



LONE STAR
JUSTICE ALLIANCE



We Believe

Public safety is a function of public health



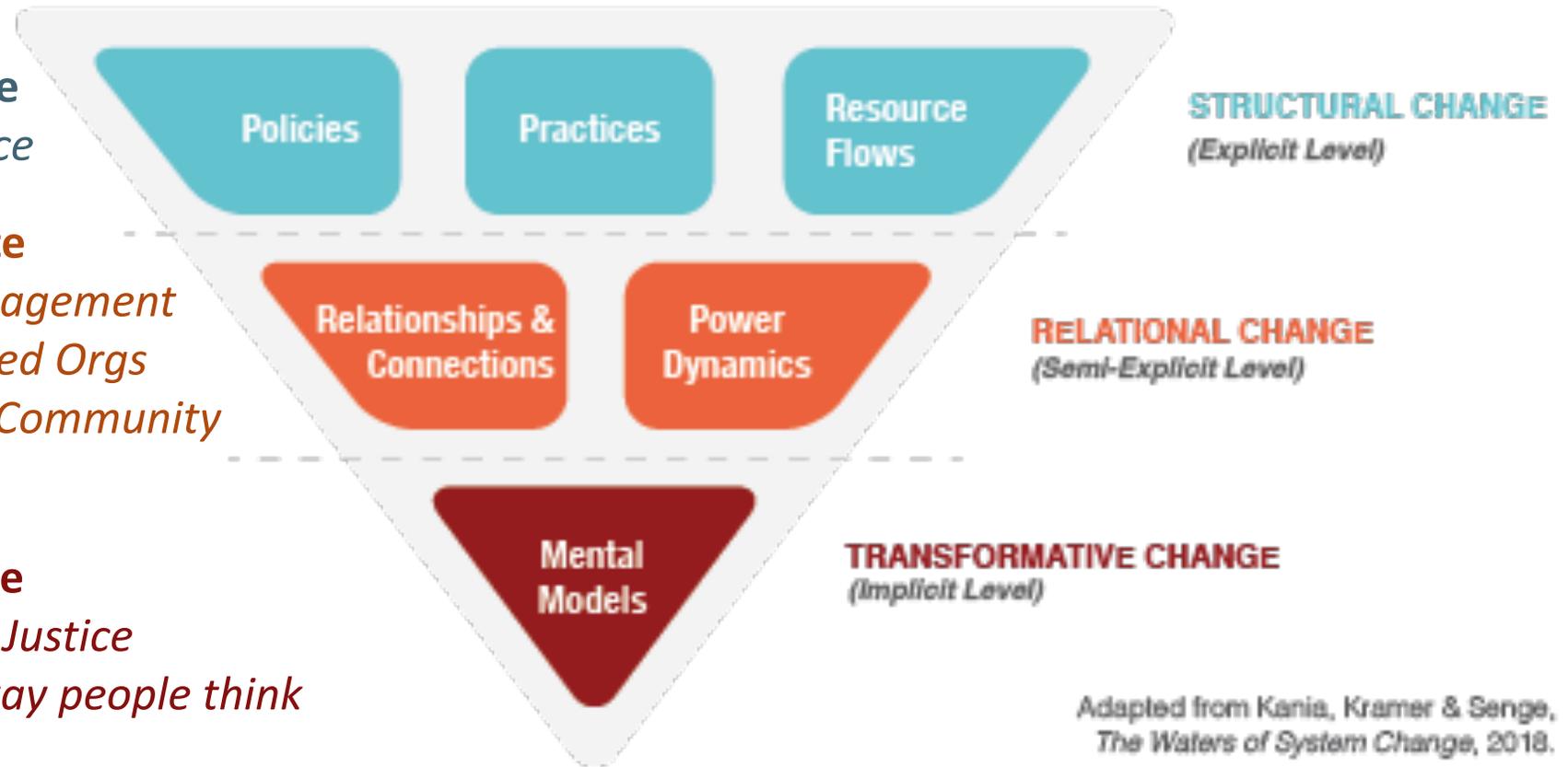
Theory of Change

SIX CONDITIONS OF SYSTEMS CHANGE

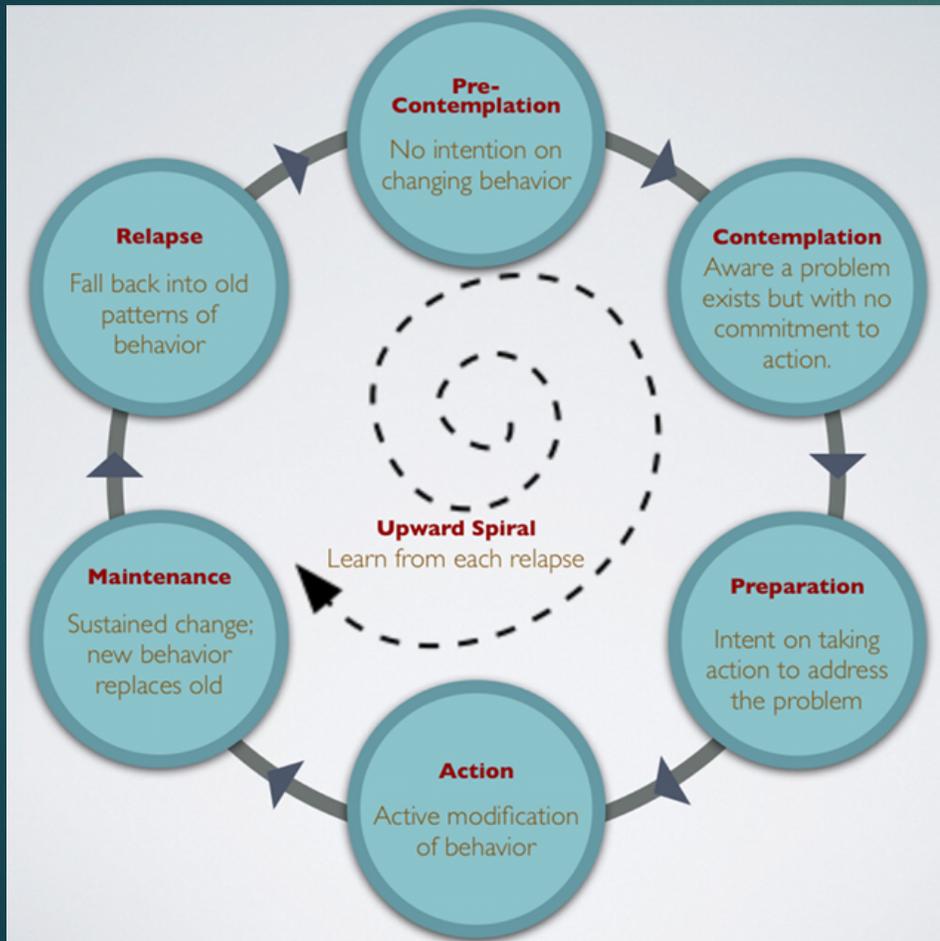
Goal 3: Integrate
Change & Enforce

Goal 2: Cultivate
Stakeholder Engagement
Community-Based Orgs
Organizing – TJ Community
Advisory Board

Goal 1: Innovate
Transformative Justice
Changing the way people think



Mental Models: Changing Mindsets



Model of change that emphasizes self-determination and plans for back sliding.

Participants and community partners are concurrently engaging in this process of change.

Innovate: Transformative Justice

5



- Multiple avenues to implement the model
- Largest Doors: Criminal Justice Partners and Workforce Partners
- JustCareers: Strategic selection of workforce door
 - Employment decreases recidivism
 - Employment provides purpose and increases economic mobility
 - Numerous workforce programs and partners
 - Viable funding opportunities, cost effective
 - Our model fills a significant gap in workforce
 - Developmentally Appropriate Programming to youth/emerging adults
 - Employer training targeting behavior change
 - Focus on Racial Equity

Cultivate: Engage the Community for Systemic Change

- ▶ Systemic change requires relationship & connects
- ▶ A community of stakeholders and community-based organizations with shared values, shared vision, and a shared plan of action
- ▶ These connections shift power dynamics and mental models toward systemic change



Integrate Best Practices into Law, Practice, and Policy

Survivor's Project

- Connecting with pro bono attorneys and peer support
- Training Attorneys

Juvenile Sentencing Project

- Provide legal support to children certified to be tried as adults
- Overturn certifications
- Prepare habeas petitions on behalf of direct re-presentation "lifer clients", challenging transfer to adult criminal court

Policy Advocacy Work

Juvenile Defender Toolkit

- ▶ Advance knowledge and skills of defense attorneys in discretionary transfer proceedings and to reduce the number of youth transferred to stand trial as adults;
- ▶ Provide cutting-edge, Texas-specific substantive information that will improve representation relating to the discretionary transfer of juveniles to adult court (certifications), “post-18 filings,” and mitigation investigations through a race equity lens;
- ▶ Publish and disseminate the practice toolkit and resource materials; and
- ▶ Support the efforts of juvenile defense counsel through technical assistance and appellate litigation impact consultations with lawyers mitigation investigators, and other practitioners to leverage statewide experience, expertise, and involvement of defenders at all stages of proceedings.



Texas Juvenile Defender Toolkit

Lone Star Justice Alliance

Version: September 1, 2021

The Texas Juvenile Defender Toolkit has been provided by the Lone Star Justice Alliance (LSJA) as an educational service to juvenile defense counsel and practitioners involved in defending delinquency proceedings. It is recommended that all sample documents, forms, and pleadings be reviewed for legal sufficiency and adapted to the particular drafting preferences and rules of your local jurisdiction.

Project Goals

The aims of the Texas Juvenile Defender Toolkit Project are to:

- Advance knowledge and skills of defense attorneys in discretionary transfer proceedings and to reduce the number of youth transferred to stand trial as adults;
- Provide cutting-edge, Texas-specific substantive information that will improve representation relating to the discretionary transfer of juveniles to adult court (certifications), “post-18 filings,” and mitigation investigations through a race equity lens;
- Publish and disseminate the practice toolkit and resource materials; and
- Support the efforts of juvenile defense counsel through technical assistance and appellate litigation impact consultations with lawyers mitigation investigators, and other practitioners to leverage statewide experience, expertise, and involvement of defenders at all stages of proceedings.

Defending A Child Against Transfer to the Adult Court

PLACEHOLDER LANGUAGE --Youth are entitled to defense counsel at every stage of the proceedings under Title 3 of the Family Code... discuss the importance of defense counsel in defending a child against transfer to the adult court

For a youth charged with a serious felony offense, certification as an adult may be considered an appropriate procedural option. If a child is certified to stand trial as an adult, the child faces the same range of punishment that an adult would face for the same crime, except that a juvenile cannot receive the death penalty for an offense committed before turning 17 years of age. A child who was 14 at the time of commission of the offense may be certified for the following serious offenses: capital felonies, aggravated controlled substance felonies, or first degree felonies. For all other felonies, the child must have been age 15 at the time of the commission of the offense. If a youth was previously certified to stand trial as an adult and then subsequently commits another felony offense, the prosecutor may choose to again certify. If the prosecutor elects this option and proves the child was indeed convicted in the previous case, the juvenile court judge must certify the child.

Waiver of Jurisdiction and Discretionary Transfer to Criminal Court

This section will provide an overview of the law relating to juvenile certifications in Texas.

- Eligibility
- Revised Family Code and Jurisdiction