencing laws have been enacted for the commission of certain types of gun crimes. The FED UP campaign was created to convey the consequences of gun crime.

There were some setbacks during the third Safe Community Plan as well. While curbing the net loss of officers, neither MPD nor the Shelby County Sheriff's Office has been able to significantly increase it's compliment. A key action step under the plan was establishment of a youth assessment center for non-violent juvenile offenders. It has proven difficult to get on track. While it enacted tougher sentencing laws for certain types of gun crimes, the Tennessee General Assembly took a step backwards by enacting legislation allowing the open or concealed carrying of a handgun without a permit (which means with no required training or background check). Overall, the COVID-19 pandemic set back by about a year implementation of a number of action steps under the plan.

Reported major violent crime declined in both 2018 and 2019. However, with the advent of the COVID-19 pandemic and social unrest, violent crime – especially gun crime – increased significantly in 2020 and continued to increase in the first half of 2021, although thankfully it began to decline in the

second half of the year. The increase was not limited to Memphis but rather impacted major cities across the country. The increase appears to have been driven primarily by violent crimes in which the perpetrators and victims knew each other, mainly murders and aggravated assaults. In the Memphis community, reported robberies - in which the perpetrators and victims do not normally know one another - continued to decline.

Major property crime (burglary, motor vehicle theft, and other felony theft) and the overall crime rate (54 different categories) continued to drop during the 2017-2021 time period of the third Safe Community Plan.

Since 2006, a key part of fulfilling the Crime Commission's mission has been to spearhead development of the five-year Safe Community Plans to significantly improve public safety in the Memphis area, galvanize diverse leaders and stakeholders in the implementation and support of the plans, monitor progress toward implementation, and measure the impact. The Safe Community Plans are not designed to be government plans. Neither are they simply Crime Commission plans. They are community-based and community-driven plans, each developed with input from hundreds of involved citizens. The new Safe Community Plan (2022-2026) continues that community-based approach.

## Research Partnership with The University of Memphis

Under the most recent Safe Community Plan (2017-2021), the Crime Commission entered a research partnership with the University of Memphis Public Safety Institute (PSI) in order to monitor progress and assess the impact of various parts of the plan as they were implemented. The PSI is housed in the University's School of Urban Affairs and Public Policy and draws on researchers from multiple disciplines and departments within the University, including the Department of Criminology and Criminal Justice. One of the hallmarks of this collaborative effort is to bring academic rigor to assessment of the crime prevention and reduction action steps of the Safe Community Plan.

The PSI has played a key role in independently evaluating and assessing the level of success of Safe Community Plan steps as implemented. The PSI has issued assessments on data-driven policing by MPD (a total of two assessments) gang safety zone injunctions, the plan's Neighborhood Safety Initiative (two separate assessments), the SafeWays program; the FED UP communications campaign, the effectiveness of domestic violence services, the Tennessee Department of Correction's administrative sanctions



system as implemented in Shelby County, and community prosecution. The assessments can be found at <https://memphis.edu/psi>.

## Development of the Current Safe Community Action Plan

As with past plans, the current Safe Community Action Plan is not intended to simply be a Crime Commission plan or to replace various strategic plans developed by public entities. Rather, it is a community action plan developed with input from key stakeholders but also the public at large.

To help ensure proper focus, the 50-member Crime Commission Board of Directors adopted the following five broad parameters as guiding principles for each action step under the plan:

- It is requested and/or supported by the relevant key stakeholder(s);
- It is designed to have a direct or indirect impact on the violent crime rate in particular;
- It is evidence-based or evidence-informed;
- It is designed to have a direct or indirect impact on the criminal justice system; and
- The key stakeholder(s) of each action step is/are agreeable to an independent evaluation or assessment of both processes and outcomes.

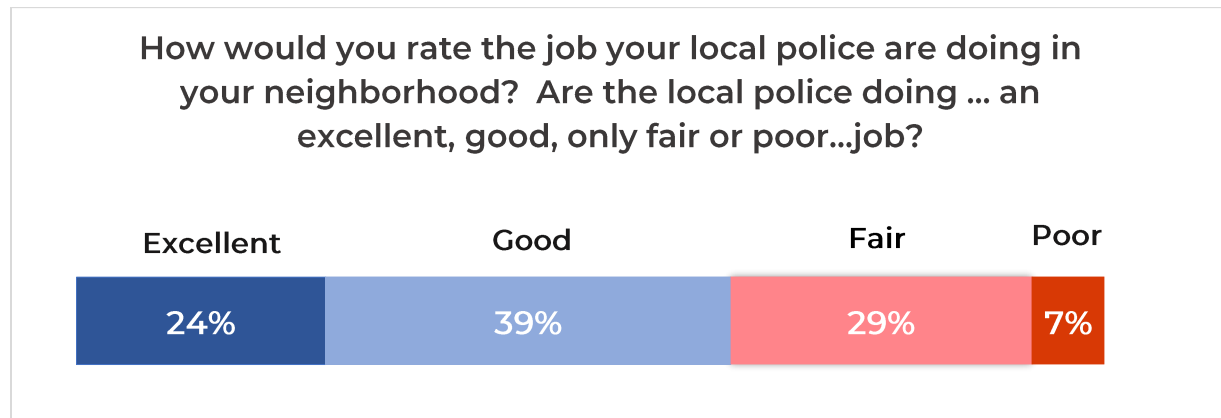
The Crime Commission consulted numerous key stakeholders in development of the plan and sought to gain insight into both concerns and approaches from the community at large through (1) a professional public opinion survey and (2) numerous meetings throughout the community.

The public opinion survey was conducted in September of 2021 by Public Opinion Strategies, with the Carter Malone Group serving as a consultant. The survey was of 425 registered voters in Shelby County, with 65 percent being from the city of Memphis. Countywide, the demographic breakdown of survey participants was 46 percent African American and 48 percent white; 60 percent female and 40 percent male; 43 percent 18-44 in age, 33 percent 45-64, and 24 percent 65 or older. Among Memphis survey participants, the demographic breakdown was 58 percent African America and 37 percent white, with the gender and age breakdown very similar to the countywide breakdown.

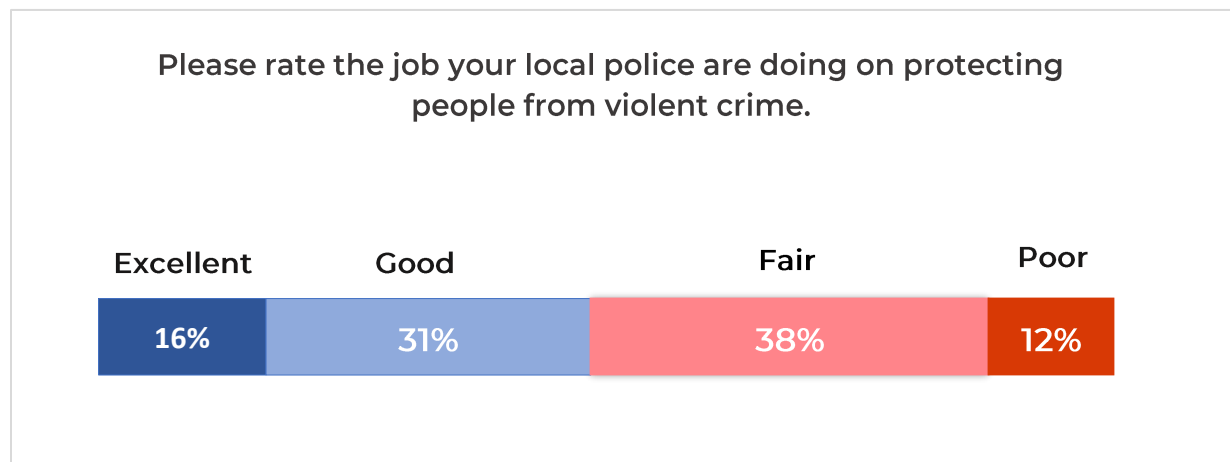
While the COVID-19 pandemic still topped voters' priorities (30 percent of the total), crime and public safety topped the list of second tier issues (22 percent of the total). When asked the most important crime concern on which to focus, gun violence was by far the number one concern (48 percent of the total). Human trafficking (11 percent of the total) and juvenile crime (10 percent of the total) were also significant concerns.

When asked to rate the job local police were doing in their neighborhood, the overall response by survey participants was very positive, with 63 percent feeling they were doing an excellent/good job and 36 percent indicating a fair/poor job. Breakdowns by age, geography, and race show some differences. Those 65 and older gave local police the highest rating, with 80 percent indicating

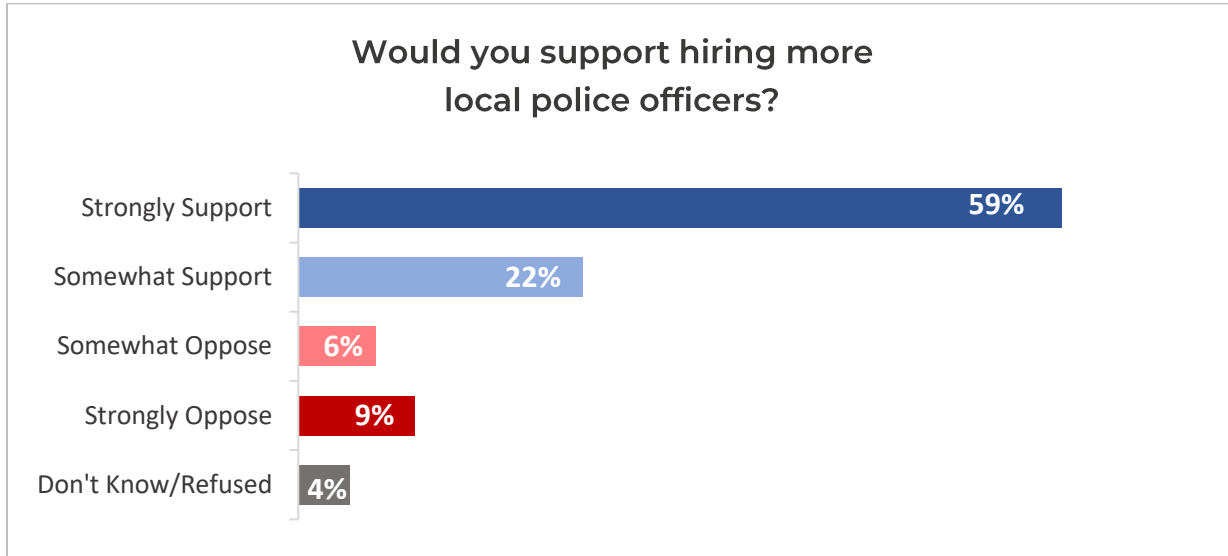
excellent/good. Those 18-44 years old gave police the lowest rating, with 50 percent rating them excellent/good. Memphians gave local police a mixed rating, with 51 percent rating them excellent/good and 47 percent indicating fair/poor. Respondents outside of Memphis gave local police an overwhelming 83 percent excellent/good rating. Finally, there were differences based on race, with African American respondents giving a mixed rating of 51 percent excellent/good and 47 percent fair/poor, while 74 percent of white respondents gave an excellent/good rating and 25 percent a fair/poor rating.



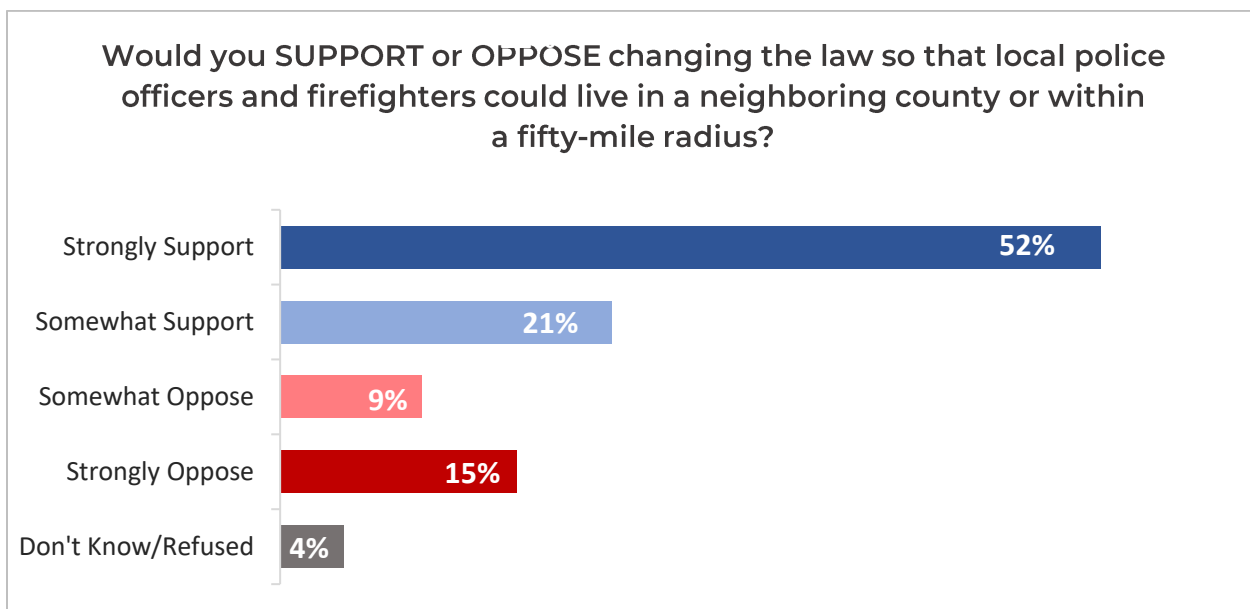
The biggest area for local police improvement appears to be in protecting people from violent crime. Overall, 50 percent of respondents indicated the police were doing a fair/poor job of protecting people from violent crime, with 47 percent saying they were doing an excellent/good job. Significant differences appear between (1) Memphians and non-Memphians and (2) race of the respondent. Only 34 percent of Memphis respondents said local law enforcement was doing an excellent/good job of protecting people from violent crime compared to 73 percent of non-Memphians. And only 37 percent of African American respondents felt the police were doing an excellent/good job of protecting people from violent crime, while 58 percent of white respondents felt they were.



Part of the answer to the concern about protection from violent crime appears to be support for hiring more police officers. Support for hiring more police officers was both wide (81 percent total support) and deep (59 percent “strongly support”). Every demographic subgroup supported hiring more police officers, including wide majorities of men (81 percent), women (82 percent), white voters (84 percent), African-American voters (80 percent), Memphians (79 percent), and non-Memphians (85 percent).



In addition, nearly three quarters (73 percent) of voters countywide supported loosening the residency requirements for police officers and firefighters. Again, support cut across every major subgroup, including Memphis voters (69 percent), men (71 percent), women (74 percent), African-Americans (64 percent), and whites (81 percent).



Overall, survey respondents held nuanced views on the public safety climate and the criminal justice system.

An overwhelming 77 percent indicated they felt safe in their own neighborhood. There were some slight differences based on race, with 87 percent of white respondents indicating they felt safe and only 67 percent of African-Americans indicating so.

Nearly three quarters (74 percent) of respondents rated community involvement in programs like neighborhood watch as an “effective” tool in fighting crime, with no distinction in responses based on race. However, voters surveyed outside of Memphis felt more strongly that such programs were effective (83 percent) compared to Memphians (69 percent).

A majority of respondents (54 percent) felt that victims of crime got little support or not much support at all from the criminal justice system, indicating significant room for improvement. Pessimism about support for victims cut across all demographic subgroups.

The community – across all major subgroups – held mixed opinions on the criminal justice system’s treatment of juvenile and adult offenders. A slim plurality believed the system was “about right” in treatment of both juveniles and adults. However, more respondents saw the system as too “lenient” rather than too “harsh” for juveniles (34 percent v. 20 percent) and for adults (32 percent v. 20 percent). While being nearly aligned on the treatment of juveniles, white voters and African-American voters differed some on the treatment of adults, with fewer African-American respondents feeling they were being treated too leniently and more feeling they were being treated “about right.”

There was a strong across-the-board support (93 percent) for providing more resources to offenders when they return to the community. And there was also across-the-board support (93 percent) for focusing more resources on holding serious violent offenders accountable.

A more detailed summary of the public opinion survey is available at <https://memphiscrime.org>.

In addition to the public opinion survey, the Crime Commission reached out to approximately 800 members of the community through a total of eleven meetings. Some of the meetings focused on specific issues (such as two community meetings on gun violence attended by a total of approximately 375 participants and a domestic violence forum attended by approximately 125 participants) while others focused on a wide range of issues.

Seven of the eleven meetings were in-person, with the others being virtual. At the in-person meetings, participants were given the opportunity to complete a survey, with the questions being similar to the questions in the public opinion survey.

Responses by participants at the in-person meetings are admittedly slanted since their participation was largely based on their concern about public safety, with the two best attended in-person meetings dealing specifically with gun violence. However, there were some common themes about law enforcement, community involvement in preventing crime, and the criminal justice system.

Unlike the professional public opinion survey, in which the COVID-19 pandemic was the major concern, the major concern of the 270 participants completing surveys at the in-person meetings was crime and public safety, with 51 percent of respondents citing it as their number one concern following by jobs and the economy at 19 percent. When asked their top public safety and crime concern, 68 percent cited gun violence, followed by 7 percent citing juvenile crime and 6 percent noting domestic violence.

When asked to rate the job local police were doing in their neighborhood, 52 percent felt they were doing an excellent/good job, and 39 percent felt they were doing a fair/poor job. As with the professional survey, in-person meeting participants completing the survey felt the biggest area of improvement for local law enforcement was protecting people from violent crime, which is consistent with the high level of concern about gun violence. A majority – 52 percent – felt the police were doing a fair/poor job, and 39 percent felt they were doing an excellent/good job protecting people from violent crime.

Even more than in the professional public opinion survey, participants in the in-person community meetings overwhelmingly supported hiring more police officers, with 92 percent supporting and 76 percent saying they “strongly support” hiring more officers. Among the in-person meeting respondents, 83 percent supported loosening the residency requirement for police officers and firefighters, with 63 percent saying they “strongly support” loosening the residency requirement.

Consistent with those findings, 84 percent of the in-person meeting respondents indicated a desire for more police presence in their own neighborhood. Also consistent was the overwhelming support for community involvement through such efforts as neighborhood watch, with 73 percent indicating they were effective at preventing crime.

A majority (52 percent) of in-person meeting respondents felt that victims of crime got little support or not much support at all from the criminal justice system, while 37 percent felt they received some support or a lot of support.

A much higher percentage of the in-person meeting participants felt the criminal justice system was “too lenient” in its treatment of both juvenile and adult offenders. For juvenile offenders, 41 percent felt they were treated “too leniently” while only 16 percent felt they were treated “too harshly.” For adult offenders, 51 percent of respondents felt they were treated “too leniently” while 14 percent felt they were treated “too harshly.” An overwhelming 81 percent felt more resources and efforts should be focused on holding serious offenders accountable.

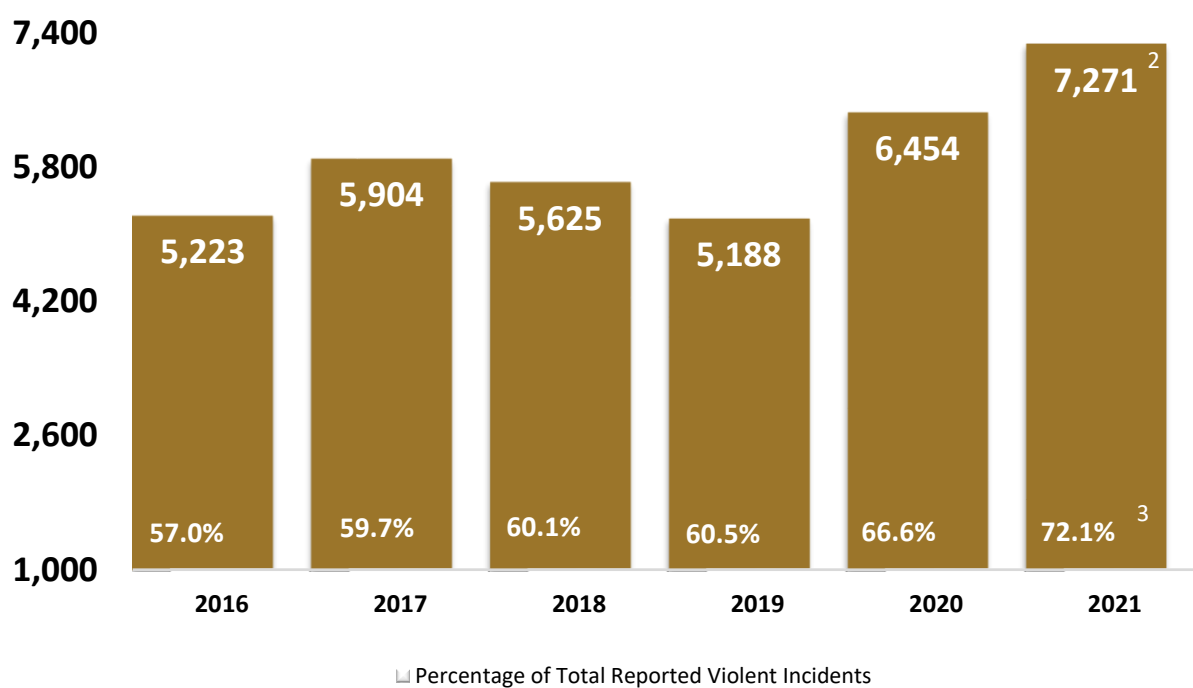
At the same time, there was overwhelming support for helping offenders who have been incarcerated move in the right direction once they return to the community, with 81 percent supporting more resources to assist them, such as jobs, job training, and treatment for drug addictions and behavioral health issues they may have.

Looking at the results of the public opinion survey and responses from participants in the in-person community meetings, there were common areas of agreement – support for more police officers,

belief in community involvement in preventing crime, support for re-entry programs for ex-offenders, and overriding concern about the level of gun violence in the community.

The concern about gun violence is well-placed, with the crime data showing a growing challenge.

## NUMBER OF REPORTED VIOLENT INCIDENTS INVOLVING GUNS IN MEMPHIS AND PERCENTAGE OF TOTAL REPORTED VIOLENT INCIDENTS<sup>1</sup>



<sup>2</sup>

<p>▲ 39.2% In 2021 Compared to 2016</p>	<p>▲ 11.1% In 2021 Compared to 2020</p>
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<sup>3</sup>

<p>▲ 26.5% In 2021 Compared to 2016</p>	<p>▲ 8.3% In 2021 Compared to 2020</p>
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<sup>1</sup> “Violent incidents” are (1) murder, (2) manslaughter, (3) justifiable homicide, (4) forcible rape, (5) aggravated assault, (6) aggravated domestic violence assault, (7) aggravated child abuse, (8) robbery of individual, (9) robbery of businesses, and (10) carjacking. (There can be more than one offense in an incident. For example, three victims in an incident would count as three offenses.) Sources: Memphis Police Department and Dr. Angela Madden, UofM Public Safety Institute.

At the two community meetings focused on gun violence, comments by both key stakeholders and community participants reflected genuine concern about a gun violence epidemic.



Some comments by key stakeholders included the following:

- “No one thing is going to fix the gun crime problem.” (Sheriff Floyd Bonner)
- “Sometimes we need to get out of our comfort zone and do things that are uncomfortable. We need to take over our neighborhoods.” (Vinessa Brown of Lifeline to Success)
- “Think about gun violence as a health crisis.” (Dr. Andy Kerwin, Chief of Trauma Surgery at Regional One)
- “We are in it to win it!” (MPD Chief C.J. Davis)
- “We’ve got to do a better job of identifying mental health resources.” (Sheriff Floyd Bonner)
- “Change does not occur without struggle and sacrifice.” (Dr. Bruce Randolph, Chief Health Officer at the Shelby County Health Department)
- “For every gun crime there is a victim we must remember.” (District Attorney Amy Weirich)
- “Do not expect others to do things you can do. Tell somebody what’s going on.” (Vinessa Brown of Lifeline to Success)
- “Adverse community environments can create a climate of crime.” (Dr. Michelle Taylor, Shelby County Health Department Director)
- “Most gun crimes are committed by young men without purpose.” (Acting U.S. Attorney Joe Murphy)
- “We need to find out what makes people commit violent crimes.” (Sheriff Floyd Bonner)
- “We need a state law temporarily prohibiting family members in crisis from possessing guns.” (Mary Powers of Moms Demand Action)

Some of the comments from community participants included the following:

- “We need to invest in the community and give young people something to do.”
- “We need to focus on the adults who influence the children.”
- “Until we get serious, we’re going to keep having people sleeping in their tubs and afraid to sit on their porches.”
- “We need a St. Jude approach to mental health in this community.”
- “Open, permit-less carry is putting more guns in the wrong hands.”
- “Leaders need to get out into the neighborhoods and show people they care. Why aren’t more of them here tonight?”

# Overall Safe Community Action Plan Outcomes

The current plan (2022-2026) has four overall primary outcomes:

- |   |   |
|---|---|
| <ul style="list-style-type: none"><li>• A 30 percent reduction in reported major violent crime.</li><li>• A 30 percent reduction in reported violent incidents involving guns</li></ul> | <ul style="list-style-type: none"><li>• A 20 percent reduction in reported major property crime.</li><li>• A 20 percent reduction in reported overall crime</li></ul> |
|---|---|

## Safe Community Plan Action Steps

The specific Action Steps in the Safe Community Action Plan reflect the overwhelming challenge of, and concern about, gun violence but also address a number of other challenges, concerns, and areas of focus, many of which also touch on the issue of violent gun crime.

### GUN VIOLENCE

The plan has two overall primary outcomes related to gun violence:

- |   |   |
|---|---|
| <ul style="list-style-type: none"><li>• A 50 percent reduction in murders</li></ul> | <ul style="list-style-type: none"><li>• A 50 percent reduction in aggravated assaults</li></ul> |
|---|---|

#### Action Step 1

Maintain and scale up the current focused deterrence initiative which uses a “carrot and stick” approach and apply it to serious juvenile offenders as well as adults.

- ❖ **OUTCOME:** At least 50 percent of participants remain “on track” over a two-year period
- ❖ **KEY STAKEHOLDERS:** D.A.’s Office; TN Department of Correction; Juvenile Court; Memphis Allies

Focused deterrence, also known as the pulling levers approach (Kennedy, 1997), was a revolutionary crime prevention and intervention approach when first proposed. (Kennedy, 2009; Schoofs 2006). Focused deterrence works by focusing law enforcement and social service resources on known high-

risk offenders. Assuming that some offenders weigh subjective expectations of the costs and benefits of future criminal behavior (Paternoster, 2010), the process involves: 1) identifying recurrent serious offenders, 2) having call-ins with the offenders at which stakeholders communicate with them that violent behavior will no longer be tolerated, and that there will be swift, certain and severe consequences for reoffending (stick approach), and 3) if individuals should choose to stay away from violence, providing them with resources (carrot approach). Beginning with Boston's Operation Ceasefire (formerly Boston Gun Project), the effort involved problem-oriented policing along with law enforcement and community stakeholder collaboration to reduce gang violence. Overall, Operation Ceasefire resulted in a 60 percent reduction in youth homicides and led to several, similar programs being launched both within the U.S. as well as globally (Braga et al., 2001; Kennedy, 1997).

A systematic review of past research found that focused deterrence is a "very promising" crime prevention approach, with ten evaluations of initiatives showing a statistically significant effect of focused deterrence on crime outcomes, with initiatives aimed at deterring gang or group behavior having a larger effect than on drug-related crimes (Braga and Weisburd, 2012b, 2012a). Other studies have looked more specifically at focused deterrence impacts on homicide and gun violence (Braga and Weisburd, 2012a) and more recently have considered recidivism rates among probationers (Hawken and Kleiman, 2009). An evaluation of the Kansas City No Violence Alliance found that implementation of focused deterrence resulted in an immediate reduction in homicides and gun violence, though these improvements began to diminish after 12-months post-intervention (Fox and Novak, 2018). Evaluations in Minneapolis, Indianapolis, Stockton, Cincinnati and many other locations found measurable reductions in group-involved and gun-related violence under focused deterrence (Braga and Weisburd, 2012a; Tillyer and Kennedy, 2008). Project HOPE focused more on recidivism rates among Hawaiian probationers and found that recidivism rates were lower among probationers subject to swift, certain, and graduated sanctions under focused deterrence (Hawken and Kleiman, 2009). Finally, other studies (Wallace et al., 2016) have considered the impact of offender notification forums, finding that those who attended the notification meetings were less likely to be arrested and incarcerated.

Under the leadership of District Attorney Amy Weirich, a focused deterrence initiative began on a pilot basis in 2018. It seeks to identify serious offenders likely to re-offend without intervention. After a pause in 2020 due to the COVID-19 pandemic, the initiative was scaled up in 2021 and now includes some 200 serious offenders either on probation or parole and identified by the Tennessee Department of Correction (TDOC) as "high risk." At in-person call-ins, participants receive a clear message that there is help available to move them in the right direction to become productive members of the community but an equally clear message that the full force of the law will be used against them if they do not change their behavior. The effort is showing promising results so far. The challenge is to maintain it and scale it up further, including application to serious juvenile offenders. The Public Safety Institute is working with the District Attorney's Office and TDOC to develop data collection for an effective evaluation.

The focused deterrence initiative will collaborate with Memphis Allies and other local organizations such as Lifeline to Success, HopeWorks, and the Memphis Housing Authority to ensure that a variety of effective, supportive services are available to participants. Memphis Allies is a collaborative effort coordinated by Youth Villages to reduce gun violence in Memphis. Participants at the highest risk can be referred to Memphis Allies for assessment and connection to intensive services to assist in keeping individuals in the focused deterrence initiative “on track.” Lifeline to Success and HopeWorks are both respected providers and have been offering services to focused deterrence participants since the beginning of the initiative.

## **Action Step 2**

Scale up the current Group Violence Intervention effort by expanding the number of credible violence interveners who seek to prevent acts of retaliatory violence.

- ❖ **OUTCOME:** The number of interveners retained and assigned to the 901 BLOC Squad, Regional One, LeBonheur, and the Shelby County Schools
- ❖ **KEY STAKEHOLDERS:** City of Memphis Mayor’s Office; 901 BLOC Squad; Shelby County Schools

Group violence intervention models, with some of the more recent versions commonly called “Cure Violence,” attempt to form individual and community-level change in areas where it is common for individuals to carry guns and to settle conflicts with gun-related violence (Butts et al., 2015; Delgado et al., 2017). Many of these types of efforts utilize strategies like public-health interventions to reduce other harmful behaviors. They involve detecting and interrupting potentially violent conflicts through the utilization of violence interveners. Violence interveners are selected due to their past experiences with crime and violence and are hired due to their ability to establish relationships with individuals who are the most at-risk for engaging in violent behaviors. Through their past experiences they usually know the daily routines of individuals involved in crime and are seen as more credible due to those past experiences.

As noted in Action Step 1, another approach to violence intervention is identifying and treating individuals who are on parole or probation and are at high risk of engaging with violent conflict and includes mobilizing the community to change the norms surrounding the use of guns and gun-related violence. Action Step 2 focuses on use of interveners or violence interrupters to convince individuals who are not necessarily on parole or probation, and the community more broadly, that there are other, less harmful alternatives to resolve conflict (Butts et al., 2015).

Recent adoptions of such efforts have found promising, albeit varying, results in multiple cities, including Chicago, Baltimore, Brooklyn, Phoenix, Pittsburg, and Boston. Some of these mixed results are due more to obstacles in program implementation, including absence of community buy-in and problems associated with staff hiring and training (Abt, 2019). For instance, a process and impact evaluation of the Chicago’s Operation Ceasefire found that the program led to a reduction in violence

in four neighborhoods (Butts et al., 2015; Skogan et al., 2009). The Chicago study showed how the utilization of violence interrupters was important in mitigating violence. Baltimore's Safe Streets Program found that interventions influenced homicides and non-fatal shootings (Webster et al., 2013). Save our Streets program in Brooklyn also found gun violence decreased, though this finding was not significant (Picard-Fritsche and Cerniglia, 2013). However, compared to other neighborhoods, gun crime did decline, and thus is seen as evidence that the program worked. Other locations such as Pittsburg did not find a significant association between the effort and a reduction in homicides. However, police had almost no knowledge of the effort being implemented, although it did have support from local clergy (Wilson and Chermak, 2011; Wilson, Chermak, and McGarrell, 2012). Nevertheless, there is a strong interest in violence prevention efforts that do not rely solely on the utilization of law enforcement, making the use of interveners a worthwhile and promising approach.

In response to the alarming surge in gun violence, and more specifically gun-related murders, Memphis Major Jim Strickland has established the Group Violence Intervention Program to target those most at risk of shooting and/or being shot. A key player in the mayor's initiative is the 901 BLOC Squad (which stands for Building Better Lives, Opportunities, and Communities). The 901 BLOC Squad is an intervention effort designed to reduce gun violence by preventing retaliation through "shuttle diplomacy" and changing behavior. Founded in 2000, it is in the process of scaling up its street level intervention and outreach as a key part of Mayor Strickland's initiative. Another key part of the mayor's intervention initiative involves working with hospitals, primarily Regional One and LeBonheur, to provide in-hospital intervention to survivors of gun violence in order to reduce retaliations. The city is also working with the Shelby County Schools to insure that school-based intervention is part of the effort. Many of our murders, as well as aggravated assaults, are retaliatory in nature. A scaling up of this effort, coupled with effective implementation at the street, hospital, and school levels, can have a significant impact on the level of gun violence in the community, especially gun-related murders.

### **Action Step 3**

Continue vigorous federal prosecution of gun crime as a priority through Project Safe Neighborhoods.

- ❖ **OUTCOME:** The number of gun cases prosecuted and the conviction rate
- ❖ **KEY STAKEHOLDER:** U.S. Attorney's Office

After witnessing a fairly consistent decrease in the violent crime rate in the United States over a forty-year period, gun crimes have risen nationwide in recent years. With violent gun crime increases occurring in cities across America in 2020 and 2021, one city with significant decreases has been Boston. Officials attribute the decreases in large part to a focus on increased firearm arrests, including illegal possession charges (Boston Harold, 2021).

There have been many different efforts in all different forms that have aimed at being evidence-based violent and firearm crime reduction approaches. In 2001 the U.S. Department of Justice created

Project Safe Neighborhoods (PSN) as an initiative focusing on reducing gun crime through means of proactive policing, enhanced sentences for gun crime offenders, and collaborative efforts of community leaders to identify and prosecute these offenders (Dalton, 2002; McGarrell et al., 2009). Previous studies have shown only a small group of people are usually responsible for the majority of crimes being committed (Braga et al., 2001; Uchida and Swatt, 2013). PSN operates in this manner in order to have a larger effect on decreasing crime.

Over the past few years, PSN programs have been shown to have a substantial effect on decreasing gun crimes (Decker et al., 2007; McGarrell et al., 2007; Barnes et al., 2010). PSN programs usually rely on certain criteria for identifying individuals such as gang members or repeat violent offenders to target for federal prosecution (Papachristos and Kirk, 2015). After these individuals are identified, PSN attempts to deter future criminal behavior by increasing the assurance that these offenders will not only be caught but will face even higher sanctions under tough federal sentencing laws (Bynum and Decker, 2006). The PSN effort was modeled to a large degree on Project Exile in Richmond, Virginia, which saw a 40 percent decrease in homicides (Rosenfield et al., 2005). Under a PSN initiative in Chicago, crime rates dropped 35 percent in neighborhoods where the effort was targeted (Papachristos et al., 2007).

In 2002, the U.S. Attorney's Office for the Western District of Tennessee launched a local version of PSN, with emphasis on crimes committed with guns and convicted felons in possession of guns. The Memphis community witnessed significant reductions in gun crime, especially during the 2007- 2011 time period. In recent years, the office has renewed its commitment to vigorous federal prosecution of gun crimes as part of PSN. The office selects strong cases to prosecute, and the conviction rate has remained high. Continued prosecution under strong federal gun laws with non-probable sentences can serve as both (1) a deterrent and change the behavior of at least some and (2) incapacitate those who persist in committing gun crimes.

#### **Action Step 4**

Communicate to the street level a clear message about the consequences of engaging in gun crime.

- ❖ **OUTCOME:** The level of awareness of the communications campaign among the targeted audience
- ❖ **KEY STAKEHOLDER:** Trust Marketing

The use of mass media campaigns can be traced back to the early 1990s with the growth of newspapers and radio. However, over the past few decades the use of mass media campaigns has increased in order to address various behaviors. (Wakefield, Loken and Hornik, 2010). The increase of these campaigns can be associated with their ability to broadcast different, focused messages to large audiences continually, with the hope of creating some form of change within the audience. Mass media campaigns have been used to target large populations for many purposes such as health issues, politics, and crime concerns.

To help distribute the message, many organizations use media consumption behaviors of the targeted audience to find the best method of dispensing the message (Abrams and Maibach, 2008). These methods include a variety of different platforms such as television, radio, billboards, and social media (Facebook and Twitter).

Through mass media campaigns, the goal is to create a form of behavior change within the targeted population. While analysis of crime prevention and deterrence is limited, studies have shown that such campaigns directed at reducing alcohol-impaired driving and alcohol-related crashes appear to have an impact if they are carefully planned, well-executed, adequately exposed to the target audience, and implemented with other activities such as high-visibility enforcement. They suggest also that such campaigns are cost effective, with estimated societal benefits exceeding the costs of developing and conveying the campaign message. Several of the studies suggest that a mass media campaign can play an “agenda setting” role by influencing public perceptions about the importance of a particular issue. (Elder, Shults, Nichols, Thompson, and Rajab, 2004).

A key part of the previous 2017-2021 Safe Community Plan was a media campaign to communicate the consequences of engaging in gun crimes. Memphis had faced a record year for homicides in 2016 (a record since broken in 2020 and again in 2021). In 2017, Memphis Mayor Jim Strickland helped recruit Trust Marketing to assist in developing such a campaign since it had previous success in anti-crime campaigns in the Memphis community. The FED UP campaign launched in mid-2017. Trust Marketing brought in Jerald Trotter as the man behind the “don’t lose your head, use your head” message. Trotter was convicted of second degree murder as a result of gun violence and served time in a Tennessee prison. The message of the FED UP campaign was to deter gun violence by conveying (1) law enforcement’s commitment to pursuing those who commit gun crimes and (2) prosecutors’ commitment to seek the maximum available sentences. The messaging was tailored to reach and impact primarily 16- to 34-year-old males. Many media partners were generous stakeholders, providing hundreds of thousands of bonus coverage and added value to the campaign according to Trust Marketing.

In late 2017, the Public Safety Institute (PSI) at the University of Memphis began collecting data for an assessment to gauge (1) awareness of the FED UP message as the campaign progressed and (2) whether the campaign had an impact on the level of violent crime (most of which is committed with guns).

During this time period, law enforcement officials – led by the U.S. Attorney’s Office – conducted a Cease Fire meeting each month with new individuals placed on state correctional supervision (parole or probation). In September of 2017, the PSI began collecting surveys from Cease Fire participants to measure their awareness of the FED UP campaign. (Other groups were surveyed also, including a juvenile Cease Fire group, a group of Shelby County Division of Corrections inmates, and a group of Shelby County Schools ACT students.) For those respondents aware of the FED UP message, they were asked where they had seen an ad and were allowed to select more than one option.

Trust Marketing provided data pertaining to the dosage amount of the FED UP campaign, including billboard locations, air times on the radio, television air times, and number of clicks on various websites. This data were then compared to violent firearm offenses, which were provided by the Memphis Police Department.

The assessment reached the following conclusions:

- Over 60 percent of survey respondents indicated they had seen or heard the FED UP message, with TV, billboards, and radio being the top sources.
- Recognition of the FED UP campaign increased during the heaviest media dosage months and began trailing off as the campaign declined. The level of awareness appeared to be related to the level of advertising.
- Reported violent firearm incidents declined in both 2018 and 2019 compared to the previous year. This may be attributable to a combination of factors working together to change behavior, including strong data-driven law enforcement efforts, strong prosecution of gun cases, and conveying the consequences of engaging in gun crime through the FED UP campaign.
- To clearly determine its effectiveness, the FED UP campaign needed to run longer than the roughly two-year time frame.

This plan calls for a renewed and sustained effort to communicate to the street level the consequences of engaging in gun violence as part of a multi-faceted approach to reducing gun crimes (as reflected by various other Action Steps in the plan). With support from the City of Memphis, this renewed effort has already begun, with digital media, particularly geo-fencing, becoming the most direct means of reach. The challenge is to sustain the effort through adequate funding.

## **Action Step 5**

Develop and implement an effort to reduce thefts of guns from vehicles.

- ❖ **OUTCOME:** A 75 percent reduction in gun thefts from vehicles
- ❖ **KEY STAKEHOLDERS:** U.S. Attorney's Office; Memphis Police Department

According to the Memphis Police Department (MPD), there were 2,023 guns reported stolen from vehicles in Memphis in 2021 compared to 1,324 in 2020 – a disturbing 52.8 percent increase in just one year. Even more disturbing is that there were only 358 reported guns stolen from vehicles in Memphis in 2013, the year before the Tennessee General Assembly enacted legislation legally allowing handguns in vehicles without a carry permit. That's a 465 percent increase in just eight years!

Gun theft remains a growing problem throughout the country, with nearly half a billion dollars' worth of guns (roughly 1.2 million guns) being stolen from individuals nationwide between 2012 and 2015 according to the Center for American Progress, which analyzed gun theft trends utilizing the FBI's Uniform Crime Report (Parsons and Vargas, 2017). From 2010 to 2015, the estimated value of almost



62,000 firearms reported stolen from individual gun owners in Tennessee was approximately \$28 million (Parsons and Vargas, 2017).

With the ongoing changes to gun laws, many states have been dealing with an increase in gun thefts from vehicles. With thefts of guns from vehicles on the rise, the South accounts for two thirds of all gun thefts in the United States (Hemenway et al., 2017).

The guns stolen from owners are typically untraceable, with the investigation of what happens to a stolen firearm mostly occurring after an investigation connects it to a crime. The connection between gun theft and gun crimes is relatively unknown due to limited data, with the data somewhat dependent on recovery of guns related to specific crimes.

The change in state law liberalizing the right to carry guns in vehicles has provided criminals, who in most cases cannot legally purchase firearms, with a source of easily obtainable guns. According to MPD, almost 60 percent of reported guns stolen in 2021 were stolen from vehicles. MPD estimates that more than 40 percent of guns used in crimes are stolen from vehicles of law-abiding citizens.

There are very few studies or policy evaluations on what can be done to reduce gun thefts, especially from vehicles. However, changes in laws and social norms concerning safe gun storage could result in fewer guns being stolen. Eight states and several cities have laws mandating that owners secure their firearms (Everytown for Gun Safety, 2021). Absent mandatory laws, gun owners can be encouraged to have anti-theft devices in their vehicles and ensure their vehicles are locked (MacKenzie, 1992).

The theft of unsecured firearms from vehicles is a problem that must be addressed in any successful effort to reduce violent gun crime in our community. If we as a community can reduce the number of guns that are stored in an unsecured fashion in vehicles, we can reduce the number of guns available to those intent on committing violent crimes.

The effort to reduce theft of guns from vehicles should be a community-wide public service campaign that involves outreach to community groups and faith-based organizations and, if funding or payments-in-kind can be obtained, traditional marketing. The overriding goal of the campaign should be to convince law abiding gun owners not to leave unsecured firearms in vehicles, clearly conveying the message to those owners that they can help reduce violent crime by securing the firearms they own.

The campaign should basically include the following steps:

1. Recruit key stakeholders to organize and lead the effort, including contacting local community and faith-based leaders to obtain their participation and securing funding for a marketing effort;
2. Expose large segments of the community to the message by focusing on outreach to faith-based leaders to secure opportunities to address congregations on the issue with a common script and ensure continued participation and engagement;

3. Likewise, focus on outreach to community organizations, obtaining speaking opportunities to talk about the importance of securing firearms as a means of reducing violent crime; and
4. Raise funds and/or obtain payment-in-kind services to support a mass marketing effort conveying the campaign's message.

It is unrealistic to think that gun ownership in the community can be significantly reduced. It will not happen. That makes it especially important to convey to law-abiding residents of the community who own guns that they can play a role in reducing crime by making sure their guns do not end up in the wrong hands.

### **Action Step 6**

Re-establish a Memphis Police Department Felony Assault Unit to investigate aggravated assault incidents more effectively.

- ❖ **OUTCOME:** The number of officers assigned to the Unit; the number of cases handled by the unit
- ❖ **KEY STAKEHOLDER:** Memphis Police Department

The vast majority of non-fatal shootings are the result of firearms used in aggravated assault incidents as defined by the Tennessee Bureau of Investigation's (TBI's) reporting system. Reported aggravated assaults have been increasing consistently since 2011. Reported aggravated assaults increased an alarming 35 percent in 2020 compared to 2019 in the city of Memphis (34 percent countywide). Reported incidents increased an additional 3.6 percent the city of Memphis in 2021 (2.4 percent countywide).

Our community is suffering from a record number of murders. Many aggravated assaults are just one step away from being a murder. All it takes is a bullet landing in the wrong place.

In 2021, reported aggravated assaults made up approximately 82 percent of all reported major violent crimes (murders, rapes, robberies, and aggravated assaults) in our community. The sheer volume of aggravated assaults in our community drives our violent crime rate (which is calculated by the FBI and TBI based on the aggregate number of all major violent crimes per 100,000 population). In short, our community will never get out of the unfortunate distinction of having one of the highest violent crime rates in the nation until we significantly reduce the number of aggravated assaults.

Between 2006 and 2011, reported aggravated assaults actually declined. In 2011, our violent crime rate was at its lowest point in recent memory. A number of effective steps were occurring during that time period to help drive down the numbers, including almost 2,500 MPD officers by 2011 and effective data-driven deployment of those officers. Another key step during that time period was creation of a special Felony Assault Unit, which focused on intensive investigations of non-domestic aggravated assaults. In 2012, the team was disbanded, in part due to the beginning stages of what would become a net loss of about 20 percent of MPD's force. Non-domestic aggravated assaults have

since been investigated by the precinct-level General Assignment Bureau where the reported crime occurred.

MPD Chief C.J. Davis is committed to re-establishing a special citywide Felony Assault Unit to focus on investigating gunshot-related aggravated assaults. Plans call for it to be a centralized detective unit handling non-fatal shootings throughout the city of Memphis, regardless of where the incident occurs. These will be the only type of crimes handled by the unit. This model will allow investigators to better coordinate investigations that are related or retaliatory in nature. And it will allow investigators to devote more time to non-fatal shootings without the additional caseload a typical precinct detective manages.

Chief Davis envisions the Felony Assault Unit working closely with the Multi-Agency Gang Unit, the Homicide Bureau, and the District Attorney's Office. This cohesion should lead to more non-fatal shootings being solved and prosecuted. The goal is to reduce the number of non-fatal shootings and impact the number of fatal shootings as well. This new, intensive effort can (1) most importantly result in fewer victims of gun violence and (2) help drive down our violent crime rate.

## JUVENILES

The plan has two overall primary outcomes related to juveniles:

- **A 50 percent reduction in the percentage of repeat delinquent offenders**
- **A 50 percent reduction in the percentage of repeat serious juvenile offenders**

### Action Step 7

Expand efforts to meet the needs of our community's vulnerable youth before they encounter law enforcement or the juvenile justice system, with emphasis on character and emotional development, good decision-making, and goal setting.

- ❖ **OUTCOME:** A 100 percent graduation rate for active high school senior participants in Boys and Girls Clubs; at least 90 percent of those graduates entering college, the military, or the workforce
- ❖ **KEY STAKEHOLDERS:** Boys and Girls Clubs of Greater Memphis; City of Memphis; private sector

As noted by Memphis Mayor Jim Strickland, we must reach the hearts and minds of young people in our community before they ever become tempted to engage in criminal conduct, especially gun violence.

There are many organizations in the Memphis community doing great work to meet the needs of vulnerable youth so they never become involved in the juvenile justice system. Examples include, but are not limited to, Memphis Athletic Ministries, Big Brothers Big Sisters of the Midsouth, the Salvation Army's Kroc Center, and the many church-based programs.

One organization that has shown significant success and has momentum to expand its efforts is Boys and Girls Clubs of Greater Memphis. Its mission is "to enable all young people, especially those who need us most, to reach their full potential as productive, caring, responsible citizens."

Boys and Girls Clubs of Greater Memphis operates ten clubs in the community, with over 1,000 youth walking through their doors on an average day. It is seeking to provide an experience that assures success is within reach of every young person it serves, with all active participants on track in school, planning for their futures, demonstrating good character and citizenry, and living healthy lifestyles.

In addition to its stand-alone facilities, Boys and Girls Clubs is expanding with creation of high school clubs, patterned after one that is up and running at Craigmont High School. For high school seniors attending three or more times each week at Craigmont, 100 percent have graduated and gone on to college, entered the military, entered the workforce, or some combination of the three.

Recently, the City of Memphis allocated \$9 million of federal American Rescue Plan Act funds to help ensure the presence of Boys and Girls Clubs in more of the Shelby County Schools over a three-year period. Efforts are underway to raise private funds and additional public funds to expand even more.

Efforts such as those of Boys and Girls Clubs – as well as other organizations in our community – can help meet the needs of vulnerable youth before they encounter law enforcement or the juvenile justice system, with emphasis on character development, good decision-making, emotional development, and setting of goals. We support scaling up such efforts and are initially focusing on Boys and Girls Clubs as an example to scale up.

## **Action Step 8**

To help break the cycle of repeat delinquent offenders, implement a community-wide youth assessment center that (1) is based on a model with a proven track record of working and (2) provides needs assessments and appropriate interventions for non-violent offenders.

- ❖ **OUTCOMES:** The number of youth and families served through the assessment center; the percentage of youth served who enter the juvenile justice system at a future date
- ❖ **KEY STAKEHOLDER:** Shelby County

The high level of juvenile repeat offenders continues to be a salient criminal justice system issue due to risk factors resulting in repeat offenders, limited programing, and overall costs associated with repeat offenders (Bouffard and Bergseth, 2008). Being able to successfully divert youth from the juvenile justice system can be beneficial both for the system itself but also for the community as it can lessen the load of juvenile courts, cut system costs, and reduce delinquency (McCord, 1999; Shelden, 1999; Whitehead and Lab, 2001).

Past research has focused on the impact of community engagement and educational factors and how they contribute to juvenile criminal justice prevention and recidivism (Anthony et al., 2010; Mathur and Clark, 2014). However, much work is still needed to understand and provide a more holistic approach to understanding juvenile reintegration and intervention at early stages in life to prevent future delinquency (Bradford, 2015; Liddle et al., 2011; Loeber, Farrington, and Petechuk, 2003; McMasters, 2015). If intervention efforts are to be successful, they must alleviate the risk factors associated with delinquency (Zigler and Taussig, 1992), with the best efforts often involving families and their children (Zigler, 1994). Efforts must offer social support to help parents with more effective parenting strategies and educational opportunities for both parents and children that can improve family functioning (Zigler and Taussig, 1992). A number of communities have created youth assessment centers that work to reduce juvenile arrests, overall recidivism, and provide more holistic approaches to help the community's families and youth. Each model is different and geared toward the personal needs of that community.

Under the leadership of Shelby County Mayor Lee Harris and Division of Community Services Director Dorcas Young-Griffin, Shelby County has also created a youth assessment center, called the Youth and Family Resource Center, which is scheduled to open on a pilot basis in early 2022 and seeks to reduce juvenile crime by providing services to youth, particularly youth who are at risk of engaging in future crime, as well as their families. Initially, it will be applied to juveniles from one or more Memphis precincts who are diverted from the juvenile court system. Planned assessments will include behavioral health, trauma counseling, and identifying and providing services to help alleviate underlying issues that might result in delinquent behavior.

Moving forward, an evaluation of the pilot Youth and Family Resource Center is essential, with a commitment to make adjustments if appropriate to ensure effectiveness and to warrant a scaling up to make it a true community-wide center. In addition to a geographic scaling up, consideration should be given to expanding it beyond juveniles diverted from juvenile court and making it available to first-time non-violent offenders in the juvenile court system.

## **Action Step 9**

Develop a system of intensive supervision and appropriate treatment for serious juvenile offenders.

- ❖ **OUTCOME:** The number of serious juvenile offenders and their families served through Youth Villages; the percentage of youth served who become repeat offenders
- ❖ **KEY STAKEHOLDERS:** Juvenile Court; Youth Villages; Shelby County Schools

Juvenile incarceration is often utilized as a last resort and for youth who are at risk of reoffending. A large proportion of convicted serious juvenile offenders serve some or all their sentences in the community under some form of a community-based correctional program. One of the most common options for offenders is the use of intensive supervision probation (ISP) (Caputo, 2004; Hockenberry and Puzanchera, 2014). ISPs seek to serve as a deterrent for youth, aim to reduce recidivism and are

diverse in design and their stated goals. ISP programs share three common features: small caseloads, intensive surveillance, and strict conditions of compliance (Tonry, 1990). In theory, heightened supervision of offenders should result in less recidivism as individuals do not want to get caught. However, depending upon the nature of implementation, there may be an increase in recidivism (Caputo, 2004), which is likely due to individuals facing technical violations or detection of deviant behavior that may otherwise have gone unnoticed (Caputo, 2004; Clear and Hardyman, 1990; Petersilia and Turner, 1993).

There has been a steady increase in studies evaluating ISPs with mixed results. Some evaluations have found that when youth participate in ISPs, they are more likely to commit a new offense in comparison to youth on standard probation (Sarver, Molloy, and Butters, 2012). However, a study by Farrington and Welsh (2005) found that ISP programs had a positive, yet not statistically significant, effect on reducing recidivism. Bouchard and Wong (2018) analyzed the effect of ISPs and aftercare/reentry programs on juvenile recidivism compared to the recidivism of youth who were on standard probation. The findings suggest that youth participating in ISP are significantly more likely to engage in criminal activity. However, that may simply be because juveniles subject to intensive supervision are higher risk individuals with a higher likelihood of becoming repeat offenders. Many of these evaluations suffer from issues, including differences in selection criteria into the ISP treatment and control groups, which make it hard to draw comparisons and conclusions. There is a need to better understand offender types (violent or nonviolent offenders) and other moderating and implementation characteristics that might impact IPS efficacy (Goense et al., 2016; James et al., 2013; Weaver and Campbell, 2015). This includes better understanding of characteristics across samples, including age, ethnicity, gang involvement, drug use, implementation quality, treatment intensity and design (Goense et al., 2016; James et al., 2013; Weaver and Campbell, 2015). Further, there is a need to consider how these efforts may be better revamped and utilized to deal with repeat offenders. (cf. Hockenberry and Puzzanhera, 2015; Jalbert et al., 2010; Lowenkamp et al., 2010; Merrington, 2006). In short, a local effort focusing on serious juvenile offenders should be (1) well-planned and (2) come with the realization that a high success rate will be challenging.

Due to the COVID-19 pandemic coupled with the social climate, proactive policing declined in 2020 not only in Memphis but in major cities across the country. The result was a decline in arrests, both of adults and juveniles. (Part 1 crimes include both major violent crimes and major property crimes. According to the Memphis Police Department, 1,599 juveniles were charged with Part 1 crimes in 2019; in 2020 only 834 were charged with Part 1 crimes, a 48 percent drop.) At the same time reported violent crimes were increasing. The increase in major violent crime in our community was driven by alarming increases in aggravated assaults, many of which were committed by juveniles with guns. To get a more accurate picture of the scope of serious juvenile crime, a look at 2019 is necessary – before the pandemic and the social unrest.

In 2019, 495 juveniles were charged with what Juvenile Court categorizes as “serious crime” – including murder, aggravated robbery, aggravated assault, carjacking, and rape. A number of them faced multiple charges (with 495 facing a total of 830 charges). The number of charges reflect a 32

percent increase compared to the previous year and an alarming 49 percent increase compared to just nine years earlier – 2011.

As we return to a “new normal,” it remains to be seen whether we return to this level of serious violent charges against juveniles. However, absent a significant decrease in violent crime, it is safe to say that juvenile violence will not decline.

Once adjudicated as guilty of a violent delinquent (criminal) act or acts, a juvenile is either (1) placed on a form of community supervision with some restrictions such as wearing an ankle bracelet or (2) placed in the custody of the Tennessee Department of Children’s Services at a secure facility for a period of time (not to exceed the juvenile’s 19<sup>th</sup> birthday). For those placed in a secure facility, many return to the community on a “trial home placement” or are otherwise discharged from the facility and subject to a form of community supervision.

Whether being placed on community supervision on the front end or returning to community supervision after being in a secure facility, the challenge is to increase the likelihood that these juveniles do not become repeat offenders and, as a result, continue to contribute to the violent crime rate. (The overall repeat offender rate for Juvenile Court is about 50 percent.)

There is a growing consensus among key stakeholders (including the juvenile court judge, the district attorney, the city mayor, Crime Commission leaders, and business leaders) that we must develop a more effective system of intensive supervision and appropriate services for serious, high-risk juvenile offenders.

Juvenile Court officials believe that any effective approach will have to include coordinated parental and family support. As services are coordinated, it will be imperative to effectively identify and address root causes and structural barriers to reconnecting juveniles and their parents to appropriate treatment and resources. Many in this group of juveniles will be returning from an out of home placement, and many will be re-entering a toxic home environment. Home environment and, in many cases, school will be the cornerstones for anchoring long term stability and success.

Some will be in school, and some will not. Recent Juvenile Court data analysis indicated that about 42 percent of juveniles re-entering from a secure facility completed the Hi-set (GED) while in the facility. In addition, about 15 percent attended an alternative public school. About 10 percent graduated from a regular high school, and the remaining 33 percent were either not in school or their school status was unknown.

Juvenile Court officials note that, for this targeted group, there is a lack of connectivity for the continuance of intensive mental and trauma responsive services. As a result, medication management becomes problematic or even discontinued. Proper accountability is desperately needed to ensure that behavioral health services and family therapeutic intervention services continue in order to decrease the likelihood of going deeper into the juvenile justice system or into the adult system.

An approach that includes not only the juvenile offender, but the family as well, can improve public safety, decrease victims of violent crime, improve school performance, and assist the offender and the family to thrive.

Juvenile Court Judge Dan Michael has, in principle, agreed that Youth Villages is an organization that is uniquely positioned to provide intensive services to this group of serious juvenile offenders and their families and has already referred a handful of cases. However, scaling up such an approach will require substantial funding. At the school level, security officials with the Shelby County Schools have indicated a willingness to provide hands-on supervision for those in this targeted population who are in the school system. This would provide a seamless approach, regardless of whether the juvenile is in school or in the community. Proper coordination and communication will be critical in implementation. Also, given the mixed evaluations of such efforts in other communities, an effective evaluation of both processes and outcomes will be important.

## LAW ENFORCEMENT STAFFING/DEVELOPMENT

### Action Step 10

Resolve shortages in local law enforcement staffing and effectively use personnel and technology to maintain and scale up data-driven, proactive policing.

- ❖ **OUTCOME:** At least 2,400 MPD officers and 700 deputy sheriffs; a consistent reduction in crime in hot spots where additional resources are deployed
- ❖ **KEY STAKEHOLDERS:** Memphis Police Department; Shelby County Sheriff's Office

In 2011, Memphis reached its largest Memphis Police Department (MPD) compliment, with almost 2,500 commissioned officers. Looking at the violent crime rate over a 20-year period (2000-2019), Memphis' violent crime rate was at its lowest in 2011.

By the end of 2017, the number of Memphis police officers had plummeted to 1,959 officers, a net loss of about 20 percent compared to 2011. The violent crime rate in 2017 was approximately 25 percent higher than in 2011. Mayor Strickland has made a net increase in police officers a top priority, and in 2018 and 2019, there were slight net increases in the number of MPD officers. The violent crime rate went down slightly both of those years.

A major step toward reversing the net loss of officers occurred through a \$6.1 million commitment from the private sector geared primarily to retention and referral bonuses for MPD officers. The funding came through the Crime Commission and represented an unprecedented commitment by the private sector to law enforcement. Of those eligible for retention bonuses, almost 90 percent signed up.



By the end of 2020, though, MPD faced another net loss of officers, due in part to a COVID-19 related cancellation of a new class of recruits, as well as the possible impact of the social unrest on service as a police officer. In 2021, two classes graduated. With attrition, there were 1,955 commissioned MPD officers at the end of 2021 compared to 2,038 at the end of 2020. The attrition rate accounted for the loss of 182 officers (102 resignations and 80 retirements).

In summary, after a net loss of some 20 percent of the MPD force over a six-year period (2012-2017), with hard work by Mayor Jim Strickland and his team, and with funding support through the Crime Commission, the number of MPD commissioned officers has stabilized over the past four years (2018-2021). At the end of 2017, there were 1,959 MPD officers. At the end of 2021, there were 1,955 MPD officers, a difference of only four officers.

In January of 2022, 45 recruits graduated from the MPD training academy, and 53 new recruits began a new class.

Looking forward, while the net loss of officers has hopefully been reversed, it will take a major effort to reach the goal set by the Memphis City Council of 2,500 officers, or the goal set by MPD Chief C.J. Davis of 2,300 officers by the end of 2023. These are goals that will require new approaches to recruitment such as speeding up the application process to avoid losing potential recruits and providing signing bonuses. Consideration must be given to a more competitive compensation package. And there must be more focus on retention, including possibly another wave of retention bonuses. A major effort needs to be undertaken to retain officers during their early years of employment. According to the Memphis Police Association, in 2021, 81 percent of officers who resigned had four years or less on the job.

In February of 2021, Deloitte issued a report conducted for the City of Memphis setting forth an analysis of MPD operations and recommendations to address challenges. The report noted that "... MPD is struggling to meet the community's demands for services as a result of lack of adequate resources." Deloitte went on to note (1) that 90 percent of overtime pay was being spent to meet minimum staffing levels to respond to calls for service and (2) a 23 percent decline in applications to become MPD officers and a 54 percent drop in new hires in 2020 compared to 2019.

The Shelby County Sheriff's Office is facing similar challenges in recruiting new deputy sheriffs. From 2017-2020, there were slight annual increases in the number of deputy sheriffs. However, 2021 resulted in a net loss, going from 666 deputy sheriffs at the end of 2020 to 647 at the end of 2021. This is significantly below the funded complement of 718 deputy sheriffs this current fiscal year. (The challenge with correctional deputies is even more daunting. Since 2017, there have been consistent annual net losses in correctional deputies. At the end of 2012, there were 644 correctional deputies, 280 below the budgeted compliment of 924.)

Our community is not alone in its challenge to maintain a sufficient number of officers. A survey of almost 200 police departments by the Police Executive Research Forum indicated that retirements and resignations rose by 18 percent in the year from April 2020 to April 2021 when compared with the

previous 12 months. Minneapolis has suffered a net loss of about 20 percent of its force since May 2019, and Asheville, North Carolina has lost more than a third of its force (The New York Times, 2021).

A public opinion survey conducted for the Crime Commission by Public Opinion Strategies in September 2021 showed an overwhelming 81 percent of respondents in support of hiring more local law enforcement officers.

The severe shortages of local law enforcement must receive priority, and we cannot expect meaningful changes in results by simply continuing to do the same thing.

Increasing the compliment of officers, though, is only half of the equation. The other half involves making smart, data-driven use of whatever resources exist, including smart use of technology. (More officers alone will not reduce crime significantly unless they are utilized effectively.)

The Deloitte report recommended several steps to better utilize commissioned officer resources.

One step it recommended was for MPD to move from an “equitable distribution model” of personnel among precincts to “an optimized model using workload demand.” The report stated, “If MPD and the City want more patrol officer time allocated for community engagement, proactive policing, and/or responding to focus areas ... positions will need to be allocated across the precincts based on modeling and not equitable distribution.”

The Deloitte report concluded that “high priority calls” take up approximately 58 percent of time spent servicing calls, while 42 percent is spent on “non-emergency calls.” The report recommended finding ways to reduce police responses to non-emergency calls in order to provide MPD with more flexibility in deploying officers. It suggested staffing certain types of those calls using different parts of city government, a “blended” model, or a “co-response” model. It also suggested considering a system of self-reporting, reducing time spent by officers to complete and file reports.

The Police Service Technician (PST) program is an example of how Memphis has already moved in the direction of utilizing non-commissioned personnel to handle such calls as minor traffic accidents. MPD Chief C. J. Davis has placed priority on expanding the PSI program. We are not in a position to state what specific steps recommended by Deloitte to better utilize commissioned personnel should be implemented but believe it is important for MPD to work toward more efficient use of officers. (Admittedly, a factor is that the Memphis public is accustomed to a full-service police force and could react negatively to changes in that model.)

Throughout the history of policing, electronic data use has increased as use of technology has become more common. Computer use by police departments was first implemented in the St. Louis Police Department in the mid-1960s (Colton, 1979). The beginnings of wide-spread technology use by law enforcement can be traced to the Omnibus Crime Control and Safe Streets Act of 1968 (Northrop, Kraemer, and King, 1995). This led to the creation of the Law Enforcement Assistance Administration (LEAA), which contributed approximately \$50 million to law enforcement agencies to enable them to access police technology (Northrop et al., 1995).

Police use of technology became more common during a crime spike in the 1960s and 1970s when a “demand gap” emerged and it was evident that traditional policing techniques were not getting the job done (Ratcliffe, 2016). Surveys conducted in the early and mid-1970s, showed that implementation of police technology was slower than anticipated (Colton, 1979). By the late 1970s, technology use within law enforcement agencies markedly improved, most notably in data entry and management (Ratcliffe, 2016). Managing crime data more effectively allowed for the creation of a “strategic picture of crime” (Ratcliffe, 2016). The demand gap led to “greater calls on the police for effectiveness and efficiency” (Ratcliffe, 2016). The public wanted more professionalism from the police, with increased access to information. While the factors listed above helped increase data management technology within departments, rising levels of organized crime that ignored jurisdiction and state lines meant that police departments needed a better way to collaborate with each other.

According to Lum, Koper, and Willis (2016), “...technology has become a major source of expenditure and innovation in law enforcement and is assumed to hold great potential for enhancing police work.” Police departments use data from this technology in many ways. For example, crime mapping data is used to “locate crime and traffic crash hot spots, thus enabling law enforcement officials to target these areas with highly visible traffic enforcement” (Hardy, 2010). Data not only are collected but are also analyzed. Analyses are used to inform decisions on “local partnerships; strategic operations; information sharing and outreach; monitoring, evaluating, and adjusting operations; and measuring outcomes” (Hardy, 2010). All the data gathered by police can then be used to increase proactive measures. In Chicago, for example, the police department currently focuses on a “heat list” of offenders that risk analysis programs have shown to be possible future risks (Joh, 2014). Even Homeland Security is employing computer systems in their preventive measures, with their systems filtering out potentially threatening words (Joh, 2014).

In New York, the NYPD has developed a “Domain Awareness System” that links data gathered from several computerized systems such as CCTV footage and LPR technology (Joh, 2014). New York has been active in data-driven policing beginning with CompStat in the 1990s, the system that allowed them to use pinpointed crime maps to target specific areas and more efficiently allocate resources based on the maps. This system led to significant decreases in crime rates (Hyunseok, Hoover, and Joo, 2010).

Use of technology goes beyond the deployment of personnel. According to Willis, Koper & Lum (2018), 60 percent of all large police departments use license plate readers (LPRs), high speed cameras that can read and instantly analyze license plates. The LPR stores pictures of the plates and compares them to a database of plates of interest to law enforcement, such as plates of stolen vehicles or plates connected to known criminals. Another technology being used by law enforcement is gunshot detection technology (GSD). GSD was developed in the mid-1990s and works by triangulating multiple sensors that can detect sound waves produced by a gunshot. An alert is sent to law enforcement, with the goal of a rapid dispatch and response time to reduce gun violence overall. (Chai, Librett & Collins, 2014, p. 51).

“Real Time Crime Centers” (RTCCs) such as the one within MPD are great examples of how high-end police technology interacts with data-driven policies. The software employed by MPD’s RTCC can receive instant updates on criminal activity, identify crime patterns and monitor high-risk offenders. The RTCC uses Blue C.R.U.S.H. (Crime Reduction Using Statistical History) data gathered on hotspot crimes, including time of day, day of the week, and location to better allocate resources to those hotspots. Additionally, a wall of LCD monitors that display live feeds from areas of interest aids in providing real time responses.

MPD holds weekly Tracking for Responsibility, Accountability, and Credibility (TRAC) meetings. These meetings usually include the MPD command staff, precinct colonels, and members of other law enforcement agencies. The meetings can be intense, with precinct colonels expected to be prepared to explain their plans for addressing crime hotspots based on available data.

The Deloitte report notes that the initiative, with focus on Blue C.R.U.S.H. data to identify hotspots, is “... supported by an evidence-based policing system that helps MPD prescriptively determine zones for patrol officer saturation and has been found effective at reducing crime.”

The Public Safety Institute (PSI) at the University of Memphis has completed two assessments to determine whether MPD is being data-driven when using its resources by examining changes in crime within hotspots identified in each precinct. Both assessments indicate that the MPD command staff and the precinct colonels and their staff appear to be data-driven in their hotspot area selections, with most precincts showing a consistent decrease in reported crimes the immediate week after labeling an area a hotspot. Both assessments are available for review on the PSI website at <https://memphis.edu/psi/> and the Crime Commission website at <https://memphiscrime.org/>.

However, more officers are needed in order to maximize the impact of data driven deployment. The PSI is in the final stages of a third assessment of data-driven policing by MPD and is preparing a similar assessment of the Shelby County Sheriff’s Office in 2022.

Adequate resources – whether in the form of personnel or technology – are essential to curbing our unacceptable high level of crime. Effective, data-driven deployment of those resources is equally important. This plan recognizes the need for both.

## **Action Step 11**

Loosen the residency requirement for local law enforcement officers.

- ❖ **OUTCOME:** The number of newly hired MPD officers and deputy sheriffs who reside outside of Shelby County
- ❖ **KEY STAKEHOLDERS:** Memphis Police Department; Shelby County Sheriff’s Office

Currently, the City of Memphis charter requires newly hired Memphis police officers to reside in Shelby County. If passed, a referendum originally on the November 2020 ballot would have changed the city

charter to allow the City of Memphis to hire police officers and firefighters who live within a 50-mile radius of the city or in an adjacent county. However, the Memphis City rescinded the ballot referendum in a 7-6 vote (despite a public opinion survey showing overwhelming, across-the-board support for the referendum).

The primary argument in favor of loosening the residency requirement is to increase the pool of qualified applicants, thereby making it somewhat easier to reach the goal set by the Memphis City Council of 2,500 police officers. The primary arguments for requiring Memphis police officers to live within the city limits appear to be (1) as a way of ensuring that the makeup of the Memphis Police Department (MPD) reflects the diversity of the city and (2) better police-community relations.

It may be a factor in MPD officer retention as well. According to a recent survey by the Memphis Police Association, the residency issue ranks right behind pay raises and pensions as having the biggest impact on officers' decisions to stay or leave for another job.

Currently, approximately 55 percent of MPD officers are African-American, 42 percent are white, and 3 percent other. About 83 percent of the current officers are male and 17 percent female.

A 2014 analysis indicated that residency requirements actually tend to limit minority representation within police departments due to a smaller pool of qualified applicants. As an example of a city with a residency requirement, the analysis noted that, while 25 percent of Pittsburgh's residents were African-American, only 12 percent of its police officers were African-American. The analysis indicated that this was far from unusual, with Pittsburg falling well within the average of the top 75 police departments in the nation. In fact, the analysis revealed that police departments with residency requirements tend to reflect the makeup of their communities less than those without such restrictions. (Unger-Sargon and Flowers, 2014).

The analysis cited an earlier study conducted in the mid-1990s which revealed that residency requirements were correlated with less public confidence in the police, specifically in their ability to protect residents. The researchers concluded that residency limitations on hiring could lead to poor recruitment choices and less qualified officers. (Unger-Sargon et al., 2014).

The 2014 analysis revealed that, of the 75 top police departments, only 15 had residency requirements, including Memphis. Examples of cities without residency requirements included Detroit, Baltimore, Cleveland, Nashville, Houston, Washington, Atlanta, Louisville, and Dallas. (Some did provide incentives for living within the city limits.) Among the 15 with residency requirements were Chicago, Boston, and Philadelphia. (Unger-Sargon et al., 2014).

Instead of residency requirements, smart recruiting appears to be the key to a diverse police department and one composed of officers with the right kinds of skills and motivated by public service. This takes a very conscious effort by recruiters to seek out the right kind of hires. As noted in the February 2021 Deloitte report assessing MPD, screening and hiring people with skill sets for de-escalation, crisis intervention, community policing, and culture and diversity awareness "...is a way to initiate change at the entry point...".

In a September 2021 public opinion survey conducted for the Crime Commission by Public Opinion Strategies, nearly three quarters (73 percent)) favored loosening the residency requirement for both police officers and fire fighters.

Loosening the residency requirement for both MPD and the Shelby County Sheriff's Office is not the sole answer to the severe shortage of commissioned officers. However, it can be an effective "tool in the toolbox" if marketed correctly.

## **Action Step 12**

Involve the community in the recruitment of local law enforcement officers (from Reimagining Policing Report).

- ❖ **OUTCOME:** The number of community members involved in the recruitment process
- ❖ **KEY STAKEHOLDERS:** Memphis Police Department; Shelby County Sheriff's Office

In September of 2020, Memphis Mayor Jim Strickland formed an Advisory Council for Reimagining Policing as a way of engaging the community in the planning and development of a plan of action to address policing in Memphis. The Advisory Council was comprised of clergy, legislators, civil rights activists, and law enforcement. It was created to serve as a liaison with the Memphis Police Department (MPD) and the community, serve as a link in the communication chain, evaluate police services, and develop actionable recommendations to improve MPD in specific focus areas. Each Advisory Council member selected and invited members of the community to participate in 90-minute focus group conversations facilitated by that Advisory Council member. Over 400 diverse members of the community attended over 30 focus groups hosted by members of the Advisory Council on Reimagining Policing. In June of 2021, the Advisory Council convened to identify suggestions for reimagining policing and agreed upon 12 recommendations. One of the recommendations was to involve the community in the recruitment and selection of new police officers.

In making the recommendation, the Advisory Council was aware that Shelby County Sheriff Floyd Bonner had initiated a process under which members of the community participate in interviewing applicants to become deputy sheriffs. Community members ask appropriate standard questions of applicants, followed by individual ratings of each applicant. This is a process which the Shelby County Sheriff's Office will hopefully continue and which MPD should consider instituting.

Another suggestion from the Memphis Police Association is to:

- Select community leaders to serve as recruiters for new officers,
- Have each community leader pledge to be a mentor to each recruit as the recruit matriculates through the training academy and through the first year of service as an officer,
- Provide a signing bonus for each recruit (a step already in place), and

- If the recruit successfully completes the training academy, allow the recruiter to designate a local charity or nonprofit to receive a donation.

The mentoring suggestion is consistent with a recommendation in the February 2021 Deloitte report assessing MPD, which stressed the need for applicants given offers to be mentored and engaged “...to ensure a motivated, well-prepared candidate reports to the Academy.”

Such a process would give community leaders the opportunity to become shareholders in building and reshaping local law enforcement. And it might help address the challenge of reducing the high percentage of officer resignations that occurs during the first four years of service – 81 percent of all resignations at MPD in 2021 according to the Memphis Police Association. It can be one more “tool in the toolbox” in addressing the serious shortage of local law enforcement officers.

### **Action Step 13**

Establish a public safety optional or charter high school for students who are interested in law enforcement and other public safety careers (from Reimagining Policing Report).

- ❖ **OUTCOME:** The number of graduating high school seniors who enter law enforcement
- ❖ **KEY STAKEHOLDERS:** City of Memphis; Memphis Police Association; Shelby County Schools

Another recommendation of Memphis Mayor Strickland’s Advisory Council on Reimagining Policing is creation of a high school program to serve as an effective vehicle to encourage students with a desire for public service to consider a career in public safety.

Early in his first term, Mayor Strickland re-established the Police Service Technician (PST) program as a way of (1) having non-commissioned personnel handle such matters as minor traffic accidents and traffic congestion, thereby freeing up commissioned officers to handle more serious crime-related matters, and (2) creating a pipeline of potential police officer recruits.

Currently, there are about 40 PSTs, far short of the goal of about 125 PSTs at any given time. According to the City’s Human Resources (HR) Division, recruitment at the high school level is occurring when most seniors have already made their post-graduation plans. Steps need to be in place to begin interesting students in public safety careers at the 9<sup>th</sup> and 10<sup>th</sup> grade levels.

A number of other communities have developed special tracks for students interested in public safety, either as stand-alone schools or as special programs within schools.

An example is the Academy of Law and Public Safety in Monmouth County, New Jersey. Monmouth County is in the New York metropolitan area with a population of about 644,000. The academy offers a two-year program for students who have a strong interest in law and public safety. Students must enroll in 40 credits of course work per year and successfully complete 80 credits to graduate. Students can earn as many as 24 credits from a local community college and nine credits from Fairleigh

Dickinson University. (More information on the Monmouth County Academy of Law and Public Safety is available at <https://www.mcvsd.org/programs/academy-of-law-public-safety/> .

In Dallas, Texas, the Independent School District has launched the Criminal Justice Academy for grades 9-12 within Sunset High School, in partnership with the Dallas Police Department. Through partnerships with Mountain View Collage and the University of North Texas, academy students have the opportunity to earn up to 60 tuition-free college credits upon graduation. Upon successful completion of the program, academy graduates meet all the educational qualifications to apply for a police officer position in the Dallas Police Department. (For more information, go to <https://www.dallasisd.org/sunset> .

In Tennessee, the Cleveland school system (in the Chattanooga metropolitan area) has created a Criminal Justice Academy within its high school. It is designed to prepare students for a range of careers in law enforcement, crime scene analysis, forensic science, and public safety. The program is composed of Level 1 (for 9<sup>th</sup> and 10<sup>th</sup> graders), Level 2 (for 10<sup>th</sup> and 11<sup>th</sup> graders) and Level 3 (for 11<sup>th</sup> and 12<sup>th</sup> graders). Dual credit is available for Level 3 courses at Cleveland State Community College.

The Memphis Police Association, the City of Memphis HR Division, and the Crime Commission are working with Shelby County Schools optional program officials toward creation of a public safety optional program within one or more schools. If the details can be resolved, such a program could serve as an effective recruitment tool for careers in public safety.

## COMMUNITY INVOLVEMENT

### Action Step 14

Expand the number of neighborhood watch groups in the City of Memphis.

- ❖ **OUTCOME:** An increase of 50 percent in neighborhood watch groups
- ❖ **KEY STAKEHOLDER:** Memphis Police Department

Neighborhood watch groups (NWGs) developed out of an effort in the United States to increase community involvement in preventing crime (Titus, 1984). Through the growth of NWGs, various terms were used to describe these groups such as block watch, apartment watch, home watch, citizen alert, and community watch. The primary approach that these groups take to reduce crime is for residents to report any suspicious activities to their police department in hopes to deter future criminal activity (Bennett, 1990). One of the earliest evaluations of NWGs within the United States was of the Seattle Washington Community Crime Prevention Project which started in 1973 (Cirel et al., 1997). This evaluation showed a greater reduction in burglaries in neighborhoods which had NWGs compared to those without. Since the early 1980s, there has been a continuous push for NWG expansion across the United States. According to *The 2000 National Crime Prevention Survey* by the National Crime



Prevention Council in 2001, an estimated 41 percent of the American population resides in communities that have a NWG. According to the report, “This makes neighborhood watch the largest single organized crime-prevention activity in the nation.”

According to the Memphis Police Department, there were 458 active NWGs in the city of Memphis at the end of 2021. A 50 percent increase would significantly increase community involvement in preventing crime by expanding those who serve as “the eyes and ears” of law enforcement at the neighborhood level and would be a significant step in improving police-community relations.

Of course, MPD staffing has an impact on the effectiveness and scope of community involvement. As noted in the February 2021 Deloitte study conducted for the City of Memphis, the cost of officers working to meet incident response demand “...creates an inherent lack of time available for community outreach, meaningful engagement with neighborhood watch groups, and participation and presence in youth and school programs.”

### **Action Step 15**

Expand SafeWays’ intensive crime prevention program for apartment communities.

- ❖ **OUTCOME:** At least 50 SafeWays certified properties; a significantly greater decline in crime at SafeWays certified properties than at comparable other properties
- ❖ **KEY STAKEHOLDERS:** SafeWays; Memphis Police Department; private sector apartment owners/managers

SafeWays is a Memphis-based 501 (c)(3) organization that helps apartment community owners and managers reduce crime and improve the quality of life for their residents. Working with owners, managers, the Memphis Police Department (MPD), and other public, non-profit, and community organizations, SafeWays achieves its objective through:

1. Improving the amount and quality of information about crime and calls for service for police available to property management and security personnel;
2. Increasing communication and engagement among residents, management, security, and law enforcement;
3. Enforcement of the District Attorney’s Anti-Trespass Program on SafeWays properties;
4. Educating property management and staff on place management best practices that reduce crime;
5. Providing connectivity to social and other service providers for SafeWays property residents; and
6. Remediating physical conditions on and around SafeWays apartment communities which foster and facilitate criminal activity.

The primary tool used by SafeWays to address risk conditions on properties is “Crime Prevention through Environmental Design” (CPTED). CPTED’s foundational principle is that the physical

environment influences human behavior. Strategic changes to the physical environment to increase visibility, reduce isolation, and control boundaries help prevent or reduce crime by eliminating or limiting opportunities for criminal acts. In addition to CPTED being considered an effective problem-oriented strategy, it is also one of the most effective mechanisms to reduce fear of crime in communities. (Sakip, Johan and Salleh, 2012).

Although SafeWays clients may choose from a variety of available consulting and information services, such as one-time or short-term inspection, statistical reporting, or consultation, its most popular and effective service is its certification program.

With studies showing nearly 20 percent of all reported crimes in Shelby County occurring in apartment communities, the 2017-2021 Safe Community Plan included as a major step expansion of SafeWays to more properties.

In the fall of 2020, the U of M Public Safety Institute (PSI) issued an assessment of SafeWays. The assessment used data from a time period prior to the 2017-2021 plan through June of 2019 (the halfway period of the plan) to measure SafeWays' progress under the plan by researching the following:

1. The percentage of 100+ unit properties that received SafeWays inspection/consultation services by June 30, 2019 (including "monitored safety plans");
2. The percentage of 100+ unit properties participating in the SafeWays certification program by June 30, 2019; and
3. The extent to which reported crime in certified properties changed after certification.

At the start of the Safe Community Plan in January of 2017, Shelby County had 293 apartment communities with 100+ units, and 59 (20 percent) had received SafeWays inspection/consultation services. As of June 2019, 94 (32 percent) had received SafeWays inspection/consultation services.

At the start of the plan, 12 of the 100+ unit properties were participating in the SafeWays certification program. As of June 30, 2019, 16 of the properties were certified.

The assessment looked at "major tracked offenses" (homicides, rapes, aggravated assaults, robberies, simple assaults, domestic violence intimidation incidents, burglaries, larceny thefts, and motor vehicle thefts). Researchers obtained the certification date of each of 13 certified properties and used the average number of reported crimes during the immediately preceding 12-month period as the pre-certification baseline with which to compare post-certification averages.

The assessment revealed that 6 of 13 properties experienced at least a 25 percent reduction in the average number of major tracked offenses after certification. For all 13 properties, the average number of major tracked offenses dropped 20 percent during their post-certification periods.

To review the complete assessment, go to the PSI website at <https://memphis.edu/psi/> or the Crime Commission website at <https://memphiscrime.org/>.

As of the end of 2021, according to data from SafeWays, 17 properties were certified (with four in the higher category of “certified select”), and eight additional properties were in the certification process. An additional 32 properties had received inspection/consultation services in 2021.

For various reasons (some voluntary and some involuntary), 23 properties have been terminated from the SafeWays program since 2015.

SafeWays has made available to the Crime Commission data on major tracked offenses from 2013 through November of 2021 for the 11 properties certified five plus years. The SafeWays data reflect a 26 percent reduction in major tracked offenses in certified properties and a 17 percent decline in non-certified 100+ unit communities since 2013. As of 2021, SafeWays certified properties represent only four percent of the 100+ unit communities in Memphis yet account for 12 percent of the decrease in major tracked offenses in 100+ unit communities in Memphis since 2013.

SafeWays services are completely voluntary, with property owners or management companies paying for those services. Many apartment communities in need of SafeWays are simply unwilling to make the investment. That unwillingness is often – but not always – driven by property owners located elsewhere with no connection to the community beyond the rents collected. (Some locally owned properties also indicate an unwillingness.) They may never join unless ways are developed to hold them accountable for inordinately high crime rates. (Nuisance actions have been filed against several non-SafeWays apartment communities.) Other apartment communities may desire SafeWays services but feel they cannot afford to pay for them. In spite of these challenges, there is a desire among key stakeholders to expand SafeWays into more apartment communities. It will take these key stakeholders – such as the city mayor, police chief, and district attorney – using their influence to encourage more participation.

## **Action Step 16**

Establish a Neighborhood Safety Initiative that strengthens community relations with law enforcement and other public agencies by focusing on specific crime and blight hotspots for specific periods of time.

- ❖ **OUTCOMES:** A reduction in crime in the hotspots; a resolution of at least 90 percent for designated blighted property in the hotspots
- ❖ **KEY STAKEHOLDERS:** Memphis Police Department; D.A.’s Office; City and County Code

Unoccupied and blighted properties in a neighborhood can lead to higher possibilities of unsafe environment conditions. Approximately 15 percent of the land in United States cities has been deemed vacant or abandoned; this is roughly the same size of Switzerland. Over 11,500 square miles of useable areas remain neglected (Bowman and Pagano, 2010). Low-income neighborhoods are common areas of vacant and blighted properties, and residents point to these properties as hazards to both health and safety (Garvin et al, 2013). Targeting these properties, especially in an urban setting, has shown to have effects on economics and crime (Wachter S, Wong G, 2008; Kondo M, South

E, Branas C, 2015). Other studies have shown mixed results (Bogar S, Beyer K, 2016). For example, low-lying trees and other dense areas of vegetation have been associated with higher fear of crime. These areas limit visibility and can potentially hide possible criminals and other illegal activity (Gobster & Westphal, 2004). Urban context matters in regard to human behavior. Some studies have found that blighted properties, such as broken-down housing and high littered areas can lead to higher violence and crime (Keizer, Lindenberg, and Steg, 2008; Harcourt and Ludwig, 2006). Branas and others (2018) found that residents near maintained vacant lots not only reported significantly reduced perceptions of crime and safety concerns but also had significant reductions in crime overall, including gun crimes, burglaries, and nuisances.

One of the many factors in addressing blight and increasing safety is community involvement. In our community, many residents have stepped up to help improve their neighborhoods and assist with local issues. The 2017-2021 Safe Community Plan recognized the potential crime prevention power of organized groups of residents in curtailing blight and crime at the neighborhood level. The plan established a special Neighborhood Safety Initiative (NSI) to help build and strengthen partnerships among neighborhood groups, law enforcement, and other city/county agencies.

Neighborhood watch groups (NWGs), for example, align themselves with law enforcement to help report unusual, and possibly criminal, activity. Through NWGs, law enforcement officials also help educate neighborhood residents on how they can improve safety, not only in their neighborhoods, but also in their homes.

Another example of strengthening these partnerships with citizens is through monthly meetings of Police Joint Agencies (PJAs). At PJA meetings, leaders of NWGs and other citizens get the chance to address specific concerns in their neighborhoods with numerous city and county agencies such as law enforcement, city/county code officials, and health officials.

At the suggestion of the Memphis Police Department (MPD), the NSI effort has focused on the Austin Peay and Tilman MPD precincts, working closely with the PJA leaders in those two precincts to identify and give special attention to priority crime and blight matters.

Crime Commission and U of M Public Safety Institute (PSI) representatives have participated in the PJA meetings occurring in the two precincts (usually monthly). Both precincts contain two PJAs – the Frayser and Raleigh PJAs in the Austin Peay precinct and the University Area and Highland Heights PJAs in the Tillman precinct.

In addition, an NSI working group was formed and ably chaired by Steve Shular, special assistant for neighborhood concerns to Memphis Mayor Jim Strickland. The NSI asked each of the four PJAs to identify “priority complaints” each month for both criminal activity and blighted property (with these two categories often overlapping). At monthly meetings composed of agency representatives and PJA leaders, the priority complaints were discussed, with the goal of getting the priorities resolved to the satisfaction of PJA leadership. In addition, emphasis was placed on increasing the number of NWGs in both precincts.

Two assessments of the NSI were conducted by the PSI and released in the spring of 2019 and the summer of 2021. Both assessments are available for review at <https://memphis.edu/psi/> or <https://memphiscrime.org/>.

Looking at the priority complaints brought to the NSI through 2020, according to the assessment released in 2021, about 12 percent of the priority complaints remained unresolved but with the vast majority being complaints brought in 2020, many of which may have been resolved after the assessment was finalized. Looking at 2017-2019, while the majority of priority complaints were resolved, many took up to a full year for resolution.

As part of the assessment released in 2021, PJA community members participating in 2019 were surveyed for feedback on various public and private entities invited to participate in the PJA meetings. (Due to the COVID-19 pandemic, the PJAs did not meet regularly for most of 2020 and, to the extent they did meet, almost all of the meetings were virtual. Therefore, surveys were not used in 2020.) Most PJA community participants who expressed an opinion were either “satisfied” or “very satisfied” with most of the entities participating – an indication that community participants were appreciative of the opportunity to interact with various officials.

The number of NWGs grew in both precincts but not at a fast enough pace. Both the Austin Peay and Tillman precincts had a continuous increase every year since 2016 in NWGs (even during the pandemic year of 2020). However, there must be an intensive effort to obtain a scaled-up pace.

MPD tracks reported Blue C.R.U.S.H. crime categories citywide and by precinct. Those offenses include aggravated assaults, motor vehicle thefts, burglaries, thefts from motor vehicles, robberies, and carjackings. Using 2016 as a baseline year, during the 2017-2021 Safe Community Plan time period, reported Blue C.R.U.S.H. crimes dropped 5.1 percent citywide. However, they dropped 18.2 percent in the Austin Peay precinct and 13.4 percent in the Tillman precinct.

The goal of NSI has been to involve the community more in working with law enforcement and other entities to reduce crime by addressing specific crime and blight issues and increasing the number of active NWGs. The degree to which the NSI has helped achieve those goals is hard to measure. It is safe to say, though, that the effort has helped increase dialogue and communications with concerned community residents and heightened awareness of their specific concerns.

To become more effective moving forward, the consensus of the NSI working group is that the NSI needs to sharpen its focus by looking at specific properties in limited geographic areas that have a joint crime/code enforcement link that generates complaints. The goal of the revamped NSI will be to reduce crime at and near troubled properties that are the subject of continuous complaints, including things such as abandoned property, trash in the yard, open windows and doors, high grass, trespassing, and the presence of possible drug users and dealers. (In effect, properties will be identified at which crime is linked in many cases to the literal broken windows – applying the broken windows theory of crime in a very direct way.)

The effort will begin where the last version of NSI left off – in the Austin Peay and Tillman precincts – but will move to other precincts as precinct leaders identify appropriate properties on which to focus.

### **Action Step 17**

Help break the cycle of repeat offenders by increasing employment opportunities for those supervised by the Tennessee Department of Correction and mandated by the Board of Parole to report to the Shelby County Office of Re-Entry as the department’s Community Resource Center.

- ❖ **OUTCOMES:** The percentage of individuals mandated by the Board of Parole to report to the Office of Re-Entry who actually do so; the percentage of parolees who are employed
- ❖ **KEY STAKEHOLDERS:** Tennessee Department of Correction; Shelby County Office of Re-Entry

Securing gainful employment is important for a successful transition from prison back to the community. Unfortunately, ex-offenders often face multiple obstacles in finding employment. The mark of a criminal record can significantly decrease hiring of ex-offenders (Pager, 2003). Other barriers such as low levels of educational attainment, incomplete schooling, limited previous work experience, poor health, and being concentrated in small urban areas characterized by high poverty and poor job prospects can all impact employability (Raphael, 2014; Wiegand and Sussell, 2016). Due to these compounding obstacles, it is not surprising that approximately 2/3 of ex-offenders are rearrested and almost half are reincarcerated within the first three years of release (Durose, Cooper, and Snyder, 2014).

Re-entry interventions that focus on getting ex-offenders gainful employment can reduce the rate of recidivism. However, evaluations on the impacts of re-entry models are still developing (Drake, Aos, and Miller, 2009). A three-year evaluation by Redcross and colleagues (2012) of the Center for Employment Opportunities Transitional Jobs Program (CEO) found it significantly reduced recidivism by 16 to 22 percent, with the strongest impacts being among ex-offenders who enrolled in the program shortly after release (treatment group). Among those individuals, program group members were less likely than the control group to be arrested, convicted of a new crime, and reincarcerated (Redcross et al., 2012). Other research has suggested the importance of preparing individuals for employment prior to their release, and not after. An evaluation of a randomized controlled experiment (RCT) of a re-entry program was conducted by Cook and colleagues (2015). This RCT included employment opportunities as well as social service or ‘reach in’ services prior to offender release. The results of this evaluation found that combining reach-in services with employment opportunities increased employment rates and earnings for the duration of a year, and significantly reduced the likelihood of re-arrest.

In conjunction with the Tennessee Department of Correction (TDOC) and the U of M Public Safety Institute, the Crime Commission has co-hosted two forums to help inform local employers of sources

of ex-offenders as potential employees who have had both technical and life skills training. Both forums were fairly well attended with over 200 attendees. Local re-entry organizations – such as Hope Works, the Center for Employment Opportunities (CEO), Lifeline to Success, Economic Opportunities (EcOp), and the Shelby County Office of Re-Entry (SCOR) – made presentations and provided contact information.

Three major challenges remain to providing more job opportunities for ex-offenders.

First, there is the need to ensure that more ex-offenders take advantage of opportunities to obtain both the technical skills and life skills needed to be productive, dependable employees. The entities mentioned above are examples of community-based organizations providing those opportunities. HopeWorks has been providing training to inmates before they leave incarceration at the Shelby County Division of Corrections. Lifeline to Success works with ex-offenders to help insure they have the kinds of life skills necessary to be productive employees. Such efforts need to be supported and expanded.

Second, more employers need to be convinced to give ex-offenders an opportunity. Many employers have shown a reluctance to do so, possibly in part due to bad experiences they have had in the past. (Ironically, the labor shortage created by the COVID-19 pandemic may have given ex-offenders more opportunities for employment.)

Third, there needs to be better connectivity between ex-offenders who need jobs and employers seeking employees. As an example, CEO has encountered an insufficient number of available ex-offenders to fill job openings.

To help meet these types of challenges, in 2017, TDOC and SCOR entered a memorandum of understanding under which SCOR was designated TDOC’s Community Resource Center for Memphis/Shelby County, with services to be available to those under the community supervision of TDOC.

The MOU was “. . . intended to contribute to a cooperative and mutually beneficial relationship . . . coordinate resources and prevent duplication of effort, ensure the most effective utilization and delivery of community resource services for offender rehabilitation, and establish processes and procedures . . . to establish a seamless and comprehensive system of delivery for rehabilitation and support services available to offenders in Shelby County.”

The MOU established certain “principles” to apply in implementing service delivery, including:

1. Availability to all eligible offenders, specifically all offenders under TDOC supervision;
2. Creation of a “One Stop” approach to a service delivery system; and
3. Delivery of services in a cost efficient and optimally effective manner.

The MOU expired in May of 2020. The MOU needs to be renewed and modified by all interested parties to ensure that, as TDOC’s Community Resource Center, SCOR becomes a true “One Stop” location for the needs of those on supervision to be addressed, including connecting those individuals with

appropriate community service providers such as those mentioned above, with the ultimate goal of placing more ex-offenders in steady, full-time employment.

### **Action Step 18**

Address the fragmented behavioral health system by establishing an effective coordinating entity to (1) connect those with behavioral health challenges with existing services in the community and (2) identify existing gaps in services and resources.

- ❖ **OUTCOME:** The availability of safety net providers of behavioral health services for (1) children facing adverse childhood experiences, (2) adults who have faced adverse childhood experiences, (3) those individuals currently incarcerated or with a history of incarceration, and (4) the population experiencing homelessness. (NOTE: This Outcome will initially involve creating an inventory of services.)
- ❖ **KEY STAKEHOLDERS:** Shelby County Health Department; Shelby County Division of Community Services

Shelby County Sheriff Floyd Bonner estimates that about 25 percent of inmates in the Shelby County jail have behavioral health issues, with a majority of those also having substance abuse issues. A consistent concern in community meetings conducted by the Crime Commission in the fall of 2021 was the failure to address underlying behavioral health issues causing much of our crime. In addition to a lack of services, many expressed the thought that those in need are not being adequately connected to services that exist.

As Shelby County has faced the challenges of the COVID-19 global pandemic, an assessment of the current behavioral health landscape in the community has taken on renewed significance. The community has been affected through the increase in deaths in a short period of time, interruption in in-person learning for our children, job losses for our adult population, a frequent inability to gather freely, and constant concern for our health and safety. On reflection, it is not surprising that we have seen an increase in criminal behavior during this time period, not only in our community but nationwide. The pandemic reality, coupled with pre-pandemic behavioral health issues, presents a unique opportunity to assess the current availability of behavioral health resources and plan for future community investments and improved coordination to address behavioral health at both the institutional and community levels, insuring a healthier and safer Memphis/Shelby County.

As of 2017, 8.5 million Americans suffered from some form of co-occurring substance abuse and behavioral health disorder (Substance Abuse and Mental Health Services Administration, 2018). Individuals who experience substance abuse and/or behavioral disorders often face barriers to treatment, including wait lists for access to treatment facilities, financial barriers and costs for treatment typically due to lack of insurance coverage, transportation issues, and especially stigma which prevents individuals from talking about their struggles (Ali, Teich, and Mutter, 2017; Grella, Gil-



Rivas, and Cooper, 2004; Parcesepe and Cabassa, 2013; Pullen and Oser, 2014; Redko, Rapp, and Carlson, 2006).

There has been considerable growth in the knowledge of behavioral health disorders, including substance abuse, prevention, and program evaluations both in the field of health as well as the field of criminal justice (cf. Charlier and Reichert, 2020; Clifasefi, Lonczak, and Collins, 2017; Fernald et al., 2021; Furber et al., 2015; Jacka et al., 2013; Reichert et al., 2017). Of particular interest is the law enforcement strategy of deflection or some form of pre-arrest diversion. (Charlier and Reichert, 2020). Deflection programs involve a collaborative effort of law enforcement and public health systems to create community-based access to treatment, typically with the aim of not having individuals with drug and/or behavioral health issues needing direct entry into the criminal justice system (Charlier and Reichert, 2020).

A few reviews of deflection programs have been conducted. The LEAD program in King County, Washington (Seattle) included services ranging from case management, substance abuse treatment, and support for individuals post-arrest. LEAD was statistically associated with a reduction in recidivism among participants compared to other similar groups (Collins, Lonzak, and Clifasefi, 2015). However, there have been issues replicating the approach in some other cities, such as Albany, New York (Worden and McLean, 2018). Some deflection programs have experienced limitations to treatment access, including long wait times to access services, which reduces follow through with some treatments (Barberi and Taxman, 2019; Charlier and Reichert, 2020; Chun et al., 2008; Redko et al., 2006; Schiff et al., 2017).

As a public safety issue, there is a need to connect those with behavioral health issues with existing services in the community, as well as identify and address existing gaps in services and resources. This is especially true for those who have come in contact with the criminal justice system. Under the leadership of the Shelby County Health Department and the Shelby County Division of Community Services, the following steps need to be taken:

1. Immediately convene key stakeholders to develop a multi-year strategic plan within two years that assesses the current behavioral health landscape in the community and addresses:
  - The availability and accessibility of existing resources to address behavioral health and co-existing substance use disorders;
  - The sustainability of the existing resources;
  - Exploration of current institutional policies that hinder access and threaten future availability of resources;
  - The value of creating a full-time mental health court;
  - Analysis of future community behavioral health and co-occurring substance use needs given identified system gaps, and
  - Implementation of, and investments in, future behavioral health programs.

2. Within three years, develop a centralized source accessible to residents that identifies existing behavioral resources, with measurements in place to determine its effectiveness.

As noted by Sheriff Bonner, the Shelby County Jail has unfortunately become our major facility housing individuals with behavioral health issues. We can and must do better.

## DOMESTIC VIOLENCE

The plan has two overall primary outcomes related to domestic violence:

- A 20 percent reduction in reported domestic violence incidents
- A 30 percent reduction in domestic violence aggravated assaults involving guns

### Action Step 19

Establish an effective Domestic Violence Task Force made up of key stakeholders to oversee (1) development of a strategic plan for addressing domestic violence and (2) implementation of the plan.

- ❖ **OUTCOMES:** The number of victims connected to services; a reduction in the number and percentage of domestic violence repeat offenders
- ❖ **KEY STAKEHOLDERS:** D.A.'s Office; University of Memphis; Family Safety Center

In 2021, there were 17,446 reported domestic violence incidents in Memphis/Shelby County according to preliminary figures from the Tennessee Bureau of Investigation. The percentage of domestic violence aggravated assaults involving guns has skyrocketed to over 50 percent compared to less than 25 percent in 2014.

According to figures from the District Attorney's Office, of those charged and arrested for domestic violence, over 20 percent have been charged and arrested for domestic violence previously.

Under a grant from the Tennessee Office of Criminal Justice Programs, the University of Memphis evaluated the effectiveness of services to domestic violence victims in Shelby County. Both the final report and an executive summary are available at <https://memphis.edu/psi>.

The evaluation concluded that there is:

1. Widespread frustration among domestic violence victims, criminal justice personnel, and service providers related to the level of cooperation in providing a continuum of services to victims;
2. Challenges related to sufficient collaboration and communication;

3. Lack of funding and services available for the body of victims pursuing social services; and
4. A serious lack of 24/7 services.

As the university researchers conducted the evaluation, there was also a sense that there are many resources available or potentially available for domestic violence victims which are simply not being utilized as effectively as they could be.

Various key providers and stakeholders came together in October of 2021 with the University of Memphis Public Safety Institute and the Crime Commission to co-host the Forum on Breaking the Cycle of Domestic Violence. These services providers and other stakeholders included the Shelby County Crime Victims and Rape Crisis Center, the District Attorney's Victim/Witness Unit, the Family Safety Center, CasaLuz, Kindred Place, the YWCA, the Memphis Area Women's Council, the Domestic Violence Council, the Memphis Police Department, and the Shelby County Sheriff's Office.

Common themes at the forum were the need for more coordination of service providers and more efficient responses to the needs of victims.

At the individual domestic violence case level, there is a need for a robust and comprehensive coordinated, trauma-informed approach to address the needs of victims (and hold perpetrators accountable). At a higher level, there is a need for more coordination in providing existing services coupled with a plan to address gaps in services.

A coordinated rapid response team approach to domestic violence has grown in recent years, with the goal of improving services to domestic violence survivors, while also lessening the chance of repeat abuse (Shorey, Tirone, and Stuart, 2014). While there is no standardized protocol for implementing community response care (Klevens et al., 2008), a coordinated response often includes local service providers, including police, advocates, health care providers, and others who form a relationship to fill the gaps in service provision for survivors (Sullivan, 2006). The goal is to provide more comprehensive responses for victims, including reducing or eliminating violence and providing victims with appropriate resources such as orders of protection, healthcare, housing and others (Shorey et al., 2014).

Due to efforts involving multiple organizations and services, research has often focused on investigating how each organization affects victims but has not traditionally focused on the impact of rapid response teams as a whole unit. Overwhelmingly the research conducted has been on advocacy interventions, though this work has also looked at criminal justice approaches. For instance, a longitudinal outreach compared to more criminal justice-based referral programs on women's distress and safety following police-reported domestic violence found that advocacy outreach resulted in less PTSD, depression and fear for women in the referral group. Victims connected to advocacy groups expressed more readiness to leave their abusers, and women in the outreach groups were more likely to be engaged in the overall prosecution of their offenders (DePrince et al., 2012). Criminal justice research has commonly focused on the effects of first response teams used by police departments to assist victims in finding shelter and support (Sullivan, 2006). Carr (1982) analyzed the effects of first response teams on victims of domestic violence one year after implementation and

found that 79 percent of victims found the teams helpful. Unfortunately, further research, especially program evaluation, in this area remains somewhat limited. Other research has considered how cognitive-behavioral interventions impact sheltered, abused women with PTSD. A randomized controlled experiment found that women in cognitive-behavioral interventions typically reported less abuse 6 months after post-treatment, as well as overall reductions in PTSD, compared to those who did not receive services (Johnson, Zlotnick, and Perez, 2011). Coordinated community response efforts have also helped women find employment (Chronister, Wettersten, and Brown, 2004) and considered how employment affected their relationship with abusers.

In our community, A Domestic Violence Review and Response Team (DVRRT), a multi-disciplinary collaborative, exists under the auspices of the Family Safety Center of Memphis and Shelby County. Its mission is to bring closure to high-risk cases through a coordinated team approach that addresses outstanding issues and identifies systemic gaps in service, particularly as they relate to holding perpetrators accountable and meeting clients' immediate need for safety and other service options. The collaborative comprises key individuals from the District Attorney's Office, Memphis Area Legal Services, law enforcement and other mission-aligned partners. The collaborative meets monthly to review the status of all clients deemed high-risk as determined by the client's statement and a "high danger" assessment score. While the DVRRT meeting structure is focused on the offender, it could be expanded to include a "stock take" of efforts to support the victim and mitigate revictimization. The structure of DVVRT provides a framework that can serve as a foundation for developing a trauma-informed approach suitable for addressing victims' long-term needs to ensure a sustainable transition from victim to survivor.

What is missing is an effort to look at and address the broader picture of a sustained, coordinated approach to domestic violence so that (1) victims are aware of existing services, including services that support and empower victims to leave their abusers for good; (2) there is easy access to those services; (3) there are adequate services to meet the demand; and (4) effective steps are taken to reduce the number and percentage of offenders, especially repeat offenders.

In this particular case, the call for action is actually (1) development of a strategic plan to address domestic violence followed by (2) implementation of that plan. The University of Memphis has been in discussions with the State of Tennessee about possible funding of a strategic planning process. District Attorney Amy Weirich has agreed to chair a Domestic Violence Task Force made up of key stakeholders to oversee development of the strategic plan and its implementation.

As the desegregated go-to organization in Memphis and Shelby County for victims of intimate partner violence, especially at their point of crisis, the Family Safety Center is intended to serve as a gateway to an array of additional services through its relationships with a collaborative cohort of multidisciplinary agencies. The Family Safety Center has agreed to take a leading role in this effort to achieve greater synergy among agencies that work toward breaking the cycle of violence for victims.

## JUSTICE SYSTEM REFORM

### Action Step 20

Enact truth-in-sentencing state legislation to insure accountability for criminal conduct and confidence in our state’s sentencing structure.

- ❖ **OUTCOME:** An increase in the percentage of state prison beds used for violent offenders.
- ❖ **KEY STAKEHOLDERS:** D.A.’s Office; Tennessee General Assembly

In September of 2015, Governor Bill Haslam’s Task Force on Sentencing and Recidivism issued its final report. The very first recommendation in that report was to hold offenders more accountable by instituting “. . . truth in sentencing for felony convictions that result in incarceration through the establishment of a clear minimum period of incarceration that is conveyed to all interested parties at the time of sentencing.” The task force noted the need for a sentencing system of “transparency and certainty.” The task force went on to state, “The present structure in Tennessee engenders confusion among all participants in the justice system – prosecutors, judges, defense attorneys, defendants, and victims alike – and therefore undermines public confidence in the justice system.”

In a recent guest column in The Commercial Appeal, House Majority Leader William Lamberth reiterated the conclusions of the task force, noting that “. . . the current structure is a grossly inaccurate reflection of the real time that will be served. More troubling is that our current structure offers very little transparency at the time of sentencing. No one – not a judge, not a prosecutor or even a defendant’s attorney – can accurately tell an offender or a victim how long of a prison sentence will be served.”

In addition to the credibility of our state’s criminal justice system, the current system arguably fails to hold many serious offenders adequately accountable. A prime example is offenders convicted of aggravated assault. The vast majority of non-fatal shootings are due to guns used in aggravated assaults. Reported aggravated assaults have been increasing consistently in our community since 2011, with a disturbing 35 percent increase in 2020 compared to 2019. And aggravated assaults make up over 80 percent of all reported major violent crimes in Memphis/Shelby County.

Yet, our state system fails to hold many aggravated assault perpetrators adequately accountable, or serve as a deterrent to other would-be perpetrators. Aggravated assault is Class C felony, with a standard sentencing range of 3-6 years. An offender convicted of aggravated assault is eligible for probation, with no incarceration whatsoever. Assuming, though, that the court sentences a convicted offender to incarceration for 4 years, he is eligible for parole after serving 30 percent, or 1.2 years. On top of that, he is entitled to additional time off the sentence for “good behavior” and credit for any time spent in jail awaiting trial (or a plea of guilty). In effect, someone convicted of aggravated assault with a gun and technically sentenced to 4 years of incarceration can be back in the community almost immediately, a scenario frustrating to law enforcement, prosecutors, victims, and judges.

The federal sentencing system has no parole, with sentences having real meaning. Some states also have a form of truth-in-sentencing, Virginia being an example.

Abolition of parole was a key issue in the 1993 gubernatorial campaign in Virginia. The newly elected governor appointed a task force to review Virginia's system and recommend changes. At town hall meetings throughout the state, the task force heard concerns over the lack of transparency and the need for truth-in-sentencing. Under the state's parole system, inmates often served a fraction of the sentences ordered by the courts (Virginia Criminal Sentencing Commission, 2020).

In 1994, Virginia enacted sentencing reform legislation implementing a truth-in-sentencing system. Under Virginia's truth-in-sentencing, convicted felons sentenced to incarceration are serving at least 85 percent of the incarceration time sentenced by the courts. Violent offenders are targeted for longer terms of incarceration. "Violent offender" status is based on a person's entire criminal history, including juvenile adjudication, and burglaries are included in the definition of violent crime (Virginia Criminal Sentencing Commission, 2020).

At the same time, for non-violent offenders, a risk assessment was developed by Virginia to determine which cases should be recommended for alternative sanctions to incarceration. Roughly 51 percent of convicted non-violent offenders are recommended for alternatives to incarceration. Each year, roughly 3,000 low-risk drug and property felony offenders are recommended for alternative sanctions rather than incarceration. (Virginia Criminal Sentencing Commission, 2020).

In 1994, 69 percent of prison beds in Virginia held violent felons. By 2013, 81 percent of prison beds were occupied by violent felons (Virginia Criminal Sentencing Commission, 2020).

Virginia appears to be doing a good job of using its prison beds for those offenders with reason for the public to fear, holding those offenders accountable through "real" prison sentences, and using its system as a deterrent to violent crime.

According to the FBI's Uniform Crime Report for 2019, Virginia had the sixth lowest violent crime rate in the nation – 208.0 reported violent crimes per 100,000 population. (Four of the five states with lower rates were in New England.) By contrast, Tennessee had the third highest violent crime rate in the nation – 595.2 reported violent crimes per 100,000 population, almost three times Virginia's rate, with the city of Memphis accounting for roughly 30 percent of the total.

Truth-in-sentencing can take many different forms – ranging from elimination of parole to making the eligible parole date the real earliest release date rather than the "sliding scale" Tennessee has now. We need change in order to ensure more accountability for criminal conduct and confidence in our state's sentencing structure – especially when it comes to violent crime.

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# WE WPHIS



JOINT RESOLUTION OF THE SHELBY COUNTY BOARD OF COMMISSIONERS AND MEMPHIS CITY COUNCIL SUPPORTING THE STATE OF TENNESSEE GOVERNOR BILL LEE AND THE TENNESSEE GENERAL ASSEMBLY PROPOSED INCREASE IN FUNDING TO THE CRIME LAB PERSONNEL LOCATED AT THE SPECIAL AGENT DE'GREAUN RESHUN FRAZIER TBI CRIME LAB & REGIONAL HEADQUARTERS IN JACKSON, TENNESSEE ("JACKSON CRIME LAB") TO ADDRESS THE BACKLOG OF ALL BIOLOGICAL TESTING, WITH EMPHASIS ON RAPE KITS, WITHIN THE STATE AND REQUESTING ADDITIONAL FUNDING SUPPORT FOR THE YOUTH AND FAMILY RESOURCE CENTER, THE OFFICE OF REENTRY EFFORTS, JUVENILE COURT TO FUND JOB TRAINING EFFORTS, YOUTH VILLAGES, MEMPHIS ALLIES, 901 B.L.O.C. SQUAD, AND MEMPHIS SHELBY POLICE ACTIVITES LEAGUE, AND SUPPORTING SCHOOL PROGRAMS.

WHEREAS, each year the Tennessee General Assembly convenes the legislative session in January and concludes in mid-May. During the legislative session, the General Assembly adopts new laws that affect a wide range of legislative issues; and

WHEREAS, The Shelby County Board of Commissioners annually establishes a legislative agenda to be presented to the Tennessee General Assembly that will improve the quality of life for its citizens and leverage Shelby County to enhance areas of major fiscal concerns such as: BEP Funding, Infrastructure funding and funds directed towards families and children in need within Shelby County; and

WHEREAS, The Shelby County Board of Commissioners and Memphis City Council support Governor Bill Lee and the Tennessee General Assembly recent additional forensic lab positions at the (TBI)<sup>1</sup> but this still leaves a remaining 46 positions in deficit; and

WHEREAS, Shelby County Government and the City of Memphis also requests funding support from the state with our other funding needs such as scaling up the Youth and Family Resource Center, the Office of Reentry Efforts, supporting Juvenile Court with job training efforts, supporting Youth Villages, Memphis Allies, 901 B.L.O.C. Squad, and Memphis Shelby Police Activities League, and supporting School Programs; and

WHEREAS, the Memphis City Council and Shelby County Government wishes to add these items to the 2023 Shelby County Board of Commissioners' legislative agenda.

NOW, THEREFORE BE IT RESOLVED by the Memphis City Council that Shelby County Government and the City of Memphis both fully support and encourage the Tennessee General Assembly and Governor Bill Lee to support enhanced funding to TBI crime labs for purposes of staffing to address the backlog of biological evidence submitted by various law enforcement agencies throughout the region.

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<sup>1</sup> Anonymous Author, Sep. 29, 2022. "Gov. Lee, TN Legislative Leadership Announce Additional Step to Support TBI and Accelerate Testing." <https://www.tn.gov/governor/news/2022/9/29/gov--lee--tn-legislative-leadership-announce-additional-step-to-support-tbi-and-accelerate-testing-.html>



BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted forthwith to the Shelby County delegation to the General Assembly, which is hereby requested to introduce, lobby and support said legislation in the next session of the General Assembly.

BE IT FURTHER RESOLVED, That Shelby County Government and the City of Memphis also request funding support from the state with our other funding needs such as scaling up the Youth and Family Resource Center, the Office of Reentry Efforts supporting Juvenile Court with job training efforts, supporting Youth Villages, Memphis Allies, 901 B.L.O.C. Squad, and Memphis Shelby Police Activities League, and supporting School Programs.

BE IT FURTHER RESOLVED, that this Resolution shall take effect shall take effect from and after the date it shall have been passed by the Council, certified and delivered to the Office of Mayor in writing by the comptroller and become effective as otherwise provided by law.

Sponsor:  
Chase Carlisle

**RESOLUTION TO REALLOCATE AND APPROPRIATE \$1.5 MILLION FROM ARPA FUNDS TO MEMPHIS FIRE DIVISION TO PROVIDE ADDITIONAL SUPPORT FOR THE C.A.R.E. PROGRAM**

**WHEREAS**, on March 11, 2021, the American Rescue Plan Act (ARPA) was signed into law by the President. Section 9901 of ARPA amended Title VI of the Social Security Act to add section 602, which established the Coronavirus State Fiscal Recovery Fund, and section 603, which established the Coronavirus Local Fiscal Recovery Funds (together, the Fiscal Recovery Funds). The Coronavirus Local Fiscal Recovery Funds was established to provide support to local governments (“recipients”) to respond to the impacts of COVID-19 on communities, residents, and businesses; and

**WHEREAS**, section 602(c)(1) and 603(c)(2) provides that funds may be used to:

A. To respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;

B. To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;

C. For the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency;

D. To make necessary investment in water, sewer, or broadband infrastructure; and

**WHEREAS**, the Memphis City Council recognizes that the issue surrounding the amount of resources to address mental health, and First Responders’ ability to provide support to those they encounter who are affected by mental illness, is a public health issue that directly or indirectly impacts everyone in the City of Memphis; and

**WHEREAS**, in 2021, the Memphis Police Department (MPD) responded to 21,340 mental health crisis calls; of those calls, 18,003 of the calls were non-violent mental health consumers in crisis, and 3,337 calls were violent mental health consumers in crisis; and

**WHEREAS**, during MPD’s efforts to increase the amount of police officers to serve the City of Memphis, it is vital that resources are available to support an alternative program that is equipped respond to those calls that are deemed non-violent mental health consumers in crisis; and

**WHEREAS**, the Council seeks to provide the support necessary to support the Memphis Fire Division’s C.A.R.E. (Crisis Assessment and Response to Emergencies) Program, which is a three-person mental health response team, made up of a MFD firefighter and/or paramedic, a master’s level crisis assessor from Alliance Healthcare Services, and a CIT police officer; together, this team is equipped with the necessary knowledge and tools to act as a resource for those individuals diagnosed with or displaying symptoms of mental illness who require assistance in that regard; and

**WHEREAS**, it is the intent of the Council to address the issues relative to mental health crisis calls and public safety by ensuring that there are adequate resources available to the C.A.R.E. program to support the people of Memphis, and that police officers are able to maximize their effort to keep the City of Memphis safe; and

**WHEREAS**, the Memphis City Council requests the Memphis Fire Division to use this funding to expand the program and increase its impact regarding crises that arise due to mental health, substance abuse, or homelessness that do not require law enforcement response.

**NOW, THEREFORE, BE IT RESOLVED** that the FY22 ARPA allocations be amended to reallocate \$1,500,000 of ARPA funds from the Public Transportation Initiative category; and to amend the FY23 CIP Budget to allocate and appropriate \$1.5 million to the Memphis Fire Division's budget for the C.A.R.E. program, effective with the approval of this resolution.

Sponsor:

Chase Carlisle

Michalyn Easter-Thomas

Ordinance No. \_\_\_\_\_

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF MEMPHIS, CHAPTER 2-16., CITY REAL PROPERTY MANAGEMENT, TO REQUIRE THAT ANY CONTRACTS FOR THE MODIFICATION OF CITY-OWNED PROPERTY THAT IS LEASED TO ANY UNAFFILIATED NONPROFIT ORGANIZATION, WITH A COST IN EXCESS OF \$1,000,000, BE PRESENTED TO THE MEMPHIS CITY COUNCIL FOR APPROVAL

**WHEREAS**, the Memphis City Council is committed to the growth and development of the City of Memphis, and maintains its support of the continuous improvement and maintenance of City-owned properties; and

**WHEREAS**, the Memphis City Council recognizes that its commitment to the City's growth includes the responsibility to consider the needs of the properties and residents that surround such developments; and

**WHEREAS**, the Memphis City Council understands that improvements to any City-owned property will affect the surrounding areas, and wants to ensure that such improvements are made known to the local residents and are done in consideration of the needs and desires of that community; and

**WHEREAS**, Chapter 2-6- 1. of the Code of Ordinances of the City of Memphis grants the Memphis City Council with the power to authorize contracts entered into by the Mayor; and

**WHEREAS**, the Memphis City Council seeks to utilize that authority to require that contracts for the modification or improvement of City-owned property that is leased to any nonprofit entity that is unaffiliated with the City of Memphis receive prior authorization from the Council when the cost of the improvement or modification is in excess of \$1,000,000.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS**, that

**Section 1.** Chapter 2-16., City Real Property Management, of the Code of Ordinances is hereby amended to add the following provision:

**Sec. 2-16-3. Improvement or Modification to City-owned Property.**

**A. Property Leased to Nonprofit Entities**

Any real property that is owned by the City of Memphis that has been leased to, or is otherwise occupied by, a nonprofit organization that is not affiliated with the City of Memphis, or is not under the sole supervision and control of the Mayor, shall not enter into an agreement regarding the improvement or modification of such land, building, or facility without prior authorization of

the Memphis City Council if the cost associated therewith is in excess of one million (\$1,000,000) dollars.

**Section 2. Severability.** The provisions of this Ordinance are hereby severable. If any of these sections, provisions, sentences clauses, phrases, or parts are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

**Section 5. Effective Date.** This Ordinance shall take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the comptroller and become effective as otherwise provided by law.

Chairman:  
Martavius Jones



Apple Seeds, Incorporated  
Memphis City Council  
FY23 Budget Request Presentation  
Tenikki Sesley, Executive Director



# Our Mission

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Apple Seeds, Incorporated strives to enhance mental wellness and aims to improve the quality of life for individuals and families.

We work to be a leading mental wellness organization in the Mid-South committed to increasing awareness and addressing the lack of options for quality mental health services.





# Organization Information



- Organization founded in 2009.
- 501 (c) 3 organization since 2009.
- Please indicate all years of prior City of Memphis Funding: 0; but is a sub-grantee and partner of several City of Memphis funded organizations to include LeMoyne-Owen College, Porter-Leath, and Methodist LeBonheur Hospital.
- Representative Name: Tenikki Sesley
- Representative Email and Phone Number: [appleseedsmemphis@gmail.com](mailto:appleseedsmemphis@gmail.com) | 901.596.2792
- Organization Email and Phone Number: Same
- Located in District 2 & Super District 9
- Organization Mailing Address: 6584 Poplar Ave. 2nd Floor, Suite 316, Memphis, TN 38138
- Number of Citizens Served: 1,000





# Operating Budget

Budget	Annual Expenses	City of Memphis
Revenues & Support	\$168,344.00	
Board of Directors Donations	\$4,500.00	
Miscellaneous Donations	\$1,500.00	
<b>Total Income</b>	<b>\$174,344.00</b>	
<b>Expenditures</b>		
Staffing (Therapists, Clinical Directors, Support & Training Staff)	\$87,308.00	\$25,500.00
Community Training Materials / Professional Services (Marketing, Supplies, etc.)	\$5,500.00	\$3,500.00
Community Donations & Programming Support (Stipends for participants, toiletries, food, additional needs & resources.)	\$2,000.00	\$15,000.00
<b>Total Expenses</b>	<b>\$94,808.00</b>	<b>\$37,100.00</b>

# The Problem



Apple Seeds is dedicated to addressing the needs and improving the lives of communities of color and people with limited income and resources, food insecurities, no insurance/and or underinsured by reducing barriers they face daily and ensuring viable access to quality mental health services, education, and awareness to individuals.

According to data collected by the federal government, the city of Memphis is inclusive within its classified Delta region that is considered "the most distressed area of the country." As part of the Delta region, the poverty rate in Shelby County, which includes Memphis, is 21 percent overall and the rate for families with children is 22.6 percent. Communities of color are impoverished, and our youth suffer more because they are most often born into poverty. The 2020 Memphis Poverty Fact Sheet provided by University of Memphis stated that minority children living permanently in poverty are often traumatized by the Adverse Childhood Experience (ACEs). As crime research in our area now shows that our youth are among the leaders of violent crimes in Memphis, we believe there is a distinct correlation between these two elements.

Further, 38107 according to recent crime statistics, has been declared the 11th most deadliest zip code in the city with a combined 34 homicides in 2020 and 2021. The time is now to engage the youth and families in our partnering community, Smokey City, and agency, Smokey City Neighborhood Association, to shift the trajectory and provide dedicated mental health and needed resources to deter crime and empower positive youth activation and family support.

# The Solution



Apple Seeds plans to partner with the Smokey City Neighborhood Association to provide intentional engagement opportunities to include free individual and group counseling sessions that are goal focused interventions and link mood, thoughts, and actions to help participating youth and families address current issues and symptoms. We will also render other mentoring resources and fundamental necessities as identified by our partnering community agency, Smokey City Neighborhood Association, who is actively working to spark transformative change within their community. Programming will take place within the community at area locations to include neighboring community facilities.

We hope to further increase financial and economic empowerment by providing participating individuals with small stipends for participation as well as other essential resources to deter them from unhealthy behavior by providing positive, engaging programming and life-development skills and tools to empower a pipeline to economic stability and mental wellness.

# Quantitative Goals



- Number of volunteer/administrative hours invested: 500
- Number of citizens served: 750
- Amount of capital raised: \$3,000.00
- Number of support resources deployed: 15 - 20 sessions per month to include group and individual therapy sessions and educational and developmental workshops.
- Our programming and therapy sessions will support strengthening relationships, capacity building, mentorship, and providing needed resources in disenfranchised areas to include the neighborhoods of Uptown, Smokey City, Klondike, and New Chicago.



# Memphis City Council FY23 Budget Request Presentation

**The Time Is Now Douglass Redevelopment Corporation**  
**Kathy L. Temple, Exec. Dir.**

# Mission Statement

Include your mission statement on this slide

*To redevelop and revitalize the Douglass, Bungalow, and Crump communities through economic development, educational encouragement, youth mentorship, and senior support by working with new and existing community and city organizations.*

# Organization Information

- Organization Founded in 2012
- 501 c (3) organization since April 16, 2020
- Please indicate all years of prior City of Memphis Funding  
NONE
- Representative Name Kathy L Temple
- Representative Email and Phone Number  
[kathyltemple@gmail.com](mailto:kathyltemple@gmail.com) 901-691-1044
- Organization Email and Phone Number  
[thetimeisnowdouglass@gmail.com](mailto:thetimeisnowdouglass@gmail.com) 901-691-1044
- Organization Mailing Address 1536 Tayner St, Memphis, TN 38108
- Located in District 7 and Super District 8
- Number of Citizens served 500+

# Funding Amount Requested \$8,000

- SAMPLE BUDGET TEMPLATE Attached and template must include the total amount of operating budget

Budget	Annual Expenses	City of Memphis
Core Programming (Training, Office Hours)	\$ 25,000.00	\$ 8,000.00
Planning & Administration (Internal Communications, prep work done on behalf of all programs, etc.)	\$ 5,000.00	
Overhead & Logistics (Consumables, Equipment, Facilities Mgmt, Inventory mgmt, wear and tear, etc.)	\$ 5,000.00	
Technical Support/Video/Photography	\$ 1,000.00	
Events & Community Engagement	\$ 10,000.00	
Food & Beverage (Standard Weekly Meal Provision)	\$ 1,500.00	
Archer Malmo (Design, marketing, comm, pr, training, event production, etc.)	\$ 1,500.00	
Recruitment of Resources & Partnerships	\$ -	\$ -
Co-working Space & Facilities	\$ 1,000.00	\$ -
Grants/Incentives	\$ 500.00	
Internships	\$ -	
Ad-hoc Speakers & Programs (Travel, fees, etc.)	\$ -	
Curriculum Development/Packaging	\$ 500.00	
Total*	\$ 51,000.00	\$ 8,000.00

***The Memphis City Council will not accept financial requests that exceed more than thirty percent of total operating budget as reported on the most recently filed and accepted Charitable Organizations filing, including the IRS form 990EZ and 990.***



# The Problem

Since the closing of Douglass High School (DHS) in 1981, the Douglass, Bungalow, And Crump (DBC) communities have been in steady decline and has been ignored by our city, county, and state governments. When DHS was closed it ushered in three decades of decline in homeownership which was at 87% at its peak in the 70's to less than .01% in 2022. Many of the generational family's loss value in the family homes and moved away leaving those homes to crumble into disrepair. In a community that once boasted its own grocery store, deli, dry cleaners, shoe cobbler, Knudsen's Ice Cream factory, and many black, resident owned businesses and markets, we now have no access to food, no access to fresh fruits and vegetables, no access to jobs, no employment training, no access to healthcare, no stores that are viable, and little to no homeownership.

The DBC communities are now plagued with poverty, which is the root cause of the crime, blight, poor education, and non-viable housing that now plagues our communities. The disinvestment of our communities have created the disparities that we are expected to "fix" ourselves.

The 3 major issues/complaints that we hear from our residents are:

- Crime/drugs
- Blight
- No food access

These issues are problems that can be addressed with funding, resources, and community involvement. TTIND was started by DBC life-long and generational residents who seek the funding and resources needed to revitalize our communities. We, the residents have established the vehicle by which we should receive any funding and resources available to help us "fix" our neighborhood ourselves.

# The Solution

The Time Is Now Douglass (TTIND) has been working in the Douglass, Bungalow, & Crump (DBC) communities to create a safer, cleaner, more equitable community. In the last 2 years, since the start of the pandemic and since receiving our non-profit status, TTIND has created several programs in the DBC communities.

In April of 2020, at the height of the COVID-19 pandemic TTIND partnered with the Midsouth Food Bank (MSFB) to provide mobile food pantries in Douglass Park to meet the needs of those who had lost their jobs because of the pandemic shut down and who already had little or no access to food. In 2020 TTIND hosted mobile pantries twice a month using volunteers from the DBC communities. We started out providing 300 families of 4 with 14 days worth of groceries. We ran out of food at every single pantry. As we entered 2021 and the country began to reopen, we saw fewer families coming to the pantries, so we reduced them to once a month. We have continued hosting monthly mobile pantries in Douglass Park through 2022. Nationally, inflation has reached highs not seen in more than 40 years and our poor communities continue to suffer. TTIND had committed to continue mobile food pantries until more of the needs of those in DBC without food security is met.

On average, it costs TTIND about \$800 monthly to host mobile food pantries in partnership with the MSFB. The cost of food ranges from \$100-\$200 monthly. Costs to feed our volunteers is averaged around \$250 monthly. Costs to stipend volunteers averages around \$400 monthly. Funds for stipends and feeding volunteers are partially provided by community partner Center For Transforming Communities (CTC).

TTIND has also established a food pantry inside of Douglass Community Center. The Douglass Food Pantry mostly operates in the winter months when mobile pantries are restricted by inclement weather. The Douglass Food Pantry is stocked with dry goods, some protein/meats. And non-food household items from funds raised in the community and from other private donations.

In an effort to create sustainable food sources in the DBC communities, TTIND & the DBC Blight Crew has started and encouraged several gardens and orchards in the Douglass community. The Houston Giving Grove Orchard was established in 2020 with support from Memphis Tilth and a grant from Community Lift. The DBC Blight Crew and volunteers from the community planted six fruit trees on a vacant property owned by generational resident Rita Houston. With funds from the Community Lift grant, Memphis Tilth was able to test the soil to establish it was safe for planting. TTIND was also able to purchase the six fruit trees from Memphis Tilth. Rita Houston has now taken over that orchard and has spent her time, talent, and tangibles to make sure the property is maintained. The DBC Blight Crew maintains and prunes the trees that should produce fruit by spring 2023.

TTIND has also established a second orchard and garden in fall 2022. The Mia D. Madison Tayner Street Gardens was established in Sept. 2022 as a memorial garden/orchard to honor the late Mia D. Madison of Memphis Tilth. Mia was instrumental in helping TTIND test, grade, and establish soil on a vacant property purchased by TTIND in 2021. Mia encouraged us to try our hand at above ground container gardening to avoid the expenses and labor of an in-ground garden and to avoid the fees of soil testing that we could not afford without proper funding. This garden will be grown using completely organic soil and use only materials found in and around our neighborhood. We want to encourage and establish a garden/orchard on every street in DBC that will feed that street, which also address our food insecurities.

TTIND has also built a blight crew to address overgrown vacant lots, blighted & abandoned buildings/properties, and litter & trash issues in the DBC communities. The DBC Blight Crew was established as a volunteer crew with residents of the community. First funded by the Community Enhancements Grants and other anonymous donors, TTIND was able to pay residents to work for the DBC Blight Crew. Our blight crew mitigates the grass on 17 vacant lots in Douglass, Bungalow, & Crump. We also cut the lots of our senior citizens and disabled residents for free. The DBC Blight Crew has partnered with City Beautiful to install 5 trash receptacles across Douglass and Crump to encourage trash pickup and keeping our community clean. We also have monthly community clean-ups and we cleanup in Douglass Park every month before and after every mobile food pantry. We have student volunteers from Douglass High School who have now formed a Student Cleanup Crew that keeps the campuses of Douglass K8, Douglass Head start, and Douglass High School clean and litter free.

TTIND is now working with the art teachers and students at Douglass K8 and Douglass HS to create murals that will be installed on the outside of Douglass Community Center and the Douglass Pool House. In 2021, TTIND won a grant from the Urban Arts Commission (UAC) to install artwork in the Douglass community. TTIND & UAC have conducted several community surveys and workshops to give residents of the community a voice in what they want to see in the murals. We are now establishing art programs that will encourage the youth to participate in the creation, painting, and installation of the murals which will start in the spring of 2023.

Programs and services like these established by community and resident-led organizations like The Time Is Now Douglass is the key to establishing equity and sustainability in disenfranchised, divested, and poverty-stricken communities like Douglass, Bungalow, and Crump.

# Quantitative Goals

- Number of volunteer/administrative hours invested: 2000+
- Number of citizens served: 500+
- Amount of capital raised: \$25,000
- Number of support resources deployed: 5+
- Please include any other statistics about programming:
  - Mobile Food Pantry provides 14 days of groceries for a family of 4 and serves 300 families per month from April - November 2022 = 2700+ people fed
  - 10-20 volunteers from the community support mobile food pantries
  - 7-10 community volunteers support the orchards/gardens
  - 52 hot meals have been provided to homeless in the DBC communities thru funding provided to community restaurants in 2022
  - 12 families in the DBC communities have benefited from the Douglass Food Pantry
  - The Juneteenth Douglass 29<sup>th</sup> Annual Freedom Festival exceeded over 3000 attendees at the 3-day festival
  - More than 50 volunteers supported Juneteenth 2022
  - More than 10 community orgs and sponsors financially supported Juneteenth 2022



# Memphis City Council FY23 Budget Request Presentation

**Black Millennials 4 Flint**  
**LaTricea D. Adams, CEO & President**

# Mission Statement

Black Millennials for Flint's mission is to empower communities to take action and advocate against the crisis of lead exposure specifically in African American & Latinx communities.

# Organization Information

- Organization Founded in 2016
- 501 c (3) organization since 2019
- Please indicate all years of prior City of Memphis Funding:  
0 Years Funded by the City of Memphis
- Representative Name: LaTricea D. Adams
- Representative Email and Phone Number:  
[president@blackmillennials4flint.org](mailto:president@blackmillennials4flint.org) (901) 289-4625
- Organization Email and Phone Number:  
[info@blackmillennials4flint.org](mailto:info@blackmillennials4flint.org) (901) 289-4625
- Organization Mailing Address: 655 S. Riverside Drive Unit 504B, Memphis, TN 38103
- Located in District 6 and Super District 8
- Number of Citizens served 600k+

# Funding Amount Requested \$75,000

- SAMPLE BUDGET TEMPLATE Attached and template must include the total amount of operating budget

Budget	Annual Expenses	City of Memphis
Core Programming (Training, Office Hours)	\$ 200,000.00	\$ 25,000.00
Planning & Administration (Internal Communications, prep work done on behalf of all programs, etc.)	\$ 75,000.00	\$ 25,000.00
Events & Community Engagement	\$ 99,500.00	\$ 25,000.00
Archer Malmo (Design, marketing, comm, pr, training, event production, etc.)	\$ 5,500.00	
Ad-hoc Speakers & Programs (Travel, fees, etc.)	\$ 10,000.00	
Total*	\$ 390,000.00	

***The Memphis City Council will not accept financial requests that exceed more than thirty percent of total operating budget as reported on the most recently filed and accepted Charitable Organizations filing, including the IRS form 990EZ and 990.***

# The Problem

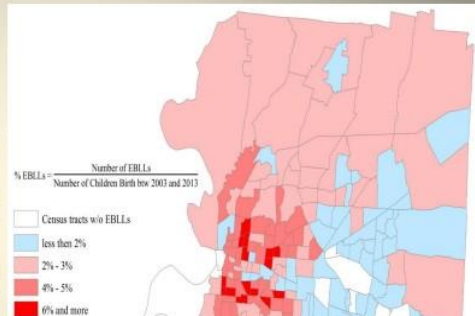
- As a historical and current industrial, heavy manufacturing city, Memphis has significant legacy environmental pollution issues including but limited to lead exposure largely in housing, water, air and soil.

## LEAD POISONING RATE BY ZIP CODE

### Place Matters

Lead Poisoning rates are not evenly distributed across Shelby County. Zip Codes with the Highest Lead Poisoning Rates Have:

- High Poverty Rates
- High Unemployment
- Low Educational Attainment
- High Crime Rate
- Food Deserts
- Transportation Concerns
- Socioeconomic Conditions

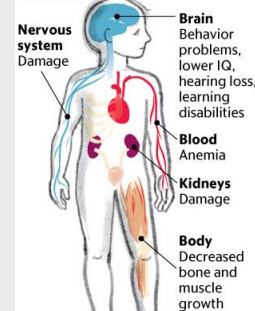


Data Source: Shelby County Health Department Office of Epidemiology and Infectious Diseases, prepared from State of Tennessee Lead Tracking and Surveillance System, 2012-2016.

### Lead exposure

Although often without obvious symptoms, lead exposure can affect nearly every part of the human body. No safe level of lead in the bloodstream has been determined by the federal Centers for Disease Control and Prevention.

#### Children



#### Adults

**Brain**  
Memory loss, lack of concentration, headaches, irritability, depression

**Cardiovascular**  
High blood pressure

**Kidneys**  
Abnormal function and damage

**Digestive system**  
Constipation, nausea and poor appetite

**Reproductive system**  
**Men:** Decreased sex drive and sperm count, sperm abnormalities  
**Women:** Spontaneous miscarriage

**Body**  
Fatigue, joint and muscle pain

**Nervous system**  
Damage including numbness and pain in the extremities

Sources: Centers for Disease Control and Prevention; National Institutes of Health

SHARON OKADA sokada@sacbee.com



# The Solution

- Black Millennials 4 Flint (BM4F) facilitates frequent community education surrounding lead poisoning prevention as well as provides resources to Memphis residents about existing lead poisoning prevention programs (i.e. [City of Memphis - Lead Based Paint Program with the Division of Housing & Community Development](#))
  - Part of our educational model is called “[Shop Talks](#)” which take place in local Barbershops in highly lead exposed communities throughout Memphis. Shop Talks take place 1-2 times per month.
- BM4F has a current partnership with Memphis Light Gas & Water, Memphis Shelby County Lead Safe Collaborative, the Green & Healthy Homes Initiative, and the Shelby County Lead Prevention & Sustainability Commission to connect community members in high lead exposed areas both in water and housing to existing county and city lead hazard reduction programs. Additionally, homes visited and tested that demonstrate elevated lead levels in drinking water receive high quality [NSF certified](#) water filters. Homes tested for lead paint dust with elevated levels that meet eligibility for the City of Memphis Lead Based Paint Program are connected to the program for services. Children of any age living in the home also receive free Blood Lead Level (BLL) testing.
  - The main community engagement strategy includes home visits and door-knocking (canvassing).

# Quantitative Goals

- Number of volunteer/administrative hours invested: 12,000 (average 200 hours per month since 2017)
- Number of citizens served: 3,000
- Amount of capital raised: \$25,000 (individual give)
- Number of support resources deployed: 1,000 (water filters and lead program hazard referrals)
- Children referred for Blood Lead Level Testing: 600

*The data above represents Memphis community impact to date.*

## Resolution to Amend Council FY23 Grant Allocations

**WHEREAS**, the FY 23 Operating Budget included \$3.25 million in funding for the Council's Grants Program with an equal apportionment to thirteen (13) members in the amount of \$250,000; and

**WHEREAS**, the Memphis City Council reviewed the applications and allowed presentations by prospective organizations wherein members were able to select individual grant award amounts to the organizations that successfully completed the application process; and

**WHEREAS**, members of the Council were afforded the opportunity to designate their full FY 23 \$250,000 allotment during the passage of the budget or to hold a portion of their allotment in abeyance with further consideration and distribution of their remaining funds to be decided by resolution at a later date: and

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL** that the following requests for disbursement(s) of funds is hereby approved as follows:

<b>NAME OF ORGANIZATION</b>	<b>AMOUNT</b>
Time Is Now Douglass Redevelopment Corporation	\$7,000.00
Apple Seeds	\$3,435.00
Black Millennials 4 Flint	\$5,000.00
<b>Total</b>	<b>\$15,435.00</b>

**Sponsored by:**  
Easter-Thomas

**Chairman:**  
Martavius Jones

A resolution to amend the Council FY23 grant allocations

WHEREAS, the FY 23 Operating Budget included \$3.25 million in funding for the Council's Grants Program with an equal apportionment to the 13 members in the amount of \$250,000; and

WHEREAS, the Memphis City Council reviewed the applications and allowed presentations by prospective organizations wherein members were able to select individual grant award amounts to the organizations that successfully completed the application process; and

WHEREAS, members of the Council were afforded the opportunity to designate their full FY 23 \$250,000 allotment during the passage of the budget or to hold a portion of their allotment in abeyance with further consideration and distribution of their remaining funds to be decided by resolution at a later date; and

NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL that the following request for disbursement(s) of remaining funds be approved as follows:

<b>ORGANIZATION NAME</b>	<b>AMOUNT</b>
Methodist LeBonheur Community Outreach	\$5,000
Legacy of Legends CDC	\$5,000
<b>TOTAL</b>	<b>\$10,000</b>

Sponsor: Ford Canale

**A resolution to amend the Council FY23 grant allocations**

**WHEREAS**, the FY 23 Operating Budget included \$3.25 million in funding for the Council’s Grants Program with an equal apportionment to the 13 members in the amount of \$250,000; and

**WHEREAS**, the Memphis City Council reviewed the applications and allowed presentations by prospective organizations wherein members were able to select individual grant award amounts to the organizations that successfully completed the application process; and

**WHEREAS**, members of the Council were afforded the opportunity to designate their full FY 23 \$250,000 allotment during the passage of the budget or to hold a portion of their allotment in abeyance with further consideration and distribution of their remaining funds to be decided by resolution at a later date.

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL** that the following request for disbursement(s) of remaining funds be approved as follows:

<b>ORGANIZATION NAME</b>	<b>AMOUNT</b>
Family of Hope	\$3,500
<b>TOTAL</b>	<b>\$3,500</b>

Sponsor:  
Rhonda Logan



## **Memphis City Council Executive Summary Sheet**

### **REPLACE AND AMEND SECTION 6-32, ARTICLE 6 OF CITY OF MEMPHIS CODE OF ORDINANCES REGARDING HORSE DRAWN CARRIAGES**

Amendments to the Ordinance include:

- Reassignment of enforcement of this section to Animal Services instead of MPD
- Reduction of allowed shift length
- Restrictions on allowed noise levels on carriages
- Restrictions on temperatures in which carriages can operate
- Elimination of the use of whips
- Expanded requirements for veterinary care

## CHAPTER 6-32. HORSE-DRAWN CARRIAGES

### *ARTICLE 6. CARE OF ANIMALS*

#### **Sec. 6-32-42. Proper care of animals used for horse-drawn carriages for hire.**

##### A. General

1. As set forth in this chapter each horse/carriage in operation in the City of Memphis requires a permit and the following sections are conditions of a valid permit.
2. The director of animal services shall have enforcement authority over this article to promote the health, safety, and well-being of the licensed equines.
3. A driver shall allow the inspection of their horse and/or carriage by City personnel at any time while they are on public streets. This includes during a trip in which they have been hired if a safety issue is suspected.
4. Holders and drivers shall be responsible for any violation under this article where it is shown such person had knowledge of the violation, or should have had knowledge of the violation, and made no attempt to prevent it from occurring.
5. Nothing in the chapter shall preclude the director of animal services or their designees from enforcing all local, state, and/or federal animal cruelty laws.

B. Before any animal is brought into service by the certificate holder, it shall be examined by a Tennessee licensed veterinarian who provides service in Shelby County, Tennessee and a listed telephone number. The veterinarian shall certify in writing that the animal meets all qualification criteria as stipulated in this chapter, and that certification

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shall be presented to the director of animal services for approval prior to licensing by the city of Memphis. The veterinarian shall provide the following as proof of certification:

1. A veterinary record of a microchip placed in the neck along the nuchal ligament just under the mane.
2. A copy of the animal's veterinary records with the most recent exam being dated no more than 30 days prior to the animal being brought into service.
3. A copy of a negative Coggin's Test.

C. No animal shall be permitted to pull any carriage unless the animal is in good health and meets at least the following requirements:

1. Must be a gelding or mare
2. Must be at least three (3) years old and no greater than twenty (20) years old
3. Must weigh at least one thousand two hundred (1,200) pounds to pull up to eight people, including the driver, as a single puller, and must weigh at least 1,500 pounds to pull a carriage capable of holding up to 30 people and shall only pull such a carriage in a team of two such animals.
4. Must be of such stamina and in such physical condition, as determined by a veterinarian, to perform the required equine-drawn carriage tasks without any undue stress and effort.

D. The following shall deem an equine unfit for use:

1. Lameness of any kind;
2. Open sores or wounds caused or likely to be irritated by the bearing surfaces of harness, bridle or girths;
3. Signs of emaciation, dehydration or exhaustion;
4. Loose shoes or no shoes; or



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5. Uncontrollable behavior.

E. An equine required to be licensed pursuant to this article which meets any of the above criteria deeming it unfit for service may be ordered removed from work by the director of animal services or their designee if said individual determines that removal of the equine is necessary for health and safety reasons or as an immediate protection to the equine or the public. An equine for which such an order has been issued shall not be returned to work until such time as the equine is re-examined and a veterinarian licensed by the State of Tennessee certifies in writing that the equine is fit to return to work using the criteria set forth in this chapter.

F. Should a carriage horse be permanently removed from service, it shall be sold or disposed of in a humane manner.

(Code 1985, § 39-141; Ord. No. 4227, § 1, 11-2-1993; Ord. No. 4352, § 11, 8-15-1995; Ord. No. 4941, 5-7-2002)

**Sec. 6-32-43 Proper Care**

A. An equine required to be licensed pursuant to this article must receive the following routine veterinary care to remain compliant with this chapter:

1. A full soundness exam every six (6) months by a veterinarian licensed by the state of Tennessee
2. Treatment for internal parasites or fecal floatation egg counts every four (4) months under the direction of a veterinarian licensed by the State of Tennessee, and treatment for external parasites whenever they are found to be present.
3. Hoof trimming and shoes reset every six (6) to eight (8) weeks using caulks or borium to prevent slippage and rubber shoes or pads to prevent concussion injuries; shoes shall be shod in a

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manner approved by the director of animal services and shall have non-skid base surfaces.

- B. A preventative vaccination/ veterinary record affirming these standards are met shall be maintained by certificate holder and must be available for inspection on demand by the director of animal services or their designee, to include:
1. Current license of the equine being used;
  2. Current picture of the equine;
  3. Current health certificate of the equine;
  4. The equine's body condition score, certified every six (6) months by a veterinarian licensed by the State of Tennessee; and
  5. Description and location of any other identifying characteristics, marks and brands of the equine.
- C. The animal must be kept clean, especially those areas in contact with the harness or other tack, as well as groomed daily when in service and must not have fungus, dandruff or a poor or dirty coat.
- D. Each animal must be fed at least twice daily and shall have access to forage and feed in the amount to keep appropriate body condition score. The forage and feed shall be kept clean, fresh and must be of good quality.
- E. Each animal must have accessible potable drinking water provided in the stable at all times.
- F. An animal shall be properly exercised when not working.
- G. Holders and drivers shall ensure that each equine is offered potable drinking water in an appropriate container after every fare.

**Sec. 6-32-4. Conditions.**

- A. An animal shall not be worked under any of the following conditions:

- 
1. Pulling a carriage at a speed faster than a slow trot;
  2. Pulling a carriage at top speed for more than thirty (30) minutes;
  3. With equipment causing an impairment of vision other than normal blinders;
  4. Any condition which will impair the good health and physical condition of the animal or that subjects the animal to cruel or harassing treatment.
  5. Pulling a carriage that has music or other amplified sound played above 85 dB, or at any level below that which causes the animal distress.
  6. Pulling a carriage on a public highway, path or street during conditions which are determined by the director of animal services or their designee to pose a threat to the health, safety or well-being of the equine, passengers, or general public.
  7. If conditions develop while an equine is being worked, said equine shall be returned without delay to the stable by the most direct route and, if the threat posed is an immediate one, then the return of the equine to the stable shall be by equine trailer.

## B. Shifts

1. Holders and drivers shall ensure that equine do not work more than eight (8) hours in a 24-hour period as reflected by pulling fares in the logbook. Carriages may be in service for up to ten (10) hours so long as no more than eight (8) of the ten (10) hours are active pulling fares. An equine must have least a sixteen (16) continuous hour rest period within each twenty-four (24) hour period. Equines shall be considered as working if the equine is pulling a carriage that is being presented to the public as a carriage for hire.
2. Holders and drivers shall provide equines a minimum ten (10) minute rest period between fares in excess of one (1) hour. Holders and drivers shall provide equines a reasonable rest period between fares less than one (1) hour.
3. Holders shall keep a current log in each stable showing each equine's use. A holder shall keep on the premises of the stable

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where the equines are kept a consecutive daily record of the movements of each licensed equine, including driver's name and identification number, equine's identification number, vehicle identification tag number, and a daily manifest on each equine. Such records shall be made available, at any reasonable time, for inspection by the director of animal services or their designee.

4. If an equine must return to the stables due to inclement weather or equipment replacement, it may return to operation to complete the same shift but may not extend that shift beyond 8 hours from the start of the shift.

C. Weather.

1. Holders shall check the temperature for the city of Memphis every thirty (30) minutes while they have carriages in service and document in the daily record for horses in service that day.. This verification shall be done by using a reputable weather website If the temperature is at or above 95° Fahrenheit or at or below 32° Fahrenheit, animals may not be put into service and shall not be outside of the barns or stables.
2. All carriage companies and drivers shall work their horses only when safe weather conditions exist. Special attention and discretion should be used during periods of snow, ice, heavy rain, high humidity, or extreme wind chill. Proper shoes should be used during icy conditions.
3. Should the director of animal services determine that special circumstances exist which would jeopardize the safety of the animal, such as a significant weather event or other environmental problems, they may order the temporary suspension of the operation of all horse-drawn carriages for hire until such time as the special circumstances no longer exist.

(Code 1985, § 39-142; Ord. No. 4227, § 1, 11-2-1993)

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## **Sec. 6-32-45. Equipment**

A. Holders and drivers shall ensure that pads and other pieces of tack are kept clean and in a safe and serviceable condition. No animal will be worked with a harness or bit that is not approved by a qualified and approved veterinarian.

1. The harness must be oiled and cleaned to be soft at all times.
2. The harness shall be properly fitted and maintained. Wire, sisal, rope, rusty chains or other substandard additions to the harness are prohibited.
3. The harness shall be examined every 6 months by a veterinarian licensed by the state of Tennessee.

B. The use of whips is prohibited except in situations presenting imminent danger to human or equine safety. Holders and drivers are restricted to the use of a “buggy” style whip at times of imminent danger. All other whip styles are prohibited in all situations.

C. Animals licensed under this chapter will be fitted with a diaper or proper collection bag for animal droppings.

1. A driver shall empty the horse’s diaper prior to the beginning of each trip for hire.
2. A driver shall not allow excrement to drop from the equine’s diaper and will ensure that the diaper bag is properly fastened to the equine as outlined by the manufacturer’s instructions.
3. It shall be the responsibility of holder to take the necessary steps to keep all streets, alleys, sidewalks, and other public ways of the city cleared of animal droppings.

D. Each driver shall dilute horse urine with a deodorizing, non-toxic liquid right away. The driver shall not impede traffic while doing so and if necessary, shall clean up any missed urine at the end of each trip.

(Code 1985, § 39-143; Ord. No. 4227, § 1, 11-2-1993)

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(Code 1985, § 39-144; Ord. No. 4227, § 1, 11-2-1993; Ord. No. 4941, 5-7-2002)

**Sec. 6-32-46. Stalls and stables.**

- A. Stables for housing of equine and carriages shall comply with all zoning laws and ordinances of the city of Memphis and Shelby County and shall be no less than one hundred (100) feet from any dwelling.
- B. Such facilities shall conform to all health and sanitation regulations and shall be open for inspection by the director of animal services and their designees at all reasonable times, with or without prior notice.
- C. All stables used for housing horses shall be well lighted and ventilated.
- D. Foot hazards and sharp surfaces will not be permitted in any area or building where the animals may be injured by them.
- E. All stables shall have standing stalls of sufficient dimensions to allow each equine to enter, stand, turn around, and lie down in a natural manner, and protect from adverse weather. The stalls shall be enclosed on all four (4) sides and shall have a solid exterior wall and a solid roof free of leaks.
- F. Tie stalls shall be a minimum of 46 feet by ten feet. Horses that are not turned out daily should not be kept in tie stalls.
- G. Stables and stalls shall be clean and dry. Sufficient bedding of straw, shavings, or other suitable material shall be furnished and changed as often as necessary to maintain the stables and stalls in a clean and dry condition. Bedding for concrete floors shall consist of at least six (6) inches of materials. Bedding for clay, dirt or rubber base floor shall consist of at least three (3) inches of materials.
- H. A pest control program shall be used to control flies and other insects.

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I. All interior and exterior areas of the stable shall be kept clean, properly drained and free of nuisances including, but not limited to, odors and accumulation of refuse and excrement.

J. There shall be no smoking at any time in stables.

(Code 1985, § 39-146; Ord. No. 4227, § 1, 11-2-1993)

(Code 1985, § 39-147; Ord. No. 4227, § 1, 11-2-1993)

(Ord. No. 5421, § 1, 11-1-2011)



## Memphis City Council Executive Summary Sheet

### REPLACE AND AMEND SECTION 8 OF CITY OF MEMPHIS CODE OF ORDINANCES REGARDING ANIMALS

Amendments to the Ordinance include:

- Overall structural clean-up and consolidation to make it easier for citizens to read and understand their rights and obligations, and for consistency with state law
- Removal of all stated fees from the ordinance and the creation of a separate fee schedule that can be changed annually without having to modify ordinances
- Clear language on limited circumstances in which Animal Services Officer has authority to make entry onto a private property or seize an animal from a private property
- Modified rules for acceptable pet sheltering and tethering, consistent with national best practices
- Modification to the dog “running at large” language to allow for pets to be reunited with their families without being required to come to the shelter and undergo mandatory hold
- The addition of mandatory microchipping for pets, with an exemption to charges for any owner willing to have their pet microchipped for free by the city
- A modification to city rabies examination laws to mirror state requirements for quarantine
- Removal of the term Vicious from the Dangerous/Vicious section of the ordinance, renamed as the “Dangerous Dog” section, with clearer definitions of what constitutes a dangerous dog charge and the duties of the owner of a dog that is declared dangerous under the ordinance
- The addition of a “animal neglect charge”, to provide a distinction between the scope of authority for Animal Services versus authority of MPD to enforce state animal cruelty laws
- Include explicit protections for nursing mothers and puppies
- Provide Court with option to order participation in animal education classes as a penalty remedy



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**AN ORDINANCE TO AMEND TITLE 8, ENTITLED “ANIMALS,” OF THE CODE OF ORDINANCES TO ESTABLISH RULES AND REGULATIONS FOR ANIMAL WELFARE**

**WHEREAS**, the City of Memphis has an interest in animal welfare and its impact on the safety of citizens;

**WHEREAS**, the City Council desires to modernize the current ordinances to reflect the best practices for animal welfare based upon the most up-to-date data and research;

**WHEREAS**, revisions to the current ordinances will allow the Memphis Animal Services to better control the homeless pet population, protect citizens from dangerous animals, and more effectively prevent animal abuse and neglect in our community; and

**WHEREAS**, City Council finds it necessary for the health, safety and welfare of citizens to adopt changes to the current ordinances governing animal welfare and control.

**SECTION 1. NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS**, that Title 8, entitled “Animals,” of the Memphis Code of Ordinances is hereby repealed in its entirety and replaced to read as follows:

**Chapter 8-1- GENERAL PROVISIONS**

Conduct which is in violation of this Chapter shall constitute an offense for which a summons may be issued.

This title does not bar, suspend, or otherwise affect any right or liability to damages, penalty, forfeiture, or other remedy authorized by law to be recovered or enforced for a criminal offense as set forth in T.C.A. Title 39,

or in a civil suit for conduct the criminal code defines as an offense, and the civil injury is not merged into the offense.

## **Chapter 8-4. - DEFINITIONS**

### **Sec. 8-4-4. – Definitions.**

As used in this chapter, the following terms shall have the meanings ascribed to them herein, except when the context requires otherwise:

*Abandonment* means an animal that has not been provided adequate conditions as defined in this chapter, and whose owner failed to respond within 24 hours to an official notice left by animal services officers at the location where the dog is kept.

*Adequate care* shall include but not be limited to current vaccinations and/or medical treatment for illness, injury, disease, excessive parasitism, or any malformations; regular grooming to prevent matting which could lead to disease or injury; and nail clipping so no toenail grows long enough to penetrate the paw or affect the normal position of the paw.

*Adequate conditions* shall include but not be limited to adequate care, food, shelter, general maintenance, and water as defined in this section.

*Adequate food* means food that is not spoiled or contaminated and is of sufficient quantity and quality to meet the normal daily dietary requirements for the condition and size of the animal. Adequate food may be impacted by the environment in which the animal is kept and must be taken into account by the owner/custodian. An animal shall be fed or have food available at least once each day, unless a licensed veterinarian instructs otherwise, or withholding is in accordance with accepted agricultural or veterinarian practices. Food stored outside must be kept in sealed containers to prevent vermin from accessing it.

*Adequate shelter* means a four-sided ventilated structure in good repair with an entrance on one side, a roof, and a solid floor and allows the dog to remain reasonably dry and maintain normal body temperature. The

dimensions of the entrance and structure shall allow each dog present to enter, stand, turn around, and lie down in a natural manner, whether in the same structure or by providing multiple structures, and protect the dog from adverse weather and direct sunlight. During cold weather, the structure must contain bedding material that is sufficient to promote the retention of body heat and during summer months a separate natural or artificial shaded area must be available outside the structure and accessible by the dog. "Adequate shelter" does not include the space under buildings, decks, steps, or open crates and carriers designed for temporary housing unless modified to meet the requirements of this section. The shelter shall be cleaned regularly enough so as not to force the animal to stand, sit or lie in bodily waste. The enclosure in which the structure is located must be of a square footage sufficient to allow the dog to defecate at one end and lie at least twice its length away at the other end of the enclosure.

*Adequate water* means potable water provided continuously and changed out no less than once daily. The animal must have uninhibited access to the water. Adequate water may be impacted by environment in which the animal is kept and must be taken into account by the owner/custodian.

*Animal* means a species of life different from man or plants.

*Animal services officer* means any person assisting the animal services director authorized to impound animals and issue ordinance summons.

*Animal services director* means a person in charge of the city's animal services division, as designated by the Mayor, and hereafter referred to as "director."

*Bite Scale* means a standardized measurement tool used for determining the severity of a bite inflicted on a human or animal based on the physical damage the bite causes to the victim.

*Cat* means any animal of the domestic feline family.

*Community cat* means a cat that lives outdoors, is unowned/semi-owned, and free-roaming typically in a colony. Behavior is not an indicator of

community cats as they can be friendly or “feral”(unsocialized). An ear-tip is an indicator that the cat is a community cat and has been sterilized.

*Companion animal* means domesticated animals kept in or near the household for the primary purpose of companionship for members of the household and/or companionship for other such animals. This includes dogs, cats, rabbits, guinea pigs, hamsters, domesticated rats, domesticated mice, ferrets, birds, reptiles, amphibians, invertebrates, and any other species that a reasonable person would consider to be a pet.

*Competent person* means any person 18 years old or older, who is able to comprehend and understand the nature of their responsibility, and has sufficient ability, mentally and physically, to handle any particular animal he or she may take charge of or have in their control.

*County court clerk* means the person elected to head the county court clerk's office, a division of the county court system designated to file and process animal ordinance violation summonses.

*Cruelty* shall be defined in accordance with T.C.A. § 39-14-202.

*Dangerous dog* means any dog which:

- a. attacks and bites a person or animal without provocation, causing serious illness, injury or death including but not limited to a major fracture, muscle tears, or lacerations requiring multiple sutures or corrective or cosmetic surgery.
- b. any dog previously declared dangerous in a court of law;
- c. any dog owned or harbored for the purpose of dog fighting, to include animals bred for this purpose;
- d. any dog that has committed a bite that scores at least a level 3 or higher on a nationally recognized bite scale as defined herein and been found at-large twice;
- e. any dog that has bitten twice with at least one of the bites scoring a level 3 or higher on a nationally recognized bite scale as defined herein.

*Dog* means any animal of the canine family.

*Ear tip* means a procedure to remove the distal one-quarter of a cat's left ear for identification purposes and done under anesthesia during a sterilization surgery.

*Employee* means any person employed by the city under the management of the city's animal services division.

*Fee schedule* means fees charged for any services requiring payment at animal services, which shall be approved by the animal services director and authorized by passage of a resolution by the council. A current copy of the fee schedule shall be posted on the city of Memphis' website and in a conspicuous place in the Memphis Animal Services facility.

*Fertile/unaltered animal* means an animal which can produce offspring.

*Fowl* means any domesticated or undomesticated chickens, ducks, geese, turkeys, or other such birds as may be so designated by the director of the city's animal services division.

*General Maintenance* means adequate care, conditions, food, shelter and water as defined by this chapter and encompasses all reasonable measures to promote the health and safety of the animal.

*Gross Neglect* means a conscious and voluntary disregard for adequate conditions as defined herein, which is likely to cause foreseeable grave injury or harm to a companion animal. Gross neglect is conduct that a reasonable person would consider extreme when compared with ordinary neglect or mere failure to provide adequate conditions.

*Guard dog* means any dog trained or used to protect persons or property by attacking or threatening to attack any person found within the area patrolled by the dog. Subject to the regulations set forth herein, nothing shall prohibit or limit a person's right to possess a dog for protection to their person or property. No person shall use a dog as a weapon or to threaten or harass other persons or animals.

*Humane trap* means a cage equipped with a trap door which, when tripped, locks an animal or fowl within the structure unharmed.

*Inclement weather conditions* shall mean rain, hail, sleet, snow, high winds, extreme low temperatures, or extreme high temperatures, or any environmental condition sufficient to threaten the health and/or safety of a companion animal.

*Livestock* means animals such as cattle, cows, swine, sheep, horses, mules, goats, or any animal designated as such by the director of the city's animal services division.

*Ordinance summons* means a written order to appear in court for alleged violations of any part of this chapter, issued by an animal services officer.

*Owner* means any person, partnership or corporation owning an animal; or any person who feeds, shelters, or harbors an animal or permits it to remain on the person's property. If any dog is found on the premises of any person for a period of ten days or more, it shall be prima facie evidence that such dog belongs to the occupant of such residence. Any person keeping or harboring a dog for (10) consecutive days shall, for the purpose of this chapter, be declared to be the owner thereof, and liable for violations of this title. If the animal is owned by a person under the age of 18 that person's parent or guardian shall be liable.

*Properly Fitted Collar or Harness* means a band of material specifically designed to be placed around the neck of a dog or a set of straps constructed of nylon, leather, or similar material, specifically designed to restrain or control a dog that is:

- a. appropriately sized for the dog based on the dog's measurements and body weight;
- b. does not choke the dog or impede the dog's normal breathing or swallowing; and  
not cause pain or injury to the dog.

*Provocation*, regarding a dangerous dog means and includes trespass on property, teasing and release of the dog from its restraint, an attempt to injure the dog or the dog's owner or the individual in possession thereof

or other such actions. Entry on property by persons with actual or implied permission of the owner or occupant, including a postal service employee or other authorized government or service employee, shall not in and of itself be characterized as provocation. Provocation can also include actions by another animal which justifiably incited the attack. The burden of proof as to provocation shall be with the owner of the dog.

*Restraint* means a chain, rope, tether, leash, cable, or other device that attaches a dog to a stationary object or trolley system.

*Severe injury* means any physical injury that results in broken bones, multiple punctures, or disfiguring lacerations, requiring sutures or cosmetic surgery.

*Shelter-Neuter-Release (SNR)/Trap-Neuter-Release (TNR)* means stray, owned or unowned, cats who are brought into the custody of the shelter, spayed/neutered, ear-tipped, vaccinated, and returned to location of pick-up.

*Steel trap* means a contraption which, when engaged, locks an animal or fowl in place by applying pressure against any part of its body.

*Sterile/altered animal* means an animal which has been surgically rendered incapable of producing offspring.

*Unprovoked attack* means an attack in which an animal without provocation as defined herein attacks or bites a human being or another animal.

## **Chapter 8-8.- ANIMALS GENERALLY**

### **Sec. 8-8-1. - Trapping Animals**

It is unlawful for any person to set or bait any steel leg-trap or other contrivance which would maim, mutilate or seriously injure any animal, excluding animals commonly referred to as vermin.

### **Sec. 8-8-2. - Striking or hitting an animal with a moving vehicle**

It is unlawful for any person driving a vehicle to strike or hit any animal upon a public right-of-way or any public property without stopping and assisting the animal, or in the alternative notifying Memphis Animal Services or the Memphis Police Department immediately, excluding animals commonly referred to as vermin as contemplated in Code of Ordinances Title 9 Health & Safety.

**Sec. 8-8-3. - Disposal of Animals**

No person shall leave or throw into any stream or river, nor leave exposed or bury the body, or any part thereof, of any animal, nor shall the same be kept where it may be dangerous to the life or detrimental to the health of any person. The sanitation services division of the city shall be promptly notified by the owner/discoverer of any deceased animal and where it is located. The animal will be scanned for a microchip, animal services notified if a microchip or other identifying information is found, the deceased animal will then be removed and disposed of in a sanitary manner.

**Sec. 8-8-4. - Roadside sale of animals prohibited**

A. It shall be unlawful for any person, firm or corporation to attempt to sell, exchange, trade, barter, lease, rent, donate or display for a commercial purpose any animal on any roadside, public right-of-way, parkway, median, park, playground, swimming pool, other recreation area, or commercial or retail parking lot that is generally accessible by the public, regardless of whether such access is authorized.

B. This section shall not apply to any city animal shelter or nonprofit organization founded for the purpose of providing humane sanctuary or shelter for abandoned or unwanted animals pursuant to T.C.A. § 39-14-210 or any dealer licensed to sell at a flea market pursuant to T.C.A. § 44-17-101 et seq.

C. This section shall not be construed to prohibit the sale of certain animals by those engaged in the business of selling the same for consumption and who have obtained the appropriate licenses or permits to conduct such activity.



D. This section shall not be construed to prohibit a properly licensed for-profit store from selling or donating any animals on the walkway or parking lot immediately adjacent to such store's physical address.

E. The sale, exchange, trade, barter, lease, rent, donation or display for a commercial purpose in violation of this section shall constitute for each animal a separate violation and be punishable by a fine in accordance with an amount allowed under state law for city ordinance violations.

F. Upon issuance of an ordinance summons for a violation of this section, the violator must immediately discontinue the activity.

#### **Sec. 8-8-5. – Kennel Licenses**

A. Persons desiring to operate a commercial kennel where dogs and/or cats are owned, bred and/or held for sale must have an active kennel license issued by Memphis Animal Services to operate.

B. Prior to moving any animals into the facility, the person must submit a request to Memphis Animal Services for a kennel inspection via the online inspection request form available on the city's website.

C. Within 30 days of receipt of the request the requester will be notified when their inspection will occur.

D. At the time of inspection, an Animal Services officer will inspect the facility for adequate care and conditions and determine the maximum capacity of the facility.

E. Once the inspection is complete, the owner must show proof of inspection in-person at Memphis Animal Services to purchase a kennel license in accordance with the current fee schedule as defined in this chapter.

F. Persons holding an active kennel license shall not be required to pay the license fee prescribed in § 8-12-2, provided they can produce evidence that all dogs and cats on the property 12 weeks and older have been vaccinated for rabies and such vaccinations are current.

G. A kennel license is valid for one year, beginning during the month of purchase and expiring during the same month of the following year, and thereafter purchased annually on the same basis. Renewals require a reinspection to verify capacity/ conditions at the facility and must be requested at least 30 days prior to the expiration of the existing license. No license is transferable.

## **Chapter 8-12.- DOGS & CATS**

### **Sec. 8-12-1. - Animal Neglect**

A. Pursuant to this chapter, animal services may impound any animal suffering from neglect as detailed herein.

B. Any person who shall, voluntarily or by necessity, take custody of any animal, on any property, shelter, or other place, shall supply to that animal adequate care, conditions, food, shelter, and water as defined in § 8-4-4 of this chapter.

C. Owners/custodians shall not allow any companion animal that is pregnant, nursing, or less than six months old to remain outdoors during inclement weather conditions unless such animal is accompanied by a custodian, keeper, or handler. In the event of extreme weather, as determined by the director of animal services, the owner/custodian must make alternate housing arrangements to ensure the health and safety of the pet if the provided shelter does not offer adequate protection from heat or cold exposure.

D. Inhumane transport of animals. No person shall carry or cause to be carried in or upon any vehicle or other conveyance, any creature in a cruel, inhumane, or unsafe manner. Whenever any person in violation of this section is taken into custody by an officer, the officer may take charge of such vehicle or other conveyance and its contents and deposit the same in some safe place of custody. Any necessary expense incurred for taking charge of and keeping and sustaining the vehicle or other conveyance and its contents shall be paid before the vehicle or other conveyance can be recovered.

E. Abandonment of dogs. No person may intentionally, knowingly, recklessly or with criminal negligence leave a dog at a location without providing adequate care as defined in this section, release a dog they have taken into their custody to run at-large, or tether the pet to a structure they do not own with the intent of abandonment. This includes dogs abandoned on the property of an animal shelter, veterinary clinic or any commercial or residential property.

F. If an Animal Services Officer or employee determines that evidence exists that the person committed these acts knowingly, willfully or with gross neglect for the welfare of the animal, misdemeanor or felony cruelty charges will be issued by the Memphis Police Department, in addition to any violations of this Chapter.

**Sec. 8-12-2. - Dog license tags required / Cat Vaccination required**

A. Dogs—Licensing and vaccination. It is unlawful for any person to own, have, harbor, keep or to cause or permit to be harbored, or kept in the city, any dog three months old or over, unless a current city license tag has been issued for such dog, subject to the exceptions provided in § 8-8-5(F). Prior to the issuance of a city dog license tag, the animal must receive a vaccination for rabies, or the owner of the animal must provide evidence that such animal has been so vaccinated and such vaccination is still current. In addition to the cost of the rabies vaccination, a city dog license tag shall be required for a 12-month period, beginning during the month of purchase, and expiring during the same month of the following year, and a license must thereafter be purchased annually on the same basis, in advance of such expiration date. Fees vary based on whether the animal is fertile or sterile, in accordance with the city's current fee schedule as defined in this chapter.

1. No license is transferrable.
2. A city dog license tag may be purchased from the veterinarian at the time of vaccination or can be purchased at Memphis Animal Services.

3. If the license is purchased from a veterinary clinic, the veterinarian issuing the license may collect an agent's fee of \$1.00 for this service.
4. If the license is purchased from a non-veterinarian source, such as Memphis Animal Services, the purchaser shall exhibit records from a licensed veterinarian, describing and identifying the animal and certifying its sterility, to pay the proper license fee. No license is transferable.
5. In the event a dog tag or license is lost, stolen or unavoidably mutilated, or damaged, the owner may apply for a duplicate license and tag. After investigation and upon payment of a fee in accordance with the city's current fee schedule as defined in this chapter, the director may, at their discretion, issue a duplicate license and tag.

B. Cats—Vaccination. It is unlawful for any person to own, have, harbor, keep or to cause or permit to be harbored, or kept in the city, any cat three months old or over, unless such person holds a current certificate of rabies vaccination for each such animal, subject to the exceptions provided in § 8-8-5(F).

C. The provisions of this section regarding licensing shall not apply to nonresidents traveling through the city or if the animal is staying temporarily for a period of less than 30 days.

### **Sec. 8-12-3. - Mandatory Spaying & Neutering of Cats & Dogs**

No person shall own, harbor, or keep within the city a dog or cat which has not been spayed or neutered. It is a defense to prosecution under this section that:

1. The animal is under six (6) months old;
2. A licensed veterinarian has certified within the past year that the dog or cat should not be spayed or neutered for health reasons or is permanently infertile;

3. The animal is being held for adoption by animal services or an animal welfare organization with an active 501(c)3;
4. The dog is documented as having been appropriately trained and actually being used by public safety agencies for law enforcement or search & rescue activities, or such dogs designated as breeding stock for law enforcement or search & rescue by an appropriate agency or organization and approved by the director of animal services;
5. The dog is designated by an appropriate agency or organization as breeding stock for service dogs such as guide dogs, hearing dogs, assistance dogs, seizure alert dogs, or social/therapy dogs, and approved by the director of animal services;
6. The dog is appropriately trained and actually being used for herding of other animals, or as a livestock guardian dog, hunting dog, or such dogs designated as breeding stock for these functions by an appropriate agency or organization and approved by the director of animal services;
7. The dog or cat is registered with a purebred dog or cat club, approved by the director of animal services, that maintains and enforces a code of ethics for breeding that includes restrictions on breeding dogs and cats with genetic defects and life-threatening health problems common to the breed.
8. The owner produces to the court proof of sterilization from a licensed veterinarian showing the dog or cat was sterilized at the time the summons was issued, or not later than 30 days after the summons was issued; or
9. The owner holds a valid fertile permit under § 8-12-4.

**Sec. 8-12-4. – Fertile Permit**

A. Owners of fertile pets and not qualifying for any of the exemptions listed in § 8-12-3 must purchase a fertile permit in person during regular business hours from the division of animal services in accordance with the current fee schedule as defined in this chapter.

- B. A separate permit is required for each unsterilized dog or cat. Each permit authorizes the whelping of no more than one litter per female in any 12-month period and no more than one litter per domestic household in any 12-month period.
- C. The dog or cat must follow the vaccination requirements as defined in the Sec. 8-12-2 of this chapter to be eligible for a fertile permit.
- D. The dog or cat must be microchipped to be eligible for a fertile permit.
- E. Animals impounded for violation of this chapter are not eligible for a fertile permit purchase at the time the animal is reclaimed at Animal Services and must be spayed/neutered before leaving the facility unless another exemption defined in this chapter is met.
- F. The director shall revoke a fertile permit if animal services determines that the permittee:
  - 1. Failed to comply with any provision of this chapter;
  - 2. Allows the offspring of a permitted dog or cat to be sold, adopted, or otherwise transferred, regardless of compensation, before the offspring have reached at least eight weeks old and have been vaccinated against common diseases;
  - 3. Intentionally made a false statement as to a material matter to obtain a fertile permit.

**Sec. 8-12-5. -Mandatory Microchipping**

- A. The owner or custodian of any dog or cat must have the animal implanted with a registered microchip before the animal is six (6) months old or within thirty (30) after acquired if over six (6) months.
- B. A dog or cat is exempt from this requirement if the dog or cat is determined in writing to be medically unsuitable for microchipping by a licensed veterinarian.
- C. The owner or custodian of a dog or cat shall maintain current registration with a microchip registration company.
  - 1. The owner or custodian shall update contact information, including new address or telephone number with the microchip registration

company within thirty (30) days of the change in contact information.

2. After any change in ownership of a registered dog or cat, the initial owner or custodian shall be responsible for notifying the microchip registration company of a change in ownership within thirty (30) days of transfer to the new owner. The new owner or custodian shall be responsible for re-registering the microchip to have the registration information transferred to the new owner's or custodian's name within thirty (30) days after the change in ownership and for maintaining current contact information as described herein.

D. It is a violation of this ordinance for any owner or custodian to fail to microchip or maintain current registration as described herein.

E. It is a defense to prosecution under this section that:

1. The animal owner is a non-resident of this city or has been a resident of this city for fewer than thirty (30) days;
2. The animal is abandoned or lost and the temporary custodian possessed the dog or cat for fewer than thirty (30) days; or
3. The owner produces to the court proof of microchipping from a licensed veterinarian showing the dog or cat was microchipped at the time the summons was issued, or not later than 30 days after the summons was issued.

### **Sec. 8-12-6. - Dogs Running at-large**

A. Generally. Dog owners or custodians shall always keep animals on a leash or other suitable restraint (as defined in subpart C) or confined by a fence on their property or, with permission, the private property of another. Dogs shall be restrained to prevent the animal from being at-large; biting; harassing any person engaged in a lawful act; interfering with the use of public or private property; or violation of any other section of this code. Unless confined by a fence or other suitable restraint, no animal shall be permitted to run at-large on the property of the owner or custodian of such animal.

B. Walking Dog on a Leash. Any person walking a dog on public property including sidewalks, or on the private property of others, must always keep the dog on a leash and under physical control. Physical control means the ability to restrain the movement of the dog. The leash must be kept in good condition, of sufficient strength to prevent breaking under pressure,; and of material generally resistant to chewing or gnawing by an animal. The length of a leash must be sufficient to always control the dog from harassing pedestrians or other animals.

C. Methods of Restraint.

1. *Dog restrained by traditional fencing*. To prevent the dogs from escaping fencing must be in good condition and maintained, of recognized construction methods, and of adequate size for the number and size of dogs. Entry or exit gates must be properly secured by a latching or locking mechanism. Fences should be at least 2½ times the height of the animal it is intended to restrain. The height of the dog is measured at the dog's shoulder when the dog is standing on four legs. If should a dog escapes from a fence, either by climbing or digging, additional fencing height, kennels, or other restraint methods may be required. Fencing must be sufficient to make an in-heat female dog inaccessible to any male dog and prevent the female dog from running at-large. Existing fencing, regardless of height, will be considered acceptable means of restraint unless and until a written and verified complaint is filed with Memphis Animal Services.
2. *Dogs restrained by invisible fencing*. As an alternative to traditional fencing, tie-outs or overhead cable runs, a dog may be restrained with invisible fencing properly set up and maintained. The following conditions must be met:
  - a. The system must be rated for use by dogs, installed according to manufacturer's instructions, and properly maintained.
  - b. The dog must receive training regarding the boundaries of the fencing.



- c. The fencing must be sufficient to make an in-heat female dog inaccessible to any male dog and prevent the female dog from running at-large.
  - d. Two warning signs of a minimum six inches by eight inches (6"x8") visible from the public sidewalks and public streets or driveways must be placed on the fenced yard. The signs must include the following: "Dog is contained by electronic device" or similar wording, the name, logo/trademark, address and telephone number of either the company that installed the system or the company that maintains the system.
3. *Dog restrained by tethering.* As an alternative to fencing, dogs may be restrained by tether. No person shall allow any dog restrained by tether to remain outside and unattended unless ALL of the following conditions are satisfied:
- a. The tether is not unreasonably heavy in proportion to the weight of the animal.
  - b. A swivel is located at both ends of the tether and the tether is free of tangles.
  - c. The collar or harness on the animal to which the swivel is attached is a properly fitted collar or harness as defined in this chapter. The collar must be made of a material which poses no risk of lacerations. Choke and pinch collars are not permitted on tethered dogs.
  - d. The tether is not less than 10 feet in length.
  - e. At all times, the animal has access to water, shelter, dry ground free of standing water and animal waste, and access to adequate food.
  - f. The animal is at least 3 months old and has a current rabies vaccination with its tag visibly displayed.
  - g. The animal is not sick or injured.
  - h. If used, pulley, running line, or trolley systems are installed according to manufacturer's instructions and do not pose a safety risk to the dog.
  - i. If there are multiple animals, each animal must be tethered separately.
  - j. The tethering device shall allow the tethered dog to lie down comfortably in all positions of tether.

- k. Dogs restrained by tie-outs or overhead cable runs must be spayed or neutered, even if otherwise subject to any exemption in this chapter.

D. *Exemptions*

1. Dogs employed as police, service, therapy and search and/or rescue dogs are exempt from the requirements of this section while used in their working capacity or while engaged in a training program with a recognized organization or government agency that regularly trains dogs for such use.
2. Dogs off-leash in areas designated for such use by departments of city government, or on grounds under their jurisdiction, and dogs engaged in conformation, competition, or performance related events on public or private property.

E. *Prima Facie Evidence.* If a dog is found running at-large by animal services employees, the incident shall constitute prima facie evidence that current restraint methods are inadequate. The owner shall be required to correct any conditions that permitted the dog to run at-large or provide such additional restraints as necessary to secure and maintain the restraint of the dog.

**Sec. 8-12-7. - Defecation by Dogs or Cats**

- A. It is unlawful for any owner/custodian of any dog or cat to fail to promptly remove and dispose in a sanitary manner of feces left by a dog or cat on property, public or private, other than the premises of the owner or custodian of such dog or cat.
- B. Persons owning pet dogs or service dogs, such as seeing eye dogs, who are legally blind or confined to a wheelchair and thereby physically incapable of disposing of feces left by their animal, are exempt from this law.

**Sec. 8-12-8. - Guard Dogs**

It is unlawful for any person to place or maintain guard dogs in any area of the city for the protection of persons or property unless the following provisions are met:

1. The guard dog shall be confined, or the guard dog shall always be under the absolute control of a custodian when not confined by way of lead or leash.
2. The owner or other persons in control of the premises upon which the guard dog is maintained shall post warning signs stating that such a dog is on the premises. At least one such sign shall be posted at each driveway or entranceway to said premises. Such signs shall be in lettering clearly visible from either the curb line or 50 feet, whichever is less, and shall contain a telephone number where some person responsible for controlling such guard dog can be reached 24 hours a day.
3. The above provisions shall not be applicable to dogs used in law enforcement by federal, state, or local law enforcement agencies.

**Sec. 8-12-9. - Examination for Rabies**

A. If any dog or cat has bitten any person and breaks the skin or is suspected of being infected with rabies, it shall be the duty of the owner or custodian to notify Memphis Animal Services within twenty-four (24) hours of the bite, and to quarantine the pet for a ten (10) day period. The animal shall be restricted to a building, pen, or other escape-proof enclosure and monitored for signs of rabies. Signs and symptoms of rabies can be found in the National Rabies Compendium on the Centers for Disease Control and Prevention website available at [www.cdc.gov](http://www.cdc.gov).

B. *Quarantine*

1. Within twenty-four (24) hours of the bite incident or first indication of rabies, the owner/custodian must contact Memphis Animal Services to provide proof of current rabies vaccination and to begin quarantine process at home or at a licensed veterinary clinic.

2. The owner/custodian must provide secure containment for the animal during the quarantine. If on day eleven (11) the pet is exhibiting symptoms consistent with rabies, the owner must present the pet to a licensed veterinarian for examination. Written certification from the examining veterinarian of negative rabies status shall be provided to Memphis Animal Services withing twenty-four (24) hours of receipt from veterinarian.
3. The owner/custodian must complete all documents provided by Memphis Animal Services to fulfill compliance requirements for this section.
4. At the end of the quarantine period and no later than thirty (30) days of the bite incident, the animal must provide proof of or, if not previously, be fitted with a microchip implant and spayed/neutered even if otherwise subject to any exemption in this chapter.

C. *Special Circumstances*

1. The director of Memphis Animal Services may order the quarantine completed at the MAS facility if the attack resulted in a severe bite, mauling, and/or human death, the animal has a history of running at-large, or the animal is not properly confined by the owner during the quarantine period.
2. Any stray, unowned, or apparently abandoned animal that bites a human being will be held for ten days. At the end of the ten-day holding period, the animal may be euthanized in an expeditious and humane manner. Any animal determined to have been involved in a bite incident and held for less than ten days shall be tested at the state laboratory for rabies.

**Sec. 8-12-10. - Dangerous Dogs; Determination of Dangerous Dog**

- A. If an animal services officer initially determines that a dog should be classified as dangerous as defined in this chapter, notification will be sent to the owner or other responsible party. A mandatory ordinance

summons shall be issued to the owner/custodian by the animal services officer citing the code section violated and setting a date to appear in a court of competent jurisdiction for a determination. Any decision of the court shall be final, subject to appeal to a higher court of competent jurisdiction.

1. In the alternative a petition may be filed by Memphis Animal Services with the general sessions court, pursuant to T.C.A. § 44-17-120 (b), for a disposition order for the dangerous dogs or dogs causing death or serious bodily injury to humans or other animals.
2. If the owner does not appear before the court within five (5) days of the receipt of notice and show cause why the dog should not be destroyed, then the order shall issue and the dog shall be destroyed.

B. Upon receipt of summons, the owner/custodian shall place their pet into a secure boarding facility until a final decision is issued by a judge. The owner/custodian has following options for secure boarding:

1. Upon payment of security bond to Memphis Animal Services according to the current fee schedule as defined in this chapter, the owner/custodian may board the dog at a licensed veterinary clinic at the owner/custodian's sole expense. The veterinary clinic must confirm in writing to the animal shelter director that the animal will be boarded in a private, licensed veterinary clinic. The purpose of the security bond is to insure compliance pending all court appearances.
2. Alternately, without a security bond and at the owner/custodian's request and sole expense, the dog may be kept at Memphis Animal Services. The owner shall pay the daily boarding rate for each day or fraction thereof the dog remains at the shelter in accordance with the current fee schedule as defined in this chapter. The owner must pay for thirty (30) days of care in advance. After the initial payment and until the court authorizes the release of the animal, the owner/custodian must

pay the charge in advance, keeping the account ahead thirty (30) days.

3. Alternately, the owner/custodian may elect to surrender the dog to Animal Services with a signed document requesting the dog be euthanized.
4. All payments to Memphis Animal Services must be made within ten (10) days of issuance of the summons or within twenty-four (24) hours of the defendant's initial court appearance whichever comes later. If the bond or boarding fees are not paid as required in this section, the animal shall be deemed forfeited.
5. After the satisfaction of fees, fines, and/or court-ordered payments, overpayments shall be returned to the owner/custodian within a reasonable time after of the final disposition of the case.

C. Failure of an owner to respond to the ordinance summons shall result in the animal being declared a dangerous dog by operation of law. The owner/custodian is deemed to have waived all rights to a hearing on the dog's classification. The animal shall be surrendered to Memphis Animal Services immediately or it shall be impounded. A show cause notice shall be issued requiring the owner/custodian to appear before the court within five (5) days to show cause why the dog should not be euthanized. The show cause hearing is solely for determination of the issue of euthanasia. Failure to appear or show cause will result in entry of a final surrender and disposition order permitting the dog to be euthanized.

**Sec. 8-12-11. - Dangerous Dogs; Duty of Owner of Dangerous Dog**

Upon conviction, a court of competent jurisdiction may order the defendant to:

A. Enroll, attend, and complete an approved animal behavior modification at the owner/custodian's expense.

B. *Registration and Tag.*

1. Within thirty (30) days after an animal is classified as dangerous, the owner of the animal must obtain a dangerous dog tag for the animal from Memphis Animal Services. The tag shall be worn by the dog at all times and renewed annually. The animal services director, or their designee, is only authorized to issue such tags and renewals to persons who are at least eighteen (18) years old and who present to the animal services director, or their designee, sufficient evidence of:
  - a. A current certificate of rabies vaccination for the animal;
  - b. A proper enclosure to confine a dangerous animal and the posting at all entry points of the premises a clearly visible warning sign of a dangerous animal on the property or premises which reads:

Warning  
Dangerous Dog on Premises

- c. Proof that the dog has been spayed/neutered and microchipped;
    - d. Proof of a current public liability insurance policy or a bond of not less than fifty thousand dollars (\$50,000.00) insuring the owner of the animal for any damages, whether arising from personal injury or otherwise, which may be caused by the dangerous animal. Such policy must provide for thirty (30) days' notice to the City of Memphis Animal Services prior to cancellation or expiration of the policy. In the event such liability insurance or bond is canceled, lapses, or for any other reason becomes unenforceable, the owner shall be in violation of the provisions of this chapter and title;
    - e. Payment in accordance with the current fee schedule as defined in this chapter for the issuance of a dangerous dog tag.
2. If the owner/custodian does not obtain a dangerous dog tag within thirty (30) days or fails to comply with any of the

conditions listed herein, the classified dog shall be forfeited and must be immediately surrendered to Memphis Animal Services or shall be impounded by an animal services officer.

3. The owner/custodian shall immediately notify the appropriate animal control authority when an animal that has been classified as dangerous:
  - a. Is running at-large or unconfined;
  - b. Has bitten a human being;
  - c. Is sold, given away, or dies; prior to a dangerous animal being sold or given away, the owner shall provide the name, address, and telephone number of the new owner to the animal control authority; any new owner residing in the city must comply with all the requirements of this chapter and title without further order of the court.
  - d. Is moved to another address.

*B. Confinement outdoors.*

1. All dangerous dogs shall be confined in a securely enclosed and locked pen or kennel, except when leashed and muzzled as provided in this section.
2. Such pen, kennel or structure shall be at least 20 feet from any street or sidewalk, ten feet from any property line and must have secure sides and a secure top to the structure.
3. Such structures must be locked with a key or combination lock when any animal is within the structure.
4. Such structure must have a secure concrete bottom or floor attached to the sides of the pen or the sides of the pen must be embedded in the ground no less than two feet.
5. All structures erected to house dangerous animals must be a minimum of six feet by ten feet (6'x10') enclosure and comply with all zoning and building regulations of the city.



6. All such structures must meet the definition of adequate shelter as defined in this chapter and must be inspected and approved by Memphis Animal Services.
- D. *Confinement indoors.* No dangerous animal may be kept on a porch, patio or in any part of a house or structure that would allow the animal to exit such building of its own volition. In addition, no such animal may be kept in a house or structure when any unbarred window is open or when any screened window or screen door is the only obstacle preventing the animal from exiting the structure.
- E. *Leash and muzzle.*
1. No person shall permit a dangerous animal to go outside its kennel or pen unless such animal is securely leashed with a substantial restraint no longer than four feet in length.
  2. No person shall permit a dangerous animal to be kept on rope or other type of leash outside of its kennel or pen unless a competent person at least 18 years old is in physical control of the restraint.
  3. Such animal may not be leashed to inanimate objects.
  4. All dangerous animals on a leash outside the animal's kennel must be muzzled to prevent such animal from biting persons or other animals. The muzzle should not cause injury to the animal or interfere with its vision or breathing but shall prevent it from biting any person.
- F. Any dog charged as dangerous, notwithstanding a later finding of not guilty, must be fitted with a microchip implant and spayed/neutered within thirty (30) days of the biting incident with no exceptions.

## **Chapter 8-14 - LIVESTOCK & FOWL**

### **Sec. 8-14-1. – Neglect of Livestock and Fowl**

No livestock or fowl shall be kept or confined where the water, shelter, ventilation, and food are not sufficient and wholesome for the preservation of its health and safe condition. No animal or fowl shall be kept in such place or condition as to become a nuisance either because of odor or contagious disease.

**Sec. 8-14-2. - Running at-large of Livestock and Fowl**

It is unlawful for any person in charge of any animal defined in this chapter as livestock to permit it to run at-large upon any street, alley or unenclosed lot within the city.

**Sec. 8-14-3. - Keeping of Livestock Within 1,000 feet of Residence or Business**

No person shall keep livestock within one thousand feet (1,000') of any residence or place of business in the city without a permit to do so from the health officer. The health officer shall issue permits only when the keeping of such animals in the yard or buildings, and under the circumstances set forth in the application for the permit, shall not injuriously affect the public's health. Domesticated pigs or other livestock that meet the definition of companion animal in this chapter are exempt from this provision.

**Sec. 8-14-4. - Killing Birds**

- A. The killing or attempting to kill any bird, other than domestic fowl, within the limits of the city, is prohibited, except as hereafter provided.
- B. For control purposes and to alleviate public distress, and to promote public health, owners of private residential property and public commercial property are authorized to destroy or otherwise remove pigeons and/or birds located within the boundaries of their property, and to dispose of them in accordance with sanitation services procedures. In addition, such property owners may contract with pest control companies properly licensed and bonded by the state for the removal and disposition of pigeons or birds from their property. Such

pest control companies shall dispose of such pigeons and/or birds in accordance with sanitation services procedures.

C. Whenever a homing pigeon bearing a ring or seamless legband with its registered number stamped thereon, or any protected wild bird, is found among pigeons trapped under this section, the same shall immediately be released from custody.

D. This section shall not be construed to permit the use of firearms to destroy pigeons and birds, and such use is expressly prohibited.

**Sec. 8-14-5. - Unlawful to Sell Fowl as Pets or Novelties**

A. It is unlawful for any person, firm, or corporation to display, sell, offer for sale, barter, or give away chicks or ducklings as pets or novelties. It shall further be unlawful for any person, firm or corporation to dye, color or otherwise artificially treat any animal or fowl.

B. This section shall not be construed to prohibit the display or sale of natural chicks, ducklings, or other fowl by those engaged in the business of selling the same to be raised for food purposes.

**Chapter 8-20. - MEMPHIS ANIMAL SERVICES**

**Sec. 8-20-1. - Establishment and Supervision**

Memphis Animal Services is established under the Executive Division of the city of Memphis. The operation and management of such service center shall be under the supervision of the director of Animal Services.

**Sec. 8-20-2. - Business Hours**

Memphis Animal Services shall post in a conspicuous and prominent location at the shelter and on the shelter's website the business hours as designated by the animal services director, subject to concurrence by the Chief Operating Officer of the city of Memphis.

**Sec. 8-20-3. - Badges, Uniforms and Police Power of Animal Services Officers**

- A. Animal Services officers shall wear badges and uniforms identifying them as such and shall have the necessary police powers for the enforcement of this chapter. Animal Services officers shall have the authority to issue ordinance summonses related to violations of this chapter.
- B. In line with T.C.A § 39-14-207(a), an animal services officer who has reasonable belief that an animal inside a home, fenced in yard, behind a locked gate, or in a vehicle needs emergency aid, or that there is an imminent threat to the life or welfare of an animal behind one of these barriers, or that an animal has been left without necessary food and water for more than twelve (12) successive hours, can make entry without a warrant. That person shall not be liable to any action for entry.
- C. Any animal that is found to be abandoned as defined in this chapter may be taken into temporary custody by an animal services officer. Upon taking temporary custody of the animal, the officer shall attempt to contact the owner of the animal and shall seek emergency veterinary care for the animal, if necessary, as soon as available. The officer shall leave notification of temporary custody at the location the animal was found or at the registered address of the owner if the owner cannot be reached. The owner of the animal is responsible for any costs of providing care to the animal.

**Sec. 8-20-4. - Resisting or Interfering with Animal Shelter Employee**

It is unlawful for any person to resist or interfere with an animal services employee in the performance of their duties.

**Sec. 8-20-5. - Aid and Assistance by Police**

It shall be the duty of all police officers to render any assistance necessary.

**Sec. 8-20-6. – Enforcement; Issuance of Ordinance Summons**

Any ordinance summons issued pursuant to this chapter shall be left with the offender and shall provide information related to the offense

charged and the time and place when such offender is to appear in court. Failure of the offender to appear in court shall result in a default judgment against the offender in an amount allowed under state law for city ordinance violations, and/or a warrant issued in accordance with TCA 7-63-204.

**Sec. 8-20-7. – Enforcement; Limitation on Action for Violations**

A. No action shall be commenced by the city in any court for the purpose of enforcing any violation of animal violation sections of the Code of the city after one year from the commission of the offense. For this section a court action shall be deemed to be commenced:

1. Upon the issuance of an ordinance summons to the offender;
2. Upon the arrest of the offender; or
3. Upon the issuance of an arrest or bench warrant for the offender.

B. A summons may be served by:

1. Personal service on the offender; or
2. Registered or certified mail, addressee only, return receipt requested.

**Sec. 8-20-8. – Enforcement; Dismissal or Entering Nolle Prosequi Not Prohibited**

Nothing herein shall prevent the city through the city attorney's office from dismissing or entering a nolle prosequi of any ordinance summons in open court. Such ordinance summons shall be dismissed if it shall be determined that the summons was issued to a nonresident and is deemed uncollectible; there is a lack of proof; or for such other valid reason as stated to the court.

**Sec. 8-20-9. – Enforcement; Violation-Penalty**

A person in violation of any part of this chapter is guilty of a city ordinance violation. Upon conviction, a court of competent jurisdiction may order the defendant to:

1. Pay fines in accordance with an amount allowed under state law for city ordinance violations. Each day that any violation of this chapter continues may constitute a separate offense.
2. Be precluded from owning, harboring, or having custody or control of companion animals permanently, or for a period that the court deems reasonable.
3. Participate in available animal cruelty prevention programs and educational programs or both.
4. Undergo a behavioral health evaluation and comply with any recommendations resulting from the evaluation.
5. Forfeit to Memphis Animal Services animals that are the basis of conviction.
6. Sterilize the companion animals. Sterilization is mandatory upon a second violation.
7. Payment of all costs and expenses of enforcement of this ordinance, including veterinary treatment and care, and feeding and housing of animals surrendered or forfeited under this ordinance.
  - a. Failure to pay any portion of fees and costs shall result in a lien upon the property of the owner subject to the City ordinance and State law.
  - b. Liens shall be enforced by attachment proceedings in any court of competent jurisdiction and payment made directly to Memphis Animal Services.

## **Sec. 8-20-10. – Impoundment and Redemption of Cats**

### **A. Impoundment**

1. *First Impoundment.* Any cat found in violation of this chapter may be apprehended and impounded in the city animal shelter, and the owner notified, if known. If such cat has any ownership identification (tag, microchip, etc.), it shall be held for at least

seventy-two (72) hours during which time the owner may redeem or repossess the same upon payment of reclaim fees for impound and boarding in accordance with the current fee schedule as defined in this chapter. If not reclaimed or redeemed by the owner within such time, the animal will become the property of the shelter and the animal may be designated for disposition by the animal shelter director or their designee. If no ownership identification exists, the cat can be deemed a community cat and the seventy-two (72) hour stray hold does not apply. If the cat is deemed a community cat and is not in need of medical attention, it shall be sterilized, ear-tipped, and returned to the location it was found. If the cat is less than twelve (12) weeks old and no ownership identification exists, the kitten can be immediately placed for adoption, and a seventy-two (72) hour stray hold does not apply.

2. *Second Impoundment.* Should a cat belonging to the same owner be picked up for a second time within two years of the date of the first offense, the owner may redeem and repossess the cat upon payment of reclaim fees for 2<sup>nd</sup> impound and boarding in accordance with the current fee schedule as defined in this chapter. Seventy-two (72) hour stray hold provisions as described in subpart 1 still apply.
3. *Third Impoundment.* Should a cat belonging to the same owner be picked up for a third time within three years of the date of the first offense, the owner may redeem and repossess the cat upon payment of reclaim fees for 3<sup>rd</sup> impound and boarding in accordance with the current fee schedule as defined in this chapter. The owner also must receive a summons for animal neglect as defined in this chapter. Seventy-two (72) hour stray hold provisions as described in subpart 1 still apply.

B. *Fees and Costs.* Impoundment fees for any cat confiscated and held pending a court ruling for violations of § 8-12-1 of this section or any violation of State animal cruelty codes (T.C.A § 39-14-201, et seq.) must be paid within seventy-two (72) hours of impoundment for the owner to maintain claim to ownership rights for the animal. If the

court determine there is probable cause to proceed with the charges at the owner's first appearance in court, a security bond order will be issued by the presiding judge to cover boarding and additional fees in accordance with the current fee schedule as defined in this chapter. The security bond order shall be in an amount sufficient to cover all expenses from the date of impoundment through the date of the trial and shall be paid within ten (10) days of the issuance of said order or ownership of the pet is forfeited to Memphis Animal Services. Should the trial date be reset for a later date, the owner of the animal will be presented with an updated security bond order at the next scheduled court appearance, which will also require payment within ten (10) days of the issuance of said order or ownership of the pet is forfeited to Memphis Animal Services.

C. *Sterilization.* Any unaltered cat that is not eligible for an exemption to the mandatory spay/neuter ordinance as defined in this chapter will be altered before discharge from Memphis Animal Services. Exemption 1 (under six (6) months old) of the mandatory spay/neuter ordinance does not apply for cats brought into the shelter, if a licensed veterinarian determines the cat is of sufficient age and weight to proceed with sterilization. A fertile permit cannot be purchased after a lawful impound occurs.

D. *Microchip Implant.* Before release into the owner's custody, the director of animal services is authorized to have a veterinarian humanely implant any animal lawfully impounded with an electronic microchip that will allow the animal to be positively identified.

## **Sec. 8-20-11. – Impoundment and Redemption of Dogs**

### **A. Impoundment**

1. *First Impoundment.* Any dog found in violation of this chapter may be apprehended and impounded in the city animal shelter, and the owner notified, if known. Such dog shall be held for at least seventy-two (72) hours during which time the owner may



redeem or repossess the same upon payment for, or presentation of, a current license therefor, and payment of reclaim fees for impound and boarding in accordance with the current fee schedule as defined in this chapter. If not reclaimed or redeemed by the owner within such time, the animal will become the property of the shelter and the animal may be designated for disposition by the animal shelter director or their designee. If the dog is less than 12 weeks old and no ownership identification exists, the puppy can be immediately placed for adoption, and a seventy-two (72) hour stray hold does not apply.

2. *Second Impoundment.* Should a dog belonging to the same owner be picked up for a second time within two years of the date of the first offense, the owner may redeem and repossess the dog upon presentation of a current license thereof and payment of reclaim fees for 2<sup>nd</sup> impound and boarding in accordance with the current fee schedule as defined in this chapter. Seventy-two (72) hour stray hold provisions as described in subpart 1 still apply.
3. *Third Impoundment.* Should a dog belonging to the same owner be picked up for a third time within three years of the date of the first offense, the owner may redeem and repossess the dog upon payment of reclaim fees for 3<sup>rd</sup> impound and boarding in accordance with the current fee schedule as defined in this chapter. The owner also must receive a summons for dog running at-large as defined in this chapter. Seventy-two (72) hour stray hold provisions as described in subpart 1 still apply.

B. *Fees and Costs.* Impoundment fees for any dog confiscated and held pending a court ruling for violations of § 8-12-1 of this section or any violation of State animal cruelty codes (T.C.A § 39-14-201, et seq.) must be paid within seventy-two (72) hours of impoundment for the owner to maintain claim to ownership rights for the animal. If the court determine there is probable cause to proceed with the charges at the owner's first appearance in court, a security bond order will be issued by the presiding judge to cover boarding and additional fees in accordance with the current fee schedule as defined in this chapter.

The security bond order shall be in an amount sufficient to cover all expenses from the date of impoundment through the date of the trial and shall be paid within ten (10) days of the issuance of said order or ownership of the pet is forfeited to Memphis Animal Services. Should the trial date be reset for a later date, the owner of the animal will be presented with an updated security bond order at the next scheduled court appearance, which will also require payment within ten (10) days of the issuance of said order or ownership of the pet is forfeited to Memphis Animal Services.

C. *Sterilization.* Any unaltered dog that is not eligible for an exemption to the mandatory spay/neuter ordinance as defined in this chapter will be altered before discharge from Memphis Animal Services, and a fertile permit cannot be purchased after a lawful impound occurs. Additionally, exemption 1 of the mandatory spay/neuter ordinance does not apply for dogs brought into the shelter, if a licensed veterinarian determines the dog is of sufficient age and weight to proceed with sterilization.

D. *Microchip Implant.* Before release into the owner's custody, the director of animal services is authorized to have a veterinarian humanely implant any animal lawfully impounded with an electronic microchip that will allow the animal to be positively identified.

#### **Sec. 8-20-12. – Impoundment, Redemption and Disposition of Livestock**

A. Livestock found running at-large in violation of this chapter may be apprehended and placed into the animal shelter. Such livestock shall be held for at least seventy-two (72) hours during which time the owner may redeem or repossess the same upon payment of reclaim fees for impound, trailering fees, and boarding in accordance with the current fee schedule as defined in this chapter. If not reclaimed or redeemed by the owner within such time, the animal will become the property of the shelter and may be designated for disposition by the animal shelter director or their designee.

B. Impoundment fees for any livestock confiscated and held pending a court ruling for violations of § 8-14-1 of this section or any violation of State animal cruelty codes (T.C.A § 39-14-201, et seq.) must be paid within seventy-two (72) hours of impoundment for the owner to maintain claim to ownership rights for the animal. If the court determine there is probable cause to proceed with the charges at the owner's first appearance in court, a security bond order will be issued by the presiding judge to cover boarding and additional fees in accordance with the current fee schedule as defined in this chapter. The security bond order shall be in an amount sufficient to cover all expenses from the date of impoundment through the date of the trial and shall be paid within ten (10) days of the issuance of said order or ownership of the pet is forfeited to Memphis Animal Services. Should the trial date be reset for a later date, the owner of the animal will be presented with an updated security bond order at the next scheduled court appearance, which will also require payment within ten (10) days of the issuance of said order or ownership of the pet is forfeited to Memphis Animal Services.

### **Sec. 8-20-13. – Impoundment, Redemption and Disposition of Fowl**

A. Fowl found running at-large in violation of this chapter may be apprehended and placed into the animal shelter. Such fowl shall be held for at least seventy-two (72) hours during which time the owner may redeem or repossess the same upon payment of reclaim fees for impound and boarding in accordance with the current fee schedule as defined in this chapter. If not reclaimed or redeemed by the owner within such time, the animal will become the property of the shelter and may be designated for disposition by the animal shelter director or their designee.

B. Impoundment fees for any animal confiscated and held pending a court ruling for violations of 8-14-1 of this section or any violation of State animal cruelty codes (T.C.A § 39-14-201, et seq.) must be paid within seventy-two (72) hours of impoundment for the owner to maintain claim to ownership rights for the animal. If the court

determine there is probable cause to proceed with the charges at the owner's first appearance in court, a security bond order will be issued by the presiding judge to cover boarding and additional fees in accordance with the current fee schedule as defined in this chapter. The security bond order shall be in an amount sufficient to cover all expenses from the date of impoundment through the date of the trial and shall be paid within ten (10) days of the issuance of said order or ownership of the pet is forfeited to Memphis Animal Services. Should the trial date be reset for a later date, the owner of the animal will be presented with an updated security bond order at the next scheduled court appearance, which will also require payment within ten (10) days of the issuance of said order or ownership of the pet is forfeited to Memphis Animal Services.

C. The director of animal services, or designated staff member, is authorized to waive fees related to reclamation on a case-by-case basis.

#### **Sec. 8-20-14. – Adoption of Animals**

Once an animal becomes the property of Memphis Animal Services by any method described in this chapter, the animal may be adopted in accordance with current adoption policies as enacted by the director of animal services, and upon payment of an adoption fee, licensing fee and fees for any other service supplied by Memphis Animal Services in connection with such animal. Each unaltered dog and/or cat will be sterilized by the shelter veterinarian prior to leaving the shelter, unless it is determined by the director of animal services that the pet should not be altered. Any individual taking an unaltered dog or cat from the shelter must comply with applicable ordinances and policies relating to unsterilized animals. If it is determined that a former owner of an animal is applying for adoption, such former owner may only regain ownership or possession by payment of redemption fees set forth in the current fee schedule as defined in this chapter.

#### **Sec. 8-20-15. – Euthanasia of abandoned or neglected animals**

The director of animal services, or their designee, may lawfully euthanize immediately, or cause to be euthanized immediately, any animal that is legally the property of the City of Memphis, or that is suffering, and euthanasia will end that suffering.

**Sec. 8-20-16. – Animal Services Advisory Committee**

There is hereby created the animal services advisory committee, consisting of seven citizens of the city, who shall be appointed by the mayor, subject to approval of the city council, for a term of two years or until their successors are appointed and qualified, and who shall serve without compensation, or oath. The director of animal services shall be an ex officio member of such committee.

- A. Chairperson & Secretary. The chairperson and the secretary of the animal services advisory committee shall be designated by the mayor when making appointments to the committee.
  
- B. Rules and Regulations. The animal services advisory committee shall have the power to make rules and regulations for the conduct of its business. Such committee shall meet as prescribed by its rules, and upon call of its chairperson.
  
- C. Powers & Duties. The animal services advisory committee shall:
  1. Provide guidance and support to the director of animal services based on each individual committee member’s area of expertise.
  
  2. Serve as community liaisons for animal services, helping spread messaging regarding quality pet ownership and how to access resources through MAS.
  
  3. Support and advocate for progressive animal control and sheltering programming to keep Memphis in alignment with national best practices.

**SECTION 2.** BE IT FURTHER ORDAINED, that the provisions of this Ordinance are severable. If any of these sections, provisions, sentences, clauses, phrases, or parts are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

**SECTION 3.** BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that this Ordinance shall take effect from and after the date of January 1<sup>st</sup>, 2023 once passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of Mayor in writing by the comptroller and become effective as otherwise provided by law.

### **New Article 6- Care of Horses Used for Carriages**

#### **General**

- a. As set forth in this chapter each horse/carriage in operation in the City of Memphis requires a permit and the following sections are conditions of a valid permit.
- b. The director of animal services shall have enforcement authority over this article to promote the health, safety, and well-being of the licensed equines.
- c. A driver shall allow the inspection of their horse and/or carriage by City personnel at any time while they are on public streets. This includes during a trip in which they have been hired if a safety issue is suspected.
- d. Holders and drivers shall be responsible for any violation under this article where it is shown such person had knowledge of the violation, or should have had knowledge of the violation, and made no attempt to prevent it from occurring.
- e. Nothing in the chapter shall preclude the director of animal services or their designees from enforcing all local, state, and/or federal animal cruelty laws.

#### **Qualification Requirements**

- a. Before any animal is brought into service by the certificate holder, it shall be examined by a Tennessee licensed veterinarian who provides service in Shelby County, Tennessee and has a listed telephone number. The veterinarian shall certify in writing that the animal meets all qualification criteria as stipulated in this chapter, and that certification shall be presented to the director of animal services for approval prior to licensing by the city of Memphis. The veterinarian shall provide the following as proof of certification:
  - i. A veterinary record of a microchip placed in the neck along the nuchal ligament just under the mane.
  - ii. A copy of the animal's veterinary records with the most recent exam being dated no more than 30 days prior to the animal being brought into service.
  - iii. A copy of a negative Coggin's Test.
- b. No animal shall be permitted to pull any carriage unless the animal is in good health and meets at least the following requirements:
  - i. Must be a gelding or mare
  - ii. Must be at least three (3) years old and no greater than twenty (20) years old
  - iii. Must weigh at least one thousand two hundred (1,200) pounds to pull up to eight people, including the driver, as a single puller, and must weigh at least 1,500 pounds to pull a carriage capable of holding up to 30 people and shall only pull such a carriage in a team of two such animals.
  - iv. Must be of such stamina and in such physical condition, as determined by a veterinarian, to perform the required equine-drawn carriage tasks without any undue stress and effort.
- c. The following shall deem an equine unfit for use:
  - i. Lameness of any kind;
  - ii. Open sores or wounds caused or likely to be irritated by the bearing surfaces of harness, bridle or girths;
  - iii. Signs of emaciation, dehydration or exhaustion;
  - iv. Loose shoes or no shoes; or
  - v. Uncontrollable behavior.

- d. An equine required to be licensed pursuant to this article which meets any of the above criteria deeming it unfit for service may be ordered removed from work by the director of animal services or their designee if said individual determines that removal of the equine is necessary for health and safety reasons or as an immediate protection to the equine or the public. An equine for which such an order has been issued shall not be returned to work until such time as the equine is re-examined and a veterinarian licensed by the State of Tennessee certifies in writing that the equine is fit to return to work using the criteria set forth in this chapter.
- e. Should a carriage horse be permanently removed from service, it shall be sold or disposed of in a humane manner.

### **Proper Care**

- a. An equine required to be licensed pursuant to this article must receive the following routine veterinary care to remain compliant with this chapter:
  - i. A full soundness exam every six (6) months by a veterinarian licensed by the state of Tennessee
  - ii. Treatment for internal parasites or fecal floatation egg counts every four (4) months under the direction of a veterinarian licensed by the State of Tennessee, and treatment for external parasites whenever they are found to be present.
  - iii. Hoof trimming and shoes reset every six (6) to eight (8) weeks using caulks or borium to prevent slippage and rubber shoes or pads to prevent concussion injuries; shoes shall be shod in a manner approved by the director of animal services and shall have non-skid base surfaces.
- b. A preventative vaccination/ veterinary record affirming these standards are met shall be maintained by certificate holder and must be available for inspection on demand by the director of animal services or their designee, to include:
  - i. Current license of the equine being used;
  - ii. Current picture of the equine;
  - iii. Current health certificate of the equine;



- iv. The equine's body condition score, certified every six (6) months by a veterinarian licensed by the State of Tennessee; and
  - v. Description and location of any other identifying characteristics, marks and brands of the equine.
- c. The animal must be kept clean, especially those areas in contact with the harness or other tack, as well as groomed daily when in service and must not have fungus, dandruff or a poor or dirty coat.
  - d. Each animal must be fed at least twice daily and shall have access to forage and feed in the amount to keep appropriate body condition score. The forage and feed shall be kept clean, fresh and must be of good quality.
  - e. Each animal must have accessible potable drinking water provided in the stable at all times.
  - f. An animal shall be properly exercised when not working.
  - g. Holders and drivers shall ensure that each equine is offered potable drinking water in an appropriate container after every fare.

### **Conditions**

- a. An animal shall not be worked under any of the following conditions:
  - i. Pulling a carriage at a speed faster than a slow trot;
  - ii. Pulling a carriage at top speed for more than thirty (30) minutes;
  - iii. With equipment causing an impairment of vision other than normal blinders;
  - iv. Any condition which will impair the good health and physical condition of the animal or that subjects the animal to cruel or harassing treatment.
  - v. Pulling a carriage that has music or other amplified sound played above 85 dB, or at any level below that which causes the animal distress.
  - vi. Pulling a carriage on a public highway, path or street during conditions which are determined by the director of animal services or their designee to pose a threat to the health, safety or well-being of the equine, passengers, or general public.
  - vii. If conditions develop while an equine is being worked, said equine shall be returned without delay to the stable by the most

direct route and, if the threat posed is an immediate one, then the return of the equine to the stable shall be by equine trailer.

b. Shifts

- i. Holders and drivers shall ensure that equine do not work more than eight (8) hours in a 24-hour period without allowing an equine at least a sixteen (16) continuous hour rest period. Equines shall be considered as working if the equine is pulling a carriage that is being presented to the public as a carriage for hire.
- ii. Holders and drivers shall provide equines a minimum ten (10) minute rest period between fares.
- iii. Holders shall keep a current log in each stable showing each equine's use. A holder shall keep on the premises of the stable where the equines are kept a consecutive daily record of the movements of each licensed equine, including driver's name and identification number, equine's identification number, vehicle identification tag number, and a daily manifest on each equine. Such records shall be made available, at any reasonable time, for inspection by the director of animal services or their designee.
- iv. If an equine must return to the stables due to inclement weather or equipment replacement, it may return to operation to complete the same shift but may not extend that shift beyond 8 hours from the start of the shift.

c. Weather

- i. Holders shall check the temperature for the city of Memphis every thirty (30) minutes while they have carriages in service and document in the daily record for horses in service that day.. This verification shall be done by using a reputable weather website If the temperature is at or above 95° Fahrenheit or at or below 32° Fahrenheit, animals may not be put into service and shall not be outside of the barns or stables.
- ii. All carriage companies and drivers shall work their horses only when safe weather conditions exist. Special attention and discretion should be used during periods of snow, ice, heavy rain, high humidity, or extreme wind chill. Proper shoes should be used during icy conditions.

- iii. Should the director of animal services determine that special circumstances exist which would jeopardize the safety of the animal, such as a significant weather event or other environmental problems, they may order the temporary suspension of the operation of all horse-drawn carriages for hire until such time as the special circumstances no longer exist.

### **Equipment**

- a. Holders and drivers shall ensure that pads and other pieces of tack are kept clean and in a safe and serviceable condition. No animal will be worked with a harness or bit that is not approved by a qualified and approved veterinarian.
  - i. The harness must be oiled and cleaned to be soft at all times.
  - ii. The harness shall be properly fitted and maintained. Wire, sisal, rope, rusty chains or other substandard additions to the harness are prohibited.
  - iii. The harness shall be examined every 6 months by a veterinarian licensed by the state of Tennessee.
- b. The use of whips is prohibited.
- c. Animals licensed under this chapter will be fitted with a diaper or proper collection bag for animal droppings.
  - i. A driver shall empty the horse's diaper prior to the beginning of each trip for hire.
  - ii. A driver shall not allow excrement to drop from the equine's diaper and will ensure that the diaper bag is properly fastened to the equine as outlined by the manufacturer's instructions.
  - iii. It shall be the responsibility of holder to take the necessary steps to keep all streets, alleys, sidewalks, and other public ways of the city cleared of animal droppings.
- d. Each driver shall dilute horse urine with a deodorizing, non-toxic liquid right away. The driver shall not impede traffic while doing so and if necessary, shall clean up any missed urine at the end of each trip.

### **Stalls and stables**

- a. Stables for housing of equine and carriages shall comply with all zoning laws and ordinances of the city of Memphis and Shelby County and shall be no less than one hundred (100) feet from any dwelling.
- b. Such facilities shall conform to all health and sanitation regulations and shall be open for inspection by the director of animal services and their designees at all reasonable times, with or without prior notice.
- c. All stables used for housing horses shall be well lighted and ventilated.
- d. Foot hazards and sharp surfaces will not be permitted in any area or building where the animals may be injured by them.
- e. All stables shall have standing stalls of minimum dimensions of twelve (12) feet by twelve (12) feet by twelve (12) feet. The stalls shall be enclosed on all four (4) sides and shall have a solid north wall and a solid roof free of leaks.
- f. Tie stalls shall be a minimum of 46 feet by ten feet. Horses that are not turned out daily should not be kept in tie stalls.
- g. Stables and stalls shall be clean and dry. Sufficient bedding of straw, shavings, or other suitable material shall be furnished and changed as often as necessary to maintain the stables and stalls in a clean and dry condition. Bedding for concrete floors shall consist of at least six (6) inches of materials. Bedding for clay, dirt or rubber base floor shall consist of at least three (3) inches of materials.
- h. A pest control program shall be used to control flies and other insects.
- i. All interior and exterior areas of the stable shall be kept clean, properly drained and free of nuisances including, but not limited to, odors and accumulation of refuse and excrement.
- j. There shall be no smoking at any time in stables.

**RESOLUTION TO ACCEPT THE DONATION OF THE LIBERTY PARK  
GOLD STAR FAMILIES MEMORIAL MONUMENT FROM THE WOODY  
WILLIAMS FOUNDATION AND THE LIBERTY PARK GOLD STAR  
FAMILIES MEMORIAL MONUMENT COMMITTEE**

**WHEREAS**, the Woody Williams Foundation (“Foundation”) is a charitable 501(c)3 nonprofit organization that pursues the vision of Medal of Honor recipient Hershel “Woody” Williams to establish Gold Star Families Memorial Monuments in communities throughout the country as part of the Foundation’s mission to honor, recognize, and serve Gold Star Families and the legacy of their loved ones who have paid the ultimate sacrifice in the United States military to ensure the continued freedom and safety of all Americans; and

**WHEREAS**, the Liberty Park Gold Star Families Memorial Monument provides a place for Gold Star Families to gather in honor and remembrance of their loved ones, demonstrates to these Families that the Memphis and West Tennessee community cares for them and appreciates their sacrifice and that of their loved ones, and will educate members of the community and all visitors to the Monument about Gold Star Families and the sacrifices made by their loved ones in service to our nation; and

**WHEREAS**, the Liberty Park Gold Star Families Memorial Monument has been created and installed by the Foundation through the efforts and fundraising of the Liberty Park Gold Star Families Memorial Monument Committee on City-owned property next to the Simmons Bank Liberty Stadium in Liberty Park, and

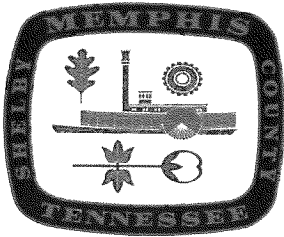
**WHEREAS**, the Foundation and the Committee wish to donate the Liberty Park Gold Star Families Memorial Monument to the City of Memphis for the benefit of all Memphians; and

**WHEREAS**, it is the intent of the Memphis City Council to accept the Memorial Monument donation from the Woody Williams Foundation and the Liberty Park Gold Star Families Memorial Monument Committee.

**NOW, THEREFORE, BE IT RESOLVED** by the Memphis City Council that the donation of the Liberty Park Gold Star Families Memorial Monument is hereby accepted by the City of Memphis.

Sponsor:

Chase Carlisle



## Resolution to Transfer, Allocate and Appropriate Remaining CIP Funds

**WHEREAS**, the Council of the City of Memphis did allocate funds for various CIP projects in past fiscal years and as part of previous CIP budgets; and

**WHEREAS**, the Administration desires to transfer remaining funds from previous CIP projects and apply them to existing and current CIP projects as part of the Fiscal Year 2023 Capital Improvements Budget; and

**WHEREAS**, the Administration desires to add additional CIP funds to PK01036 Lester Community Center by transferring and appropriating funds of \$3,000,000.00 in Contract Construction from PK08017 Pink Palace Rehab to Fiscal Year 2023 CIP Project PK01036 Lester Community Center, Contract Construction; and

**WHEREAS**, the Administration desires to allocate and appropriate CIP funds of \$599,821.00 in Fiscal Year 2023 CIP Project Number PK08017 Pink Palace Rehab, contract construction; and

**WHEREAS**, the Administration desires to add additional CIP funds to PK07118 HUD Resilience Grant by transferring and appropriating funds of \$55,000.00 in A/E from PK07092 City Park Rehab/Maintenance to Fiscal Year 2023 CIP Project PK07118 Rodney Baber Park Improvements, Contract Construction; and

**WHEREAS**, the Administration desires to add additional CIP funds to PK07118 HUD Resilience Grant by transferring and appropriating funds of \$971,203.00 in Contract Construction from PK07092 City Park Rehab/Maintenance to Fiscal Year 2023 CIP Project PK07118 Rodney Baber Park Improvements, Contract Construction; and

**WHEREAS**, the Administration desires to add additional CIP funds to PK07118 HUD Resilience Grant by transferring and appropriating funds of \$100,000.00 in Fixtures Furniture and Equipment from PK07092 City Park Rehab/Maintenance to Fiscal Year 2023 CIP Project PK07118 Rodney Baber Park Improvements, Contract Construction; and

**WHEREAS**, the Administration desires to add additional CIP funds to PK23103 Miscellaneous Park Improvements by transferring unencumbered appropriated funds of \$25,635.00 in Contract Construction from CIP Project PK02004 Goodwill Homes Improvements to Fiscal Year 2023 CIP Project PK23103 Miscellaneous Park Improvements, Contract Construction; and

**WHEREAS**, the Administration desires to add additional CIP funds to PK23103 Miscellaneous Park Improvements by transferring unencumbered appropriated funds of \$3,318.00 in Fixtures Furniture and Equipment from CIP Project PK02005 FFE for Senior Centers to Fiscal Year 2023 CIP Project PK23103 Miscellaneous Park Improvements, Contract Construction; and

**WHEREAS**, the Administration desires to add additional CIP funds to PK23103 Miscellaneous Park Improvements by transferring unencumbered appropriated funds of \$9,435.00 in Contract Construction from CIP Project PK03006 FY20 Misc. Park Improvements to Fiscal Year 2023 CIP Project PK23103 Miscellaneous Park Improvements, Contract Construction; and

**WHEREAS**, the Administration desires to add additional CIP funds to PK23103 Miscellaneous Park Improvements by transferring unencumbered appropriated funds of \$14,310.00 in Land Acquisition from CIP Project PK05006 FY20 Rodney Baber Park Land Acquisition to Fiscal Year 2023 CIP Project PK23103 Miscellaneous Park Improvements, Contract Construction; and

**WHEREAS**, the Administration desires to add additional CIP funds to PK23103 Miscellaneous Park Improvements by transferring unencumbered appropriated funds of \$37,475.00 in A/E from CIP Project PK18107 FY20 Park Services Design Fees to Fiscal Year 2023 CIP Project PK23103 Miscellaneous Park Improvements, Contract Construction; and

**WHEREAS**, the Administration desires to add additional CIP funds to PK03004 Tennis Major Maintenance by transferring unencumbered appropriated funds of \$39,547.00 in A/E from CIP Project PK03001 Tennis Improvements to Fiscal Year 2023 CIP Project PK03004 Tennis Major Maintenance, Contract Construction; and

**WHEREAS**, the Administration desires to add additional CIP funds to PK08037 Lichterman Nature Center Major Maintenance by transferring unencumbered appropriated funds of \$24,757.00 in Fixtures Furniture and Equipment from CIP Project PK08035 WYPL Radio/TV Equipment to Fiscal Year 2023 CIP Project PK08037 Lichterman Nature Center Major Maintenance, Contract Construction; and

**WHEREAS**, the Administration desires to add additional CIP funds to PK08037 Lichterman Nature Center Major Maintenance by transferring unencumbered appropriated funds of \$25,000.00 in A/E from CIP Project PK08036 Brooks Museum Security Upgrade to Fiscal Year 2023 CIP Project PK08037 Lichterman Nature Center Major Maintenance, Contract Construction.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the City of Memphis that it hereby approves the allocation, appropriation and transfer of remaining CIP funds as detailed above to current Fiscal Year 2023 CIP Projects as indicated below, Contract Construction, funded by G.O. Bonds General.



**Project Title:** Lester Community Center  
**Project Number:** PK01036  
**Appropriation** \$3,000,000.00

**Project Title:** Pink Palace Rehabilitation  
**Project Number:** PK08017  
**Appropriation** \$599,821.00

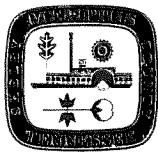
**Project Title:** Rodney Baber Park Improvements  
**Project Number:** PK07118  
**Appropriation** \$1,126,203.00

**Project Title:** Miscellaneous Park Improvements  
**Project Number:** PK23103  
**Appropriation** \$90,173.00

**Project Title:** Tennis Major Maintenance  
**Project Number:** PK03004  
**Appropriation** \$39,547.00

**Project Title:** Lichterman Nature Center Major Maintenance  
**Project Number:** PK08037  
**Appropriation** \$68,300.00

# City of Memphis



**JIM STRICKLAND**  
MAYOR

TENNESSEE

November 29, 2022

The Honorable Michalyn Easter-Thomas, Chairman  
Personnel, Government Affairs, and Annexation Committee  
City Hall - Room 514  
Memphis, TN 38103

Dear Chairman Easter-Thomas:

Subject to Council approval, I hereby recommend that:

Steve Lockwood

be appointed to the Blight Authority of Memphis with a term expiration date of December 15, 2025.

I have attached biographical information.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Strickland", written over the typed name and title.

Jim Strickland  
Mayor

JSS/sss

Cc: Council Members

# **BLIGHT AUTHORITY OF MEMPHIS**

## **9 Member Board**

**(1) Mayor or His Designee (nonvoting member)**

**(1) City Council Person (nonvoting member)**

**3 Year Staggered Terms**

### **Purpose of Board:**

To do business as a land bank to provide a tool to support economic revitalization through returning blighted properties, vacant properties, abandoned properties and tax-delinquent properties to productive use.

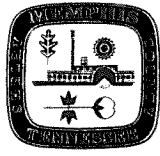
		Term ends:	Terms served:
<b>Fara Captain</b>	<b>F/As</b>	<b>12-15-23</b>	
<b>Jill Steinberg</b>	<b>F/W</b>	<b>12-15-21</b>	<b>partial</b>
<b>Louisa Yanes</b>	<b>F/W</b>	<b>12-15-22</b>	<b>partial</b>
<b>Kathy M. Cowan</b> <b>Chair</b>	<b>F/B</b>	<b>12-15-23</b>	<b>2<sup>nd</sup></b>
<b>Shawn Massey</b>	<b>M/W</b>	<b>12-15-21</b>	<b>partial</b>
<b>Stuart Lott</b>	<b>M/B</b>	<b>12-15-24</b>	
<b>Evan G. Collins</b>	<b>M/B</b>	<b>12-15-22</b>	<b>partial</b>
<b>Vacancy</b>	<b>F/W</b>	<b>12-15-22</b>	
<b>Justin Gillis</b>	<b>M/W</b>	<b>12-15-23</b>	<b>partial</b>

**Mayor's Designee: Joy Touliatos**

**2022 Council Liaison: Cheyenne Johnson**

Updated 061422

# City of Memphis



**JIM STRICKLAND**  
MAYOR

TENNESSEE

November 29, 2022

The Honorable Michalyn Easter-Thomas, Chairman  
Personnel, Government Affairs, and Annexation Committee  
City Hall - Room 514  
Memphis, TN 38103

Dear Chairman Easter-Thomas:

Subject to Council approval, I hereby recommend that:

**Roderick D. Holmes**

be appointed to the Economic Development Growth Engine of Memphis and Shelby County with a term expiration date of August 1, 2025.

I have attached biographical information.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Strickland", written over a circular stamp or seal.

Jim Strickland  
Mayor

JSS/sss

Cc: Council Members

**ECONOMIC DEVELOPMENT GROWTH ENGINE OF MEMPHIS AND  
SHELBY COUNTY (EDGE)**

**11 Member Board**

**5 City/5 County/1 Joint**

**6 Year Staggered Terms**

Purpose:

EDGE is the economic development agency for the City of Memphis and Shelby County Government. EDGE provides and coordinates public resources to drive economic development in Memphis and Shelby County. EDGE leverages the benefits of economic development incentive programs to foster public/private partnerships that create jobs, grow the economy, revitalize neighborhoods, attract investments, spark innovation, and encourage entrepreneurship.

		Term ends:	Terms served:
<b>Halperin, Mark J.</b>	<b>M/W</b>	<b>08-01-23</b>	<b>2<sup>nd</sup> Term</b>
<b>Florence Jones</b>	<b>F/B</b>	<b>12-31-22</b>	<b>Partial</b>
<b>Vacancy</b>	<b>M/B</b>	<b>08-01-25</b>	
<b>Gerre Currie</b>	<b>F/B</b>	<b>08-01-25</b>	<b>Partial</b>

**2022 Council Liaison: Edmond Ford, Sr.**

<b>Bright, Al Jr. - Joint</b>	<b>M/B</b>	<b>08-01-25</b>	<b>3<sup>rd</sup> Term</b>
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Updated: 080522

# City of Memphis



**JIM STRICKLAND**  
MAYOR

TENNESSEE

November 29, 2022

The Honorable Michalyn Easter-Thomas, Chairman  
Personnel, Government Affairs, and Annexation Committee  
City Hall - Room 514  
Memphis, TN 38103

Dear Chairman Easter-Thomas:

Subject to Council approval, I hereby recommend that:

Philip Davis

be appointed as Director of Solid Waste with an annual salary of \$135,239.00.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Strickland", written over a circular stamp or seal.

Jim Strickland  
Mayor

JSS/sss

Cc: Council Members