

The NILE Report

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From the President's Desk

This edition of the NILE Report focuses on the culture of violence in our communities and the impact it has on young lives. It should not be any wonder that children who grow up in a climate of violence and a host of disadvantages often become engaged in antisocial and delinquent behavior. The Charles Houston Hamilton Institute on Race and Justice research into the subject highlights not only the problem, but offers solutions that have proven to be effective in homes, schools and the community at large. We encourage you to read the entire research brief.

We also take a look at the transfer of children into the adult penal system. The Office of Juvenile Justice and Delinquency Prevention has published the results of studies conducted for a period of years looking at the impact of sending children under the age of 18 into the adult prison system. They come to the conclusion that sending children through adult court increases recidivism and promotes a life course of criminality. Stop and think about the efficacy of sending a 14 or 16 year old to prison with adults. They have not finished school, have no job skills and no matter their repentance they face an unforgiving public on their return to society. What is it that we expect them to do? We need to rethink our priorities and spend more time and energy on the recommendations from the research on "Things I have Seen and Heard".

And lastly, on the upbeat, there are Charter Schools that are changing the culture of learning. Empowered by the state to try new learning models, they are all inspired by both the challenges and the successes they have achieved.

Yours "In the pursuit of justice",
Veronica F. Coleman-Davis



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Things I Have Seen and Heard

How Educators, Youth Workers and Elected Leaders Can Help Reduce the Damage of Childhood Exposure To Violence in Communities (Excerpts from A CHHIRJ Research Brief)

Children who live in neighborhoods of concentrated poverty are exposed to astonishingly high levels of violence in their communities. Not until fairly recently, though, have we gathered research evidence to deepen our understanding of the damaging effects of witnessing violence. Similarly, a research consensus is growing that leads us toward programs, practices and policies that would ameliorate, though not erase, the negative effects of community violence on children’s behavior, mental health and school performance.

Seeing Violence: A Common Experience

Research on rates of violence exposure has been remarkably consistent over more than a decade. Generally, in urban, high-poverty neighborhoods, about one third of teenage and pre-teenage children report having been *victims* of violence. Meanwhile, studies demonstrate that huge majorities of children in high poverty neighborhoods have been exposed to community violence.

Researchers often estimate violence exposure levels using a survey called “Things I Have Seen and Heard” developed by John E. Richters & Pedro Martinez at the National Institute of Mental Health. The survey asks children how many times they have seen someone

beaten up, chased by a gang, arrested, stabbed, shot, or killed, how many times they have seen a drug deal, and how many times they have seen a dead body outside of the home. In their landmark study of violence in Washington, DC, Richters and Martinez found that by the first and second grades, 19 percent of children had already been victims of violence, and 61 percent had already witnessed violence against someone else.

More recent work suggests that even as violence dropped in the nation at large, this was not true for children who live in areas of concentrated poverty. For them, violence exposure still remains a constant feature of life. A 1999 study of antisocial behavior among 6 to 10 year old boys living in New York City found that 84 percent had heard a gunshot, 87 percent had seen someone get arrested, 15 percent had witnessed three or more shootings, 11 percent had seen someone stabbed on three or more occasions, and 75 percent had witnessed four or more violent events. Five years later, in 2004, Emily Ozer and Rhonna Weinstein of the University California at Berkeley found that 52 percent of seventh graders from urban middle schools in California saw someone they know get beaten up. Twenty-nine percent of the boys and girls surveyed had themselves

been beaten up.

The Link between Children’s Behavior and Violence Exposure

Although children living in areas of concentrated poverty are exposed to high levels of violence, it is important to remember that most such children do not exhibit aggressive behavior. As Sonya Brady from the University of California, San Francisco and her colleagues point out, how a child copes with violence is likely to make an important difference in whether or not the child will become aggressive. In a five year study, Brady and her team investigated the relationship between community violence exposure and violent behavior among young African American and Latino males in Chicago. Greater violence exposure during middle adolescence was associated with greater violent behavior during late adolescence, but only among adolescents with ineffective coping strategies. Ineffective coping strategies included drug use, arguing or fighting with others, isolating oneself or trying to forget a violent experience. Young people who coped effectively by seeking advice from others or playing sports were less likely to exhibit antisocial or aggressive behavior.

Several longitudinal studies have demonstrated a close relationship between exposure to community violence and aggressive behavior. Mary Schwab-Stone from the Yale Child Study Center found that witnessing violence or being the victim of community violence was associated with willingness to fight if insulted among 6th, 8th and 10th graders in an urban public school system. Another study found that for African American and Latino boys in the 5th and 7th grades, exposure to community violence was associated with increases in aggres-

sive behavior, even after controlling for earlier aggressive episodes and other stressful life events that might explain aggression.

Does Violence Exposure Affect a Child’s School Performance?

We know far less about how violence exposure affects a child’s ability to function successfully in the classroom, though research strongly suggests that the accumulation of stress—of which community violence is one source—is a risk factor for school-related difficulties in both the short and long term.

There Are Strategies to Improve School Success for Child Witnesses to Violence

Research suggests that professionals who work with youth—educators, social workers, psychologists and others—can indeed help reduce the negative school-related effects for children traumatized by violence.

Families and Parenting

Supportive parents are potentially valuable in reducing the negative effects of exposure to community violence. However, research also suggests that even the best parents are limited in their ability to protect their children from the detrimental effects of being exposed to community violence. As Suniya Luthar and Adam Goldstein of Columbia University write, “[A]mong families living in conditions of poverty, positive parenting—encompassing high monitoring, support, and cohesiveness—can help children maintain adequate levels of adjustment, but even the ‘best’ of these families will be limited in shielding their children when living in neighborhoods where violence is a constant fact of life.” Most studies agree that

families can protect children from developing internalizing and externalizing adjustment problems at low, but not high, levels of exposure to violence.

For example, in a 2004 study of African American children ages 9 to 13, Wendy Kliewer and her colleagues from Virginia Commonwealth University found that children who felt accepted by their parents were less likely to show internalizing and externalizing symptoms when exposure to violence was low. However, when violence exposure was high, parental acceptance was no longer protective. The same study found that a caregiver's ability to regulate anger was protective at low, but not high, levels of violence exposure. Similarly, Phillip Hammack and his colleagues from the University of Chicago found that time spent with family tended to protect girls exposed to community violence from developing symptoms of anxiety. However, when exposure to violence was high, time spent with family failed to protect both boys and girls from symptoms of depression.

Conclusions & Recommendations

In neighborhoods with high levels of poverty, one third or more pre-teenage and teenage children have been direct victims of violence, and huge majorities of children have witnessed violence in their communities. A research consensus has grown in recent years that exposure to community violence contributes to increased risk for a host of serious problems: anxiety, depression, aggressive behavior and poor school performance over both the short and long term.

What can we do about this?

- **Improve conditions and enhance opportunities in high-poverty neighborhoods victimized by violence.**
- **Support activities, events and efforts in neighborhoods of concentrated disadvantage that lead to neighbors meeting and working together on community improvement projects and initiatives designed to stem violence through social cohesion.**
- **Advocate for high-quality after-school programs that keep children safe and connect them to opportunity.**
- **Craft and support local, state and federal legislation that would engage communities and children in constructive activities, including community improvement projects.**
- **Educators should avoid using suspension and expulsion.**
- **Put in place alternatives to suspension and expulsion that create a more caring and positive school climate** – Tested alternatives to suspension and expulsion include **restorative justice**, in which the offender, the victim and the larger community discuss the crime and determine what type of retribution should be paid. Also, **trauma sensitive schools** focus on addressing mental health needs of students and creating caring, safe environments for children.
- **School-wide positive behavior support** treats appropriate school behavior as a skill to be learned, much like an academic skill.

- Educators, social service agencies and youth advocates should coordinate services and actively partner so that children can more easily receive appropriate assistance in overcoming the mental health and learning challenges associated with exposure to violence.
- Implement tested school- and community-based programs that have shown promise in ameliorating the negative effects of exposure to violence in communities.
- Parents and teachers should listen to children who want to discuss traumatic events.

About the Authors

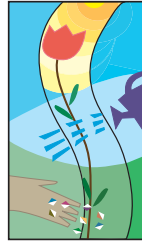
Candice Player is pursuing a joint JD-PhD between Harvard Law School and the Harvard Health Policy Program, where she is a student in the ethics track. She is a 2003 graduate of Cambridge University and a 2002 graduate of Harvard College.

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Juvenile Transfer Laws: An Effective Deterrent to Delinquency?

OJJDP Bulletin August 2008
U.S. Department of Justice Office of Justice Programs
Office of Juvenile Justice and Delinquency Prevention

Richard E. Redding, J.D., Ph.D.,



Beginning in the 1980s, many States passed legal reforms designed to get tough on juvenile crime. One important reform was the revision of transfer (also called waiver or certification) laws (Griffin, 2003) to expand the types of offenses and offenders eligible for transfer from the juvenile court for trial and sentencing in the adult criminal court. These reforms lowered the minimum age for transfer, increased the number of transfer-eligible offenses, or expanded prosecutorial discretion and reduced judicial discretion in transfer decisionmaking (Fagan and Zimring, 2000; Redding, 2003, 2005).

While the age at which juveniles can be transferred to the adult system varies across States, most States will transfer youth ages 14 and older who have committed a serious violent offense. Typically, there are four categories of offenses for which juveniles of a certain age may be transferred: (a) any crime, (b) capital crimes and murder, (c) certain violent felonies, and (d) certain crimes committed by juveniles with prior records (Snyder and Sickmund, 2006). (See Griffin, 2003, and Snyder and Sickmund, 2006, for recent comprehensive lists of States, recent transfer statutes, and statutory requirements.)

The nationwide policy shift toward transferring juvenile offenders to the criminal court is based largely on the assumption that more punitive, adult criminal sanctions will act as a deterrent to juvenile crime. In terms of specific

deterrence—in other words, whether trying and sentencing juvenile offenders as adults decreases the likelihood that they will reoffend—six large-scale studies have found higher recidivism rates among juveniles convicted for violent offenses in criminal court when compared with similar offenders tried in juvenile court. With respect to general deterrence—whether transfer laws deter any would-be juvenile offenders—the picture is less clear. The studies on this issue have produced somewhat conflicting findings; however, the bulk of the empirical evidence suggests that transfer laws have little or no general deterrent effect.

Why Do Juveniles Tried as Adults Have Higher Recidivism Rates?

- Experts (see Bazemore and Umbreit, 1995; Myers, 2003; Thomas and Bishop, 1984; Winner et al., 1997) have identified several possible explanations for the higher recidivism rates of violent juvenile offenders tried in criminal court as compared to those adjudicated in juvenile court: The stigmatization and other negative effects of labeling juveniles as convicted felons.
- The sense of resentment and injustice juveniles feel about being tried and punished as adults.
- The learning of criminal mores and behavior while incarcerated with adult offenders.
- The decreased focus on rehabilitation and family support in the adult system.

A felony conviction also results in the loss of a number of civil rights and privileges (see Redding, 2003), further reducing the opportunities for employment and community reintegration.

Findings from several studies (Fagan, 1996; Fagan, Kupchik and Liberman, 2003) show that criminal court processing alone, even without the imposition of any criminal sentence, increases recidivism. Juveniles' sense of injustice at criminal court processing may cause them to react defiantly by reoffending, and it may further harden an emergent criminal self-concept (see Sherman, 1993; Thomas and Bishop, 1984; Winner et al., 1997). "The concept of fairness appears to be an important variable in an individual's perception of sentence severity and its subsequent relationship to future recidivism" (Corrado et al., 2003:183). 2003:183). Furthermore, it appears that many adolescents with conduct disorders already have a sense of having been dealt an unfair hand by authority figures (Chamberlain, 1998).

Some studies indicate that prison incarceration "does not seem to be responsible for the criminogenic effect of adult court processing" (Fagan, Kupchik, and Liberman, 2003:66). One reason for the increased recidivism of these offenders, however, might be the reduced opportunities for meaningful rehabilitation in adult prison. Forst, Fagan, and Viona's 1989 study, for example, found that youth in juvenile facilities gave higher marks than youth in adult facilities to the available treatment and case management services. Youth in juvenile detention described these services as helpful in providing counseling, enabling them to obtain needed services, encouraging participation in programs, teaching

the consequences of rule breaking, and deepening their understanding of their problems.

Similarly, in a recent study comparing the experiences of youths in adult versus juvenile correctional facilities in a large Northeastern State, all of whom had been tried in adult criminal court, Kupchik (2007) found that youths in juvenile facilities reported far more positive, mentoring-style staff-inmate interactions than did the youths in adult facilities. However, youths in adult facilities reported having greater access to counseling and educational services, perhaps because of the larger size of the adult facilities.

Juveniles in adult prison reported that much of their time was spent learning criminal behavior from the inmates and proving how tough they were. They also were much more fearful of being victimized than they had been when incarcerated in juvenile facilities, and more than 30 percent had been assaulted or had witnessed assaults by prison staff. Indeed, Beyer (1997) paints a bleak picture of life in adult prison for juveniles, who are at greater risk for suicide, as well as for physical and sexual abuse from older inmates. As compared with those in juvenile facilities, juveniles incarcerated in adult prison are eight times more likely to commit suicide, five times more likely to be sexually assaulted, and almost twice as likely to be attacked with a weapon by inmates or beaten by staff (Beyer, 1997). Because juveniles in adult prisons are exposed to a criminal culture in which inmates commit crimes against each other, these institutions may socialize delinquent juveniles into true career criminals. In an older study about life in prison (Eisikovits and Baizerman, 1983), violent juvenile offenders reported that their daily survival required finding ways to fit into the

and adjusting to the institution by accepting violence as a part of daily life and, thus, becoming even more violent.

Implications for Policymakers and Practitioners

The research findings on juvenile transfer have the potential to impact both policy and practice. In a recent study, Hensl and Redding (2005) found that juvenile court judges who were knowledgeable about the ineffectiveness of transfer in reducing recidivism were somewhat less likely to transfer juvenile offenders to the criminal court. This finding suggests that educating judges, prosecutors, court personnel, and legislators about the research on transfer may reduce the number of cases transferred to criminal court or the number of transferred cases that result in criminal sanctions.

Conclusion

Most practitioners would agree, consistent with the extant research, that it is important that the juvenile courts' response to juvenile offenders be calibrated to have sufficient effectiveness as a deterrent while not being overly punitive. The practice of transferring juveniles for trial and sentencing in adult criminal court has, however, produced the unintended effect of increasing recidivism, particularly in violent offenders, and thereby of promoting life-course criminality (Scott, 2000). But, if it was indeed true that transfer laws had a deterrent effect on juvenile crime, then some of these offenders would not have offended in the first place. Although the limited extant research falls far short of providing definitive conclusions, the bulk of the empirical evidence suggests that transfer laws, as currently implemented, probably have little general deterrent effect on would-be juvenile offenders.

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For full text of the August 2008 OJJDP Bulletin on "Juvenile Transfer Laws: An Effective Deterrent?" visit their website www.ojp.usdoj.gov/ojjdp

Table 1.
Bureau of Justice Statistics-
State Prison Inmates Under Age of 18
at Midyear 2008

Table 21. Reported number of inmates under age 18 held in state prisons, by gender, region, and jurisdiction, June 30, 2007-2008

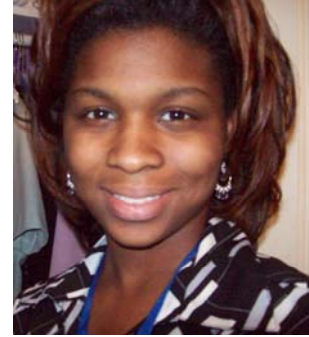
Region and jurisdiction	2007			2008		
	Total	Male	Female	Total	Male	Female
State	2,283	2,190	91	3,650	3,531	119
Northeast	788	752	36	676	643	33
Connecticut ^a	444	417	27	375	349	26
Maine	0	0	0	0	0	0
Massachusetts	4	3	1	3	2	1
New Hampshire	0	0	0	0	0	0
New Jersey ^b	21	21	0	19	19	0
New York	248	243	5	206	202	4
Pennsylvania	60	58	2	55	53	2
Rhode Island ^a	5	5	0	10	10	0
Vermont ^a	6	5	1	8	8	0
Midwest	422	405	17	398	384	14
Illinois	/	/	/	/	/	/
Indiana	52	51	1	63	62	1
Iowa	15	15	0	16	16	0
Kansas	10	10	0	4	3	1
Michigan	149	144	5	140	137	3
Minnesota	10	10	0	13	13	0
Missouri	21	17	4	26	25	1
Nebraska	13	12	1	15	15	0
North Dakota	0	0	0	0	0	0
Ohio	93	93	0	75	73	2
South Dakota ^b	5	4	1	0	0	0
Wisconsin	54	49	5	46	40	6
South	836	804	32	2,210	2,146	64
Alabama	108	106	2	123	123	0
Arkansas	19	19	0	17	17	0
Delaware ^a	28	28	0	25	25	0
Florida	/	/	/	301	295	6
Georgia ^b	65	60	5	1,113	1,076	37
Kentucky	0	0	0	0	0	0
Louisiana ^b	11	11	0	26	25	1
Maryland	38	35	3	61	60	1
Mississippi	72	71	1	39	38	1
North Carolina ^b	161	152	9	186	178	8
Oklahoma	6	6	0	7	7	0
South Carolina	123	120	3	96	93	3
Tennessee	25	25	0	14	13	1
Texas	150	141	9	157	151	6
Virginia	30	30	0	45	45	0
West Virginia	0	0	0	0	0	0
West	237	231	6	366	358	8
Alaska ^a	10	10	0	10	9	1
Arizona	129	125	4	156	154	2
California ^b	0	0	0	0	0	0
Colorado	37	35	2	37	36	1
Hawaii ^b	1	1	0	0	0	0
Idaho	1	1	0	0	0	0
Montana	3	3	0	8	7	1
Nevada	47	47	0	118	115	3
New Mexico	0	0	0	1	1	0
Oregon	/	/	/	8	8	0
Utah	5	5	0	21	21	0
Washington ^b	3	3	0	3	3	0
Wyoming	1	1	0	4	4	0

/Not reported.
~Not applicable.
^aPrisons and jails form one integrated system. Data include total jail and prison populations.
^bCounts include those held in privately-operated facilities. March 2009, NCJ 225619



Survey of Charter Schools in a Mid-South City

A NILE Project
By Tracy S. Gailes



Charter schools have recently become the topic of much discussion. Interviews with several local charter school principals have provided an insider's perspective on the definition, purpose, and significance of charter schools.

There is a common thread that weaves these schools together yet they each possess a distinct personality and culture. By definition, charter schools are elementary or secondary schools that receive public funding but have been freed from some of the rules, regulations, and statutes that apply to traditional public schools in exchange for some type of accountability for producing certain results.

Charter school principals at Memphis Academy of Science and Engineering (MASE), City University, Memphis Business Academy (MBA), and Memphis Academy for Health and Sciences (MAHS) gave their perspectives on the emergence and success of their schools. Each of these charter schools emerged from a need to serve disadvantaged individuals. Active community leaders who believed that every child deserves an opportunity to receive an adequate and empowering education received the state's approval and got the schools up and running. It wasn't easy as all the principals mentioned, but the struggles are overshadowed by the success of the students.

According to principals, there are clear advantages to having more jurisdiction over things such as curricula and employment. However, one principal put it this way: "We are expected to do more with less." All principals acknowledged that lack of funds is an issue. They are forced to make each dollar count. So far these schools are doing an outstanding job. For example, Memphis Academy of Science and Engineering issues their students laptops. They are able to do this by utilizing technology to cut other costs. Dr. Tommie Henderson says rather than spend money on textbooks, they use e-books. Other charter schools initiate fundraisers in order to meet the financial challenges they face. Other obstacles these principals have faced are overcoming negative public perception and development.

Although charter schools share common purposes and difficulties which bind them together, none of them mirrors another in design and culture. City University has a college driven culture. Students there are referred to as scholars. They must also submit 3 college applications and receive at least one letter of acceptance to graduate. There is also a heavy focus on community service which is a graduation requirement. Chancellor Robinson, who fills the role of a superintendent, emphasizes the importance of building a close-knit com-

munity and a well-rounded student. Memphis Academy for Health Sciences hosts a number of creative and effective after school activities to engage student and parental engagement. Mr. Curtis Weathers confidently announced that MAHS has no problems with truancy. It is indeed evident almost from the moment one steps into the school that they have very passionate, talented, and energetic educators who undoubtedly contribute to the success of the school. Memphis Business Academy has a unique curriculum that focuses on business, finance, and entrepreneurship. Seventh graders can begin earning high school credits due to dual enrollment. This focus on business concepts has not only been beneficial to students but to parents and teachers as well according to Dr. Menthia Clark. Dr. Henderson of MASE not only has outstanding academic achievement, but a great student-friendly environment. Dr. Henderson says they use peer pressure in a positive way by organizing activities that foster team-building. There is zero-tolerance on verbal taunting and their one unbreakable rule is no violence. With the extended school day, school becomes more central to the students' lives. This encourages the existence of school pride.

The roles of these principals is wide-ranging and never-ending. Their phones never stop ringing and they never stop answering the calls of those in need. The existence of these schools have allowed students a second chance at thriving and succeeding in a nurturing educational environment. So what is the future of charter schools? While opinions on length of time varied from principal to principal, all agreed that charter schools will exist until public schools begin to look more like charter schools. Charter schools are serving as a

model and catalyst they say. Until then, they will keep doing their work and leading disadvantaged youth to reach their fullest academic and social potential. ■

We wish to thank the Principals of Memphis Academy of Science and Engineering (MASE), City University, Memphis Business Academy (MBA), and Memphis Academy for Health and Sciences (MAHS) for taking the time to respond to our survey.



Upcoming Events:

Mothers of the NILE "Back to Basics Luncheon: Focusing on Courage"

April 21, 2009, 11:30 to 1:00 pm
at the Benjamin L. Hooks Library.
Guest speaker Deidre Malone, Chair of the
Shelby County Commission, .
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Free Legal Information Session on Juvenile Court

On April 4, 2009 The National Institute for Law & Equity (NILE) and the Community Legal Center are sponsoring a Juvenile Court Legal Information Session and Clinic at the Binghampton United Methodist Church from 1 to 4 pm. The public can choose between the following two sessions: Dependency and Neglect or Juvenile Delinquency.
For more information call 324-4377 or email thenile2007@aol.com.

Mothers of the NILE Annual Mothers Day Dinner

May 7, 2009 5:30 to 7:30pm
First Baptist Broad Church
This year's theme is:

Home and School: A Partnership for our Children's Success

Tickets are \$25.
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