

Port Aransas Municipal Court Youth Diversion Program

The Port Aransas Municipal Court Youth Diversion Program is designed to provide an alternative to traditional court proceedings for eligible youth offenders. This program adheres to Texas H.B. 3186 and is structured in accordance with Article 42.306(b) of the Texas Code of Criminal Procedure. The program aims to reduce recidivism, promote accountability, and provide education and rehabilitative opportunities for youth.

Objectives

1. **Reduce Recidivism:** Minimize repeat offenses among youth by providing constructive interventions.
2. **Promote Accountability:** Encourage youth to take responsibility for their actions through community service and restitution.
3. **Enhance Life Skills:** Provide educational resources and support to develop positive life skills.
4. **Improve Community Relations:** Foster better relationships between youth and law enforcement, community members, and the judicial system.
5. **Support Families:** Engage families in the diversion process to promote a supportive home environment.

Applicability

The Youth Diversion Program applies to:

- Youth aged 10-16 who have committed misdemeanor offenses under the jurisdiction of the Port Aransas Municipal Court.
- Offenses eligible for diversion include misdemeanors punishable by fine only, other than traffic offenses.
- Youth who have not previously participated in a diversion program or who have no prior felony convictions.

Referral

Referrals to the Youth Diversion Program may be made by:

- Law enforcement officers at the time of the offense
- The Port Aransas Municipal Court Judge during arraignment
- Parents or guardians of the youth
- School officials or community organizations

Intake / Eligibility

1. Initial Screening: Upon referral, the court will conduct an initial screening to determine eligibility based on offense type, age and prior history.
2. Parental Consent: Consent from a parent or guardian is required for youth to participate in the program.
3. Strategies: The Court will utilize community service and, when appropriate, restitution as its core diversion strategies, in conjunction with other strategies per Article 45.305 of the Code of Criminal Procedure. These strategies may be customized by the Court in consultation with interested parties and their representatives.

Diversion Agreement

This process helps maintain the integrity of the diversion program and ensures that it serves as a meaningful opportunity for first-time or infrequent offenders.

1. Contract Signing: Youth and parents/guardians will sign a diversion agreement outlining the terms of participation, including goals, responsibilities, and consequences for non-compliance.
2. Sworn Affidavit: As part of the agreement, the youth and parent/guardian will sign a sworn affidavit confirming that the youth has not participated in any youth diversion program within the last 365 days. This affidavit will serve to ensure that the diversion program is being used appropriately and that the youth is eligible for this opportunity.
3. Commitment to Conditions: Youth must commit to completing the agreed-upon requirements within a specified time frame.

Referral to Court and Court Proceedings

1. Completion of Program: Upon successful completion of the diversion program, the youth will be referred back to the court for dismissal of charges.
2. Monitoring Compliance: The program coordinator will monitor progress and compliance with the diversion agreement.
3. Court Dismissal: If all conditions are met, the court will formally dismiss the case, allowing the youth to avoid a permanent criminal record.

Conclusion

The Port Aransas Municipal Court Youth Diversion Program aims to provide youth with the opportunity for rehabilitation and growth, steering them away from the criminal justice system while fostering community involvement and personal accountability. Through a structured approach, we hope to support our youth in becoming positive, productive members of society.