|  |  |
| --- | --- |
| **TEXAS CTE LESSON PLAN**  [www.txcte.org](http://www.txcte.org) | |
| **Lesson Identification and TEKS Addressed** | |
| **Career Cluster** | Law, Public Safety, Corrections, and Security |
| **Course Name** | Federal Law Enforcement and Protective Services |
| **Lesson/Unit Title** | Juvenile Law |
| **TEKS Student Expectations** | **130.341. (c)** **Knowledge and Skills**  (5) The student analyzes the impact of ethical and legal responsibilities relevant to federal law enforcement and protective services.  (B) The student is expected to analyze the impact of legal issues relevant to federal law enforcement and protective services  (F) The student is expected to summarize specific juvenile laws affecting security operations |
| **Basic Direct Teach Lesson**  (Includes Special Education Modifications/Accommodations and  one English Language Proficiency Standards (ELPS) Strategy) | |
| **Instructional Objectives** | The student will be able to:   1. Differentiate between civil and criminal law. 2. Analyze the impact of legal issues relevant to security services. 3. Analyze specific federal, state, and local laws and regulations affecting government security operations. 4. Summarize specific juvenile laws affecting security operations. |
| **Rationale** | Elements such as public safety, justice, punishment, and rehabilitation are just a few of the similarities that the adult and juvenile justice systems share. However, one major difference besides the offender age is that this form of justice focuses on the protection and the education of the offender. While on duty, there are a number of occasions when a security officer will interact with juveniles including customers, shoplifters, loiterers, and skateboarders. Security officers must be knowledgeable in proper interaction protocol as well as detention procedures. |
| **Duration of Lesson** | Teacher’s Discretion |
| **Word Wall/Key Vocabulary**  *(ELPS c1a,c,f; c2b; c3a,b,d; c4c; c5b) PDAS II(5)* | Refer Juvenile Law Key Terms |
| **Materials/Specialized Equipment Needed** | **Materials**   * Juvenile Law computer-based presentation * Juvenile Law Word Bank * Juvenile Law Key Terms * White board/chalk board * Juvenile Law Exam and key * Juvenile Law Flow Chart handout and key * Juvenile Law Venn Diagram handout and key * Discussion Rubric * Summary Rubric |
| **Anticipatory Set**  (May include pre-assessment for prior knowledge) | Engage students in a discussion regarding types of crimes and behaviors that could be associated with youthful offenders. Use the following questions to initiate the discussion and the Discussion Rubric for assessment.   * Do you know any juveniles that have interacted with law enforcement in a criminal manner? * What was the reason for the interaction? * What was the conclusion of the interaction?   *Note: Include in the discussion different crime categories such as: violent* *crimes, drug and alcohol violations, sexual offenses, and status offenses* *(curfew violations, incorrigibility, running away, truancy, and underage alcohol consumption). The instructor can use Texas Statutes – Title 3: Juvenile* *Justice Codes found at*  <http://www.statutes.legis.state.tx.us/Docs/FA/htm/FA.51.htm>. |
| **Direct Instruction \*** | 1. Key Terms    1. **Adjudicate** –to remove a case through judicial decision. Manyjuvenile justice cases are heard without the assistance of a jury. In such cases the judge will hear the case and prescribe the best course of action, thus "removing" it from the court    2. **Aftercare** –the probationary period following a youth's release from ajuvenile facility. During this time, the youth's behavior will be followed by the juvenile court, and he or she may be required to meet specific probationary obligations 2. **Confidentiality protection** –a youth's records may be made availableto schools, youth agencies, law enforcement officials, prosecutors, victims, and the public only under certain, specified circumstances. Juvenile confidentiality is guarded by each state's provisions 3. **Consent decree** –a youth who has admitted to committing delinquentacts may have his case dismissed by fulfilling obligations to the court and the injured party. These obligations are set out in a consent decree and often include restitution, mandatory curfew, increased school attendance, and rehabilitation 4. **Delinquency petition** –a petition filed by a prosecutor asking for ayouth to be declared "delinquent" by the juvenile court. An adjudicatory hearing will determine if the youth is culpable 5. **Disposition hearing** –scheduled if a youth has been found delinquentby the juvenile court. The probation officer, prosecutor, and juvenile are permitted to propose disposition strategies. Recommendations frequently include drug rehabilitation, limited (weekend) confinement, restitution, and residential placement 6. **Informal disposition** –held when a youth admits guilt to a crime in aninformal juvenile hearing. During the disposition, the requirements of the court are laid out in a consent decree 7. **Judicial waiver** –a judge may waive the juvenile court's authority overcertain cases, sending them to be heard in criminal court 8. **Juvenile** –a person who was at least 10 years old but not yet 17 atthe time he or she committed an act defined as “delinquent conduct” or “conduct in need of supervision” 9. **Juvenile delinquency** –a delinquency act is an act that would beconsidered criminal if not for the fact that it was committed by a juvenile. A juvenile is defined in the U.S. Code as a person under the age of 18 10. **Reformatory** –prior to the formal establishment of the juvenile justicesystem, delinquent youths were placed in privately run reformatories. Reformatories are generally geared toward rehabilitating and educating youth 11. **Reverse Waiver** –a youth being tried in the adult system may requestto be transferred into the juvenile justice system 12. **Status offender** –a juvenile who has committed an act that is onlyconsidered a law violation because of his or her status as a juvenile. Some examples of status offenses are underage alcohol consumption, truancy from school, general "ungovernability," violation of curfew, and running away from home 13. **Waiver petition** –a prosecutor or intake officer may petition the courtto allow a case normally under the jurisdiction of the juvenile court to be heard in criminal court 14. **Youthful offender** –"youthful offender" status may be given to ajuvenile being tried in the criminal justice system. The status usually guarantees that the proceedings will not be open to the public and that after turning 21 the youth’s criminal record will be cleared, provided court requirements have been met 15. Juvenile Law     1. Juvenile Justice System        1. A legal system through which cases involving minors are handled        2. The system was implemented into U.S. policy in 1899 under the pretext that youth were different than adults in their ability to           1. Make prudent decisions           2. Understand the effects of their actions           3. Comprehend the irreversible reality of committing a criminal act        3. Young offenders are viewed as having a better chance than adults of changing criminal behavior patterns        4. It was also formed because of the dangers youth faced in the adult prison system including the heightened risk of           1. Being the victims of prison violence           2. Committing suicide     2. Juvenile Delinquency        1. U.S. Code – a violation of the law, committed by a person under the age of 18, that would be considered a crime if it was committed by a person 18 or older        2. Juvenile offenders contact a juvenile lawyer for assistance with their cases        3. A juvenile defender may be able to assist a client in getting a case dismissed or in obtaining a lighter sentence     3. Juvenile Justice and Delinquency Prevention Act        1. 1974 – the act aimed to increase funding for community-based prevention programs and "deinstitutionalize" (remove from prison) status offenders        2. Required states to keep youth offenders separate from adult offenders        3. Began the following           1. Office of Juvenile Justice and Delinquency Prevention (OJJDP)           2. Runaway Youth Program           3. National Institute for Juvenile Justice and Delinquency Prevention (NIJJDP) 16. Age     1. Federal standards – all persons 17 and under are considered juveniles. Each state, however, has been given the authority to decide who, by age, may be tried in juvenile courts     2. Age Limits – there are certain ages that are key in the juvenile justice system:        1. AGE 10 – in order to be referred to juvenile court, a person must be at least 10 when committing the conduct for which he or she is referred        2. Age 14- in order to be certified as an adult and have one’s case transferred to criminal court for capital offenses, first-degree felony offenses, and aggravated controlled substance felony offenses committed before age 17, a person must be at least 14 when committing the offense        3. AGE 15 – in order to be certified as an adult and have one’s case transferred to criminal court for any other felony offense committed before age 17, a person must be at least 15 when committing the offense        4. AGE 17 – in order to be referred to juvenile court, a person must not yet be 17 when committing the conduct. Once a person turns 17, anything he or she does that is allegedly criminal will be handled in the adult system        5. AGE 18 – with limited exceptions, once a person turns 18, the juvenile court has no more authority over him        6. AGE 19 – if a youth is committed to the Texas Youth Commission, he or she will be discharged before his 19th birthday   IV. Juvenile vs. Adult Cases   1. Case Transition – cases may be moved from criminal court to juvenile court, and from juvenile court to criminal court, under certain circumstances    1. In many situations, youths tried in criminal courts may be treated as "youthful offenders"    2. Youthful offender status may provide a youth with a closed hearing, and may allow a youth's record to be erased when he or she turns 21 2. Trial Differences    1. Roughly half of all cases involving juveniles are heard informally    2. In many cases, if a youth admits guilt, the judge may issue an informal disposition requiring him or her to meet requirements set out in a consent decree    3. Sometimes a formal hearing will be deemed necessary, and a decision will be made as to whether the case should be heard in juvenile or criminal court    4. At a formal juvenile hearing, witnesses are heard and a judge hears the case and decides the verdict    5. In some states, a jury will decide the verdict    6. A separate disposition hearing will be held to decide where to place the youth if he or she is found guilty or "delinquent" 3. Juvenile Specific Rights    1. Due-process rights such as the right to trial    2. The right against self-incrimination    3. The right to call witnesses    4. In most states, juveniles being tried in juvenile court are not entitled to a jury    5. They may not avoid detention by posting bail, but they do have the right to have their parents and legal advisor present before answering questions    6. The privacy of juvenile offenders is strictly guarded    7. Most juvenile court proceedings are closed to the public    8. Juvenile records are highly confidential    9. Under certain circumstances, juvenile records may even be cleared    10. Parental responsibility        1. Parents may be required to pay fines charged to their children        2. Fees may include victim restitution, court reimbursement, and state fines        3. Although the youth is expected to work to pay his or her debt, the parent or parents are ultimately responsible for the fine 4. Crimes and Crime Patterns    1. The reports generated by the OJJDP show trends and general patterns    2. Crimes and behaviors youth may be arrested for include the following:       1. Violent crimes       2. Assault       3. Homicide       4. Rape       5. Robbery       6. Arson       7. Auto theft       8. Burglary       9. Larceny/Theft       10. Vandalism       11. Weapons possession       12. Drug and alcohol violations       13. Driving Under the Influence (DUI)       14. Drunk and disorderly conduct       15. Drug abuse       16. Liquor law violations       17. Drug possession       18. Intent to sell drugs       19. Sexual offenses       20. Prostitution/Commercialized vice       21. Rape       22. Status offenses       23. Curfew violations       24. Incorrigibility (refusal to obey parents)       25. Running away       26. Truancy       27. Underage alcohol consumption    3. The following patterns in juvenile crime have been particularly interesting ([The Youngest Offender](http://www.ncjrs.gov/pdffiles/fs-9887.pdf))       1. Between 1987 and 1994 most arrest rates increased sharply       2. Aggravated assault rates doubled, as did murder rates       3. Since 1994 most arrest rates have been in steady decline       4. Murder arrest rates, for example, were 74% lower in 2000 than they were in 1993       5. Males drove the 1987-1994 spike in the murder arrest rate, and the increases were seen in acts committed with firearms       6. Drug abuse arrest rates rose steadily through the 1990s and have not yet dropped significantly   7. The arrest rate among females did not experience the sharp rise and fall that occurred with males during the 1990s  8. Arrest rates among female offenders, instead, have continued to rise steadily since the 1980s  9. Roughly half of all youth arrests are made because theft, simple assault, drug abuse, disorderly conduct, and curfew violations  10.OJJDP statistics show theft as the greatest cause of  Youth arrests  VI. Juvenile Justice Case Example   1. Arrest, Referral, and Initial Detainment    1. The first encounter a youth has with the juvenile justice system is usually his or her arrest by a law enforcement official    2. Other ways that youth enter the system include "referrals" by       1. Parents and schools       2. Delinquency victims       3. Probation officers    3. A decision is usually made after the arrest as to whether a youth should be detained and charged, released, or transferred into another youth welfare program    4. The officer handling the case makes this decision based on information obtained from       1. The victims of the crime committed by the juvenile       2. The juvenile himself       3. The juvenile's parents       4. Any past records the youth has with the juvenile justice system    5. Federal regulations require that juveniles being held in adult penitentiaries (while officials attempt to contact parents or make transfer arrangements) be       1. Kept out of "sight and sound" of adult inmates       2. Removed from the adult facility within six hours    6. When a juvenile court case reaches the juvenile probation department, an intake officer will decide whether to       1. Dismiss it       2. Handle it informally       3. Hear it formally    7. To make this decision the officer reviews the facts surrounding the case to decide if there is enough information to try the youth    8. If the court has received adequate evidence to hear the case, a decision will be made as to whether the juvenile case should be heard formally or informally    9. If the information available is inadequate, the case will be dropped    10. While a youth awaits trial he or she may be held in a secure detention facility. A judge will determine if the juvenile should be detained before and through the course of the trial, and define the intent of the detainment in a detention hearing, usually held within 24 hours of the arrest    11. A youth will typically be detained if he poses a threat to himself or public safety 2. Informal Hearing and Disposition    1. Approximately 50 percent of all juvenile justice cases are heard informally, and among these, most are dismissed [(Statistical](http://www.ojjdp.gov/ojstatbb/stucture_process/case.html) [Briefing Book](http://www.ojjdp.gov/ojstatbb/stucture_process/case.html))    2. Cases receive an "informal disposition" by a judge when a youth admits guilt and agrees to settle the charges by meeting the requirements of the court, which are laid out in a consent decree    3. Among these requirements may be       1. Restitution – the juvenile is required to reimburse the victim or pay a fine to the community for damages he or she has caused       2. Mandatory curfew – the juvenile is subject to a strict curfew       3. School attendance – the juvenile is required to attend school regularly       4. Rehabilitation – the juvenile is required to participate in drug or other rehabilitation programs    4. Once all parties have agreed to the consent decree, the youth will be released on a probationary basis to fulfill his or her obligations    5. During this informal probation time, progress will be monitored by a probation officer    6. After he or she has met the requirements of the consent decree, the juvenile court case will be dismissed    7. If the youth fails to meet the orders outlined by the court, he or she may be required to face a formal hearing 3. Formal Hearing    1. If, upon assessment of a juvenile's case, a formal hearing is deemed necessary, an initial decision must be made as to how the case will be heard. In many states, specified cases may be heard in either juvenile or criminal court    2. In such situations, the prosecutor is generally given the liberty to decide where the case will be tried    3. Most cases involving juveniles fall under the jurisdiction of the juvenile court    4. However, in some states, laws have been instituted that require particularly egregious offenses to be tried in criminal court 4. Juvenile Court Hearings    1. Juvenile courts receive two petitions from prosecutors:       1. A delinquency petition asks a judge to declare a youth delinquent       2. A waiver petition asks the juvenile court to forfeit its authority over a case (that by precedent or law would fall under its jurisdiction) and transfer it to criminal court 5. Delinquency Petition    1. A delinquency petition informs the judge of the allegations against a youth and asks the judge to adjudicate (hear and judge) the case in a formal hearing    2. During an adjudicatory hearing, the testimony of witnesses and the facts of the case are heard    3. If the juvenile is found delinquent by the judge (or in some states, by a jury), a disposition hearing is scheduled    4. In the interim, the probation office is tasked with the responsibility of evaluating the youth and recommending a course of action for the court to take    5. Probation officials will take into account the results of any studies that have been made of the youth    6. Often these include psychological evaluations and diagnostic tests    7. The disposition plan advises the court which of the available options would best benefit the youth and the community    8. During the disposition hearing the probation officer, prosecutor, and juvenile are permitted to propose disposition strategies    9. The recommendations frequently include drug rehabilitation, limited (weekend) confinement, restitution, and residential placement    10. A youth may be placed on probation or within a residential facility for a designated period of time, or until the requirements of the disposition have been met    11. His or her progress will be assessed through periodic review hearings by the court    12. Once the orders of the disposition have been met, the juvenile court case will be terminated    13. Delinquent youths who have been named wards of the state are placed in residential facilities    14. Levels of security vary between different facilities, some being similar to prisons, and some resembling group homes    15. Once a youth has finished his or her term in a residential facility he or she will often be placed in aftercare    16. Aftercare is similar to parole; essentially, the youth's progress and behavior are monitored by the juvenile corrections department for a period of time   F. Waiver Petition   * 1. If a prosecutor or intake officer decides that a case that would normally be under the sole jurisdiction of the juvenile court be heard in criminal court, he or she will submit a waiver petition   2. The court will decide where the case will be heard after reviewing the circumstances surrounding the case and assessing the likelihood that the youth would be rehabilitated under the care of the juvenile justice system   3. Factors that affect the court's decision are      1. Criminal history of the youth (if he or she is a repeat offender)      2. Success of past rehabilitation efforts      3. Age      4. The amount of time youth services would have to work with the offender   4. If a judge denies a petition waiver, the case is slated to the juvenile court and an adjudicatory hearing is scheduled  5. If a judge approves a petition waiver, the case is directed  to criminal court and the juvenile court waves its jurisdiction   1. Final Disposition    1. If the jury or judge finds that the child did commit the alleged conduct, there will be a disposition hearing    2. This is a separate, distinct hearing held after the adjudication hearing    3. Its purpose is to determine the appropriate rehabilitation or punishment    4. There are several probation disposition options, depending on the circumstances of the case       1. In the child's own home or in the custody of a relative or other fit person       2. In a suitable foster home       3. In a suitable public or private institution or agency, except the Texas Youth Commission (TYC)    5. TYC Commitment       1. A child may be committed to the care, custody, and control of the TYC only if the child has been adjudicated for a felony offense       2. Every child is assigned a minimum length of stay based on the nature and severity of the committed offense and the danger the child poses to the community, based on his or her history       3. The child’s actual length of stay will be determined in large part by the child’s behavior and progress toward treatment goals       4. A child’s stay may be extended only if a TYC Release Review   Panel determines there is clear and convincing evidence that the child is in need of further rehabilitation and TYC is the most suitable location for that rehabilitation   * 1. Orders for Restitution or Community Service      1. Ordering the child to pay restitution as a condition of probation      2. Ordering the child to pay restitution independently of probation      3. Ordering a parent to pay restitution      4. Ordering the child to perform community service restitution  1. Probation – a second chance    1. Some of the youngest, least serious offenders get a second chance to prove to the court that no further action is needed to prevent future illegal activity    2. Those who succeed in this six-month deferred prosecution program avoid the adjudication process and continued involvement with authorities       1. Probation – probation supervision is most commonly used where children remain in their homes and schools; probation is the least costly, least disruptive course of action       2. Residential Placement – some children must be removed from their homes due to uncontrolled behavior, drug addiction, mental illness, or an inadequate home environment. Children are removed from their homes only as a last resort to protect the public, to provide needed supervision and treatment, and/or to prevent future lawless conduct    3. The court-ordered rules of probation demand school attendance, good conduct, curfews, and participation in specified programs, including community service and financial restitution. Probation officers enforce these rules while they help the child and family achieve positive change    4. Parents are expected to participate in their child’s probation program 2. Records and Sealing    1. Files and records concerning juveniles are found in the possession of law enforcement, juvenile probation, prosecutor’s offices, and the court    2. Records are kept confidential and continue to be confidential, with few exceptions       1. The Family Code provides that the juvenile court judge, through a court order, can give permission to any person, agency, or institution having a legitimate interest in the proceeding or in the work of the court       2. Schools and law enforcement agencies often utilize this provision to get information regarding children on probation or charged with certain offenses    3. If a juvenile meets certain criteria, which includes not having an adult conviction or deferred adjudication, his or her records will be automatically restricted after he or she is at least 21 years of age    4. The records remain in place, but can only be released to certain people or agencies for certain reasons, such as to a criminal justice agency for criminal justice purposes    5. If records have been restricted, the juvenile is not required to disclose anything about his or her involvement in the juvenile system when applying for jobs, licensing, or other public or private benefit or when testifying in court, except in limited circumstances    6. A juvenile’s records may be sealed, which protects him or her from disclosure       1. The juvenile can initiate the sealing process by filing an application in court or the court, on its own motion, can authorize sealing       2. Sealing is not available if the juvenile received a determinate sentence       3. If the juvenile was adjudicated for a felony, sealing is permitted at the discretion of the court once the juvenile turns 21, provided certain other criteria are met       4. Records are immediately sealed if the juvenile is found not guilty in court       5. if the sealed record involves an adjudication for a felony, the prosecutor may, at any time, file an application with the juvenile court to reopen the record for certain penalty enhancement purposes in adult criminal court   *Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*  none |
| **Guided Practice \*** | *Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*  none |
| **Independent Practice/Laboratory Experience/Differentiated Activities \*** | 1. Have the students create a flow chart illustrating the Juvenile Law/Justice Process using the Juvenile Law Flow Chart handout and their notes. Use the Juvenile Law Flow Chart Key for assessment. 2. Have students create a Venn diagram illustrating the similarities and the differences between juvenile and adult offenders. It should also include the judicial aspect of the offenders. Use the Juvenile Law Venn Diagram handout for the activity and the Juvenile Law Venn Diagram Key for assessment.   *Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*  none |
| **Lesson Closure** |  |
| **Summative/End of Lesson Assessment \*** | *Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*  For reinforcement, the students will use the Juvenile Law word bank, the blank Juvenile Law Flow Chart and their notes to piece together and create a completed Juvenile Law Flow Chart handout illustrating the Juvenile Law/Justice Process. Use the Juvenile Law Flow Chart key for assessment. |
| **References/Resources/**  **Teacher Preparation** | Texas Commission on Private Security <http://www.txdps.state.tx.us/psb>  Juvenile Law  [http://www.juvenilelaw.org](http://www.juvenilelaw.org/)  Statistical Briefing Book, Office of Juvenile Justice and Delinquency Prevention <http://www.ojjdp.gov/ojstatbb/structure_process/case.html>  Texas Juvenile Justice Department <http://www.tjjd.texas.gov/> Texas Statutes Family Code Title 3: Juvenile Justice Code  <http://www.statutes.legis.state.tx.us/Docs/FA/htm/FA.51.htm>  The Youngest Offenders, 1996, Office of Juvenile Justice and Delinquency Prevention <https://www.ncjrs.gov/pdffiles/fs-9887.pdf>  Investigator/Officer’s Personal Experience |
| **Additional Required Components** | |
| **English Language Proficiency Standards (ELPS) Strategies** |  |
| **College and Career Readiness Connection[[1]](#footnote-1)** | Social Studies Standards  I. Interrelated Disciplines and Skills   1. Problem-solving and decision-making skills   1.Use a variety of research and analytical tools to explore questions or issues thoroughly and fairly. |
| **Recommended Strategies** | |
| **Reading Strategies** |  |
| **Quotes** |  |
| **Multimedia/Visual Strategy**  **Presentation Slides + One Additional Technology Connection** |  |
| **Graphic Organizers/Handout** |  |
| **Writing Strategies**  **Journal Entries + 1 Additional Writing Strategy** |  |
| **Communication**  **90 Second Speech Topics** |  |
| **Other Essential Lesson Components** | |
| **Enrichment Activity**  (e.g., homework assignment) | The students will find an article either online or in the newspaper related to a juvenile offender/case and present their findings in a written paper. Use summary rubric for assessment |
| **Family/Community Connection** |  |
| **CTSO connection(s)** | SkillsUSA |
| **Service Learning Projects** |  |
| **Lesson Notes** |  |

1. Visit the Texas College and Career Readiness Standards at <http://www.thecb.state.tx.us/collegereadiness/CRS.pdf>, Texas Higher Education Coordinating Board (THECB), 2009. [↑](#footnote-ref-1)