

HUTTO ISD PD

FIRST OFFENDER PROGRAM PROPOSAL



PURPOSE

Divert first-time offenders away from the criminal justice system through a voluntary school-based program where youth can erase their arrest record through academic engagement, structure goal setting, rewards, and positive youth development.



P.I.E MODEL

PREVENTION, INTERVENTION, ENFORCEMENT

PREVENTION

Provide formal/informal educational opportunities to prevent youth from being involved in the criminal justice system.

INTERVENTION

Intervene by diverting first-time offenders away from the criminal justice system by offering them the opportunity to voluntarily participate in a program that offers early interventions using school and community based programs.

ENFORCEMENT

Refer the case to court or arrest the juvenile offender.



AUTHORITY

TEXAS FAMILY CODE (TFC) 52 . 031

FIRST OFFENDER PROGRAM



Since 1999, every juvenile board in Texas has been required to adopt guidelines for informal disposition or first offender programs to encourage more law enforcement agencies to implement such programs.

TFC 52.031(b)

An officer taking a child into custody may also refer the child to the law enforcement officer or agency that has been designated by the juvenile board to administer a first offender program.



AUTHORITY

TEXAS FAMILY CODE (TFC) 52 . 031

Student and the parent must consent to participation by the child in the first offender program.



Participation in a first offender program may involve voluntary restitution to a victim; community service; vocational training, education, counseling or other rehabilitative services; and periodic reporting by the child to the designated agency.

If the child fails to complete the program, voluntarily terminates participation in the program before completion, or is taken into custody within a specified time period under their referral to the program, the child will be referred to the court



DISPOSITION

Disposition under a first offender program may include

Voluntary restitution by the child or the parent, guardian, or other custodian of the child to the victim of the conduct of the child;



Voluntary community service restitution by the child.

Educational, vocational training, counseling, or other rehabilitative services.



Periodic reporting by the child to the law enforcement officer or agency to which the child has been referred.

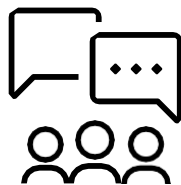
GOALS & OBJECTIVES

Keep First Time Offenders Away from the Juvenile Justice System by Providing a Second Chance.



Reduce Recidivism

- Divert juveniles from the criminal justice system.
- Identify Root Causes and Provide Result Driven School-Led Interventions/Services.
- Provide coping, social and/or substance abuse prevention skills.



Strengthen School, Family, Police Partnerships

- Improve Academic Achievement/School Performance Engage families to play a supporting role in ensuring that their child completes the program.
- Provide the student with an opportunity to erase their arrest record and consequences of record.



Build contributing members of our community

- Positive youth development through reward based structured goal setting.
- Develop an identity tied to achievement and potential.
- Increase youth involvement within the community.

HUTTO ISD FIRST OFFENDER FRAMEWORK

Eligibility

- Hutto ISD students. The primary jurisdiction of the FOP is juveniles between the ages of 10 - 16. In limited approved circumstances adult students may be approved in the FOP providing they continue with parent support.
- Only if its their first time being referred to the Hutto ISD First Offender Program (FOP). Have not participated in any other FOP and no prior disqualifying charges.
- For substance abuse violations the FOB is focused on education and diversion. The Coordinator may review special circumstances for applicability such as a THC vape having a prior lower level nicotine vape opportunity.
- Only Misdemeanor and SJF offenses that qualify under TFC 52.03 that occur on Hutto ISD property by Hutto ISD students.
- Are not truant
- Have no excessive disciplinary referrals
- Additional guidelines may be established.

Basic Program Structure

At the time of "arrest" parent notification is made and parent is informed whether their child qualifies for the First Offender Program.

Initial Intake

Parent and student sign the FOP participation agreement with HISD PD.

Eligibility is verified by Program Coordinator.

Factors for Consideration

Is the student willing to take responsibility for their role in the alleged offense?

Is the student willing to abide by the First Offender Program expectations?

Is the student willing to complete all aspects of the program?

Is the parent willing to provide support during this process?

(Transportation, Classes, etc.)

HUTTO ISD

FIRST OFFENDER FRAMEWORK

Nicotine Vapes

First-Time Offender (F.O.P.) of a Nicotine Vape:

Flowchart Steps:

1. Benefits of the FOP

2. **Early Intervention:** The FOP offers an opportunity for early intervention and diversion, reducing the long-term consequences of felony-level offenses for youth.
3. **Rehabilitation and Education:** Students involved in vaping cases can benefit from counseling, education, and support services to address underlying issues related to substance use.
4. **Reduced Court Involvement:** By participating in the FOP, students can avoid formal court proceedings, potentially minimizing disruptions to their education and future prospects.

5. First-Time Nicotine Offense

- **Start:** Student is caught using a nicotine vape/product on school grounds for the first time. (Any prior vape offense precludes acceptance)
- Parent/Guardian and student sign the release of information and agreement form. Due back in 5 school days to proceed. Failure to return the completed form will result in charges being filed with the court.

6. Educational Components for completion (Also see student instruction sheet):

- **The School District includes an education component as part of the schools disciplinary placement.**
 1. The student must complete the designated educational component as required in disciplinary placement in order to opt into the FOP. The student must provide the completion certificate and copy of the workbook, preferred in digital format, to the assigned case manager.
- **Write 300-Word Reflective Essay**
 1. The student writes a 300-word essay reflecting on the reasons for their behavior, the dangers of vaping, and their commitment to change. The student should use information from the completed online component as a basis for the essay. This will be reviewed with the case manager during the first meeting.

7. Regular Check-ins with District Police Officer

- **Duration:** The student checks in regularly with a district police officer who has been assigned as the case manager by the program coordinator for 60 days.
- These check-ins help ensure that the student is staying on track with their commitments.
- Intervals to be completed are at completion of the disciplinary placement or 10 school days from the date of the offense, whichever is less. Then as scheduled by the case manager averaging one time per school week. Then at the end of the 60 days to revisit expectations and successes.
- Check-ins may be in person, telephone, email or virtual as determined by the case officer.

8. Completion of 60-Day Program

- After successfully completing the 60 days with check-ins, the student receives a program completion status.

9. One-Year Probationary Period

- **Monitoring:** The student enters a one-year probation period, during which they must maintain positive academic, attendance, and behavioral records.
- Any further criminal violations within a year may result in the original charge being filed in addition to the act committed.

10. Failure to complete the program as outlined results in the original charge being filed with the court for prosecution.

HUTTO ISD

FIRST OFFENDER FRAMEWORK

THC Vapes

1. Benefits of the FOP

2. **Early Intervention:** The FOP offers an opportunity for early intervention and diversion, reducing the long-term consequences of felony-level offenses for youth.
3. **Rehabilitation and Education:** Students involved in THC vaping cases can benefit from counseling, education, and support services to address underlying issues related to substance use.
4. **Reduced Court Involvement:** By participating in the FOP, students can avoid formal court proceedings, potentially minimizing disruptions to their education and future prospects.

5. Caught for First-Time Offense

- The student is caught using THC vape on school grounds for the first time. This is limited to first time drug/substance offense and excluding nicotine FOP.
- Parent/Guardian and student sign the release of information and agreement form. Due back in 5 days to proceed. (NOTE This form has commitment for parent participation)

6. Enroll in First-Time Offender Program

- The student is informed about the program and is assigned educational tasks to be completed while in school disciplinary placement as well as through Williamson County Juvenile Services.

7. Educational Components for completion (Also see student instruction sheet):

- **The School District includes an education component as part of the schools disciplinary placement.**
 1. **The student must complete the designated educational component as required in disciplinary placement in order to opt into the FOP. The student must provide the completion certificate and copy of the workbook, preferred in digital format, to the assigned case manager.**
- **Write 500-Word Reflective Essay**
 1. The student writes a 500-word essay reflecting on the reasons for their behavior, the dangers of vaping and drug use, and their commitment to change.

8. Coordinate Hutto ISD First Time Offender Coordinator for Williamson County Juvenile Services components:

- **Williamson County Juvenile Services Coordinator will review the case and determine the most appropriate programs to fit the needs of juvenile.**
- **For THC vapes a common placement is:**
 1. **Complete Williamson County Juvenile Services START Program**
 1. The student AND PARENT must participate in the **START Program**, which is a half-day educational program where offenders or at-risk youth and their parents are provided an overview of the Williamson County Juvenile Justice Center, the Texas Juvenile Justice System and the C.O.R.E. Williamson County Residential Program. The class educates and diverts youth from the juvenile justice system. Topics include: Making good choices regarding peers, substance use and school. It also reviews responsibility and consequences for a youth's behavior. The class discusses delinquent situations and possible consequences for each. Overall, this is a diversionary class helping parents and youth understand juvenile laws, the justice system and their individual rights and responsibilities. This class is offered every other Saturday from 9:00 a.m. to 12:00 p.m. at the Georgetown Office.

2. Participate in Substance Misuse Program

1. The student AND PARENT will also engage in the **Substance Misuse Program**. This is a one-time class that addresses both physiological and psychological effects of substance abuse in youth. This will include how drugs affect the brain, the consequences of addiction, drug trends, media and other influences. Parents will be provided with techniques for prevention and early intervention, warning signs, risk and protection factors and ideas on how to build a positive relationship with their children. This program promotes positive values, resistance skills, personal responsibility and positive identity. Both the parent and youth will need to attend this program. (Free 2 hour in person class)
3. For juveniles needing additional or more extensive services Williamson County Juvenile Services Coordinator may use other programs as available and participating in the CRCG.

1. Regular Check-ins with District Police Officer / Program Coordinator and/or Williamson County Juvenile Services Coordinator

- **Duration:** The student will have **regular check-ins** with a district police officer throughout a **90-day period** to ensure they are making progress and staying on track.
- Check-ins may be in person, telephone, email or virtual as determined by the coordinator.

2. Completion of 90-Day Program

- No-Cost Drug test administered by WILCO Juvenile Justice with drug free results..
- After completing the 90-day duration, the student successfully finishes the program.

3. One-Year Probationary Period

- **Monitoring:** Following the program, the student enters a **one-year probation period** during which they must maintain positive academic performance, good attendance, and appropriate behavior.
- **Non-Compliance:** Violations during this period could result in more severe consequences, including suspension or other disciplinary actions.
- Any further criminal violations within a year may result in the original charge being filed in addition to the act committed..

4. Failure to complete the program as outlined results in the original charge being filed with the court for prosecution. Note for THC vape cases these are typically filed as SJF that may be enhanced to a F3.

SCHOOL-BASED DIVERSION PROGRAMS

Connecticut School Based Diversion Initiative

From 2010-2018, SBDI reduced court referrals by 34% and connected 47% more student to behavioral health services.

Clayton County System of Care

La Joya ISD PD

McAllen ISD PD

SW ISD PD

Edinburg ISD PD

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