

## First Offender Programs: Diversion That Works

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Youth Investigations

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- FOPs are cost-effective
  - Court costs, fines, probation fees, attorney fees, etc. can add up quickly (\$1200+)
  - There are no out-of-pocket costs for families who participate in our program
- They reduce the burden on the court system
  - Judges, prosecutors, probation officers, etc.
  - Frees up limited resources for high-risk offenders

Why do we need FOPs?

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- Dramatically reduces recidivism rates
  - Typical juvenile recidivism rates among common offenses is around 50%
  - The rate among kids who have completed our FOP is **15.2%**
- Reduces the stigma associated with criminality
- Increases desired outcomes

Why do we need FOPs?

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- Remember the overall purpose of the Juvenile Justice Code
  - "to provide **treatment, training, and rehabilitation** that emphasizes the **accountability and responsibility** of **both** the **parent** and the **child** for the child's conduct."
  - The goal isn't punitive; it's to help kids figure out how to be productive members of society

**Why do we need FOPs?**

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- Neuroplasticity!
  - Making new connections based on learning and experiences
  - You CAN teach a young dog new tricks!
- These are **KIDS** we're talking about!
  - "Why did you do that?" "Duh...I dunno."
- Decision making is a lot like golf...

**Why do we need FOPs?**

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- CINS Offenses
- Non-traffic Class C offenses
- Delinquent Conduct
  - No Capital, First, Second, or Third Degree Felonies
  - No Aggravated Controlled Substance Felonies
  - No crimes involving violence to a person or weapons offenses
- No prior adjudications for Delinquent Conduct
- Must be approved by Juvenile Board

(52.031, Texas Family Code)

**What does the law say about FOPs?**

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• **Records Requirements**

- You may **NOT** forward child's information to DPS while they're in the program
- 90 days after the kid is done, "...the law enforcement agency **SHALL** destroy all information, including photographs and fingerprints, relating to the child."
- You **MAY** keep the child's information for the purpose of determining future program eligibility

(58.001, Texas Family Code)

**What does the law say about FOPs?**

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• **Records Requirements**

- Report to Juvenile Board in December
  - Criminal Offense
  - Ethnicity/Gender
  - Last Known Address
  - Census Tract

(52.031, Texas Family Code)

**What does the law say about FOPs?**

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On March 7, 2018 Arrestee 1 FIRST OFFENDER PROGRAM GRADUATE who is a student at the Irving ISD alternative school, The Secondary Reassignment Center (SRC), located at 1600 E. Shady Grove Irving, Dallas County, Texas entered the school while being in the possession of 1.0 Gram of Marijuana.

On the morning of March 7th as students exited their buses and entered the building one at a time the strong smell of fresh green (unsmoked) Marijuana was noticed on one of the students. It was unclear at the time which student was in possession of the Marijuana. The smell was strong in one class and each student was removed from class into the hallway by school Principal, CP-1 Sraffa, Scott.

Standing next to the Principal as he removed each student, we both immediately noted a strong smell of fresh green Marijuana coming from FIRST OFFENDER PROGRAM GRADUATE. She was one of the last students to be pulled from class and the only one that had an odor of Marijuana on her.

She was followed to the reception area of the Principal's office. As she sat next to me the smell of the Marijuana was very faint until she would move. The smell of Marijuana was not on her sweat shirt or shirt, and it could not be confused for the smell of burnt Marijuana. It was obvious she was holding an unknown amount of Marijuana in an unknown place on her body. FIRST OFFENDER PROGRAM GRADUATE denied being in possession. It was advised to call her mother to the school and have her further investigate to determine if FIRST OFFENDER PROGRAM GRADUATE was in possession.

**How does Irving do it?**

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"One or more juvenile arrestees involved in this incident have successfully completed the Irving Police Department First Offenders' Program. Pursuant to The Texas Family Code 58.001 (c): "after the date the child completes an informal disposition under Section 52.03 or after the 90th day after the date the child successfully completes a first offender program under Section 52.031, the law enforcement agency shall destroy all information, including photographs and fingerprints, relating to the child." The involved juvenile(s) completed this 90-day period on 11-6-2018. As such, this report has been altered to remove any mention of the juvenile(s) who was/were arrested in this incident. Fingerprints, photographs, and booking information have also been destroyed. Please contact the IPD Youth Investigations Office with any questions regarding this incident."

**How does Irving do it?**

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- Since our program began in 2010....
- 250 juveniles and their families have successfully completed the program
  - 93% of families who originally committed to the program successfully completed
- Of those 250, only 38 were re-arrested as juveniles (15.2%)
- Typical juvenile recidivism is somewhere around 40-50%

**How does Irving do it?**

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2010-2018	Number	Percentage
Marijuana Under 2 oz	108	45.19
Possession PG3	16	6.69
Possession Dangerous Drugs	7	2.92
Possession PG2	1	0.42
<b>TOTAL DRUG OFFENSES</b>	<b>132</b>	<b>55.23</b>
Theft	42	17.57
Criminal Trespass	25	10.46
<b>TOTAL DRUG/THEFT/TRESPASS</b>	<b>199</b>	<b>83.26</b>
Evading/Resisting	13	5.44
False Alarm	5	2.09
Criminal Mischief	5	2.09
Burglary of Motor Vehicle	5	2.09
Other	12	5.02

**How does Irving do it?**

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- What we wanted
  - Emphasis on family support
  - Improving communication skills
  - Help kids develop strategies for effective decision making, conflict resolution, and peer pressure

How does Irving do it?

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**The Family Solutions Program**

"We provide an alternative to probation and/or school suspension through a **strengths-based intervention** and **group social support**. The multiple-family group model allows families to **work together** in structured activities and facilitated discussions, and leads to a sense of community. While participants may initially be **angry, isolated, discouraged, and confused**, our model provides **validation and nurturing** so that graduates of the program leave **confident and hopeful**."

How does Irving do it?

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• **The Family Solutions Program**

- Initial screening with child and parent
- 10 weekly, 2-hour sessions
- Child AND parent attendance is required
  - Siblings are more than welcome
- Group Discussions
- Activities
- Weekly Homework
- Classes in English and Spanish

**How does Irving do it?**

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• **The Family Solutions Program**

- Family Cooperation
- Decision Making & Peer Pressure
- Communication & Family Contracts
- Family Goals and Values
- Education
- Community Service
- Career Exploration
- Drug Awareness & Anger Management/Conflict Resolution

**How does Irving do it?**

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• What this program is ***NOT***

- Scared straight
  - If jail was a true deterrent, kids would be scared to break the law
- A quick or easy fix
  - Real change requires work!
- A way to "work off your charge"

**How does Irving do it?**

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- What this program *IS*
  - Positive
  - Impactful
  - Effective
  - **Fun!!!**

How does Irving do it?

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"In this program I've learned a lot, such as better communication skills, the important values in my family, how to handle situations between my mom and me, and why I need to take responsibility for my actions...I feel this program will help my future by helping me to be able to communicate with the people in my life. I now realize that just because others make poor choices doesn't mean I have to do the same."

In their own words.....

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Questions????

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