

County juvenile court and probation departments

Counties in Texas operate their own juvenile courts and may have local detention facilities. This is usually the best place to get information about your case.

TJJD is the state's juvenile correctional facilities, providing for the care, custody, and treatment of the most chronic or serious young offenders in the state



Your Rights as a Victim

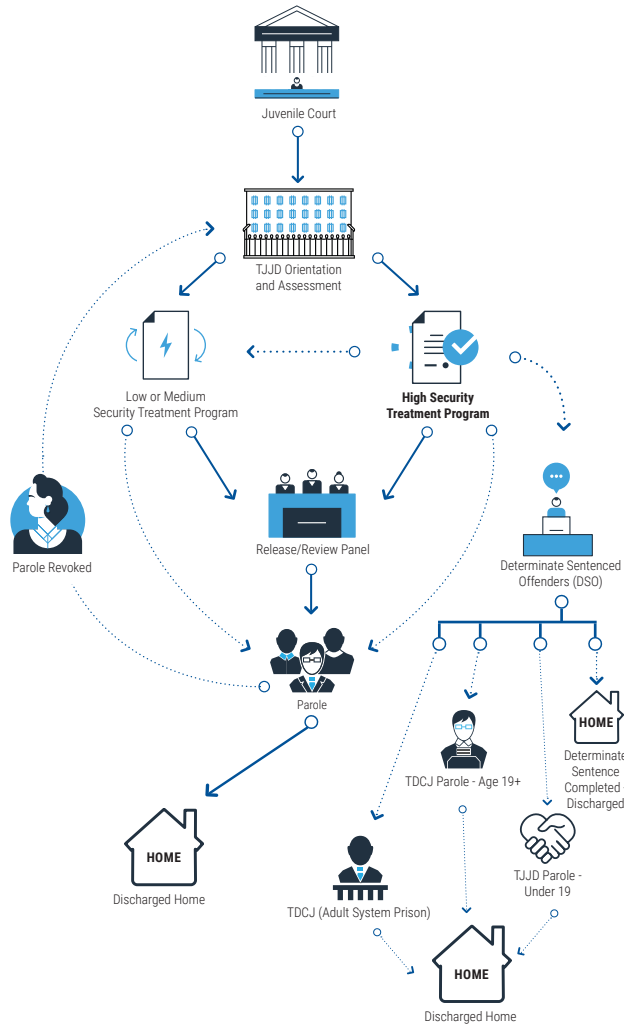
Your rights as a victim are found in Chapter 57, Texas Family Code. A victim, victim's guardian, or close relative of a deceased victim has rights to:

- Protection from harm or threats of harm arising from cooperating with prosecution efforts
- Have their safety and that of their family considered in decision-making about the juvenile offender
- Be provided information on the ability to have a victim impact statement considered by the court
- Receive information about victim compensation and victim's services
- A separated waiting area from, or minimal contact with, the juvenile and the juvenile's relatives
- Prompt return of property held as evidence when it is no longer needed

The following rights if requested:

- Information on juvenile justice procedures
- Notification of relevant court proceedings and schedule changes
- Participation in the parole or transfer process
- Notification of a transfer, release, discharge or escape
- Employer notification of necessary absences from work
- Any other victim's rights under Article 56.02, Code of Criminal Procedure

Navigating the System



Texas Juvenile Justice Department

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Austin, TX 78711

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(888) 850-7369 toll free
(512) 490-7140 fax

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JUVENILE JUSTICE

★★★ IN TEXAS ★★★



➤ INFORMATION FOR VICTIMS & SURVIVORS



Because You Matter...

People react to becoming crime victims in different ways depending on the extent or severity of the pain and loss. Regardless, being victimized often has an understandably profound emotional and psychological effect. Know that you are a valued and important part of the administration of justice. This guide highlights information to help you understand the process and your rights.



Age 10-13

Always a juvenile under Texas law



14-16

Can be certified as an adult depending on the offense



17 & older

Always an adult under Texas Penal Code

Your Involvement in the Process

As a victim, you have the right to be involved in writing and in person if you wish. First, complete the Juvenile Victim Information Sheet so the court and other agencies can contact you. Use the Juvenile Victim Impact Statement and the Just for Kids Victim Information Sheet to describe how the crime has affected you and your family. The forms are considered in all juvenile proceedings. In addition to participating in writing, you can be present at all public court proceedings, subject to the judge's approval. Your county juvenile probation victim assistance coordinator, or a TJJD victim assistance representative, can ensure you are afforded your rights by including you and involving you in the process as much as you wish and are legally allowed.

Additional Victims' Resources

Texas Attorney General's Office www.oag.state.tx.us
Office for Victims of Crime (OVC) www.ojp.usdoj.gov/ovc
National Criminal Justice Reference Service www.ncjrs.gov
Office on Violence Against Women (OVAW) www.justice.gov/ovw
Mothers Against Drunk Driving (MADD) www.madd.org
National Center for Victims of Crime www.victimsofcrime.org
National Center on Elder Abuse <https://ncea.acl.gov>
National Victims' Constitutional Amendment Passage www.nvcap.org
National Organization for Victim Assistance www.trynova.org
Parents of Murdered Children (POMC) www.pomc.com

Understanding the System

The juvenile probation victim assistance coordinator in your county or a TJJD victim assistance representative can explain the system in detail, but here is a brief summary:

The Preliminary Investigation

Law enforcement investigates and determines if a juvenile should be referred to juvenile court. For minor violations, law enforcement investigates and determines if a juvenile should be referred to juvenile court. They may simply warn the youth and send them home. When further action is needed to protect the public from future offenses, the case is forwarded to local juvenile probation officials.

The Intake Process

Intake is the process where juvenile probation officials review the case and decide the course ahead. A juvenile's case may be resolved through mediation, deferred prosecution, or formal juvenile court action. At intake, juvenile officials decide whether the juvenile will be released to their guardian or be held in secure juvenile detention.

Detention

If a juvenile is detained, the juvenile court generally must hold a hearing subsequent. At this initial hearing, and subsequent hearings, the judge must determine if there is just cause to keep the juvenile detained. Detention hearings may take place before the victim is contacted. If you have concern for your safety, notify law enforcement and the juvenile probation department immediately.

Deferred Prosecution

Juvenile probation officers may decide not to proceed with juvenile court action and instead place the juvenile on deferred prosecution for no more than six months. During that time, the juvenile must meet certain terms or the case could be referred to the prosecutor's office for court action. Making restitution to the victim or performing community service may be included in the juvenile's deferred prosecution program.

Adjudication

In a court proceeding called an adjudication hearing, the juvenile appears with a parent and defense attorney before a judge or jury, who determines if the juvenile engaged in delinquent conduct or conduct indicating a need for supervision. If the court finds the juvenile did engage in the conduct, a disposition hearing will be held to determine what actions should be taken. The adjudication hearing is like an adult trial. The disposition hearing is like an adult sentencing hearing.

Disposition

At the disposition hearing, the court may order:

- Juvenile probation
- Juvenile probation and placement in a residential facility,
- Or commitment to a TJJD state-operated facility.

For certain serious offenses, the court may use determinate sentencing, which may have a sentence of up to 40 years, depending on the offense level. You will know if determinate sentencing has been sought before there is an adjudication hearing.

At the disposition hearing, victims have the right to provide pertinent information about the impact of the offense on the victim and the victim's family before the court makes its decision. One way to do this is to meet with the juvenile probation victim assistance coordinator conducting a pre-disposition investigation; another way is to complete the Juvenile Victim Impact Statement.

Victims, victims' guardians, or close relatives of deceased victims may attend public court proceedings about the juvenile offender's conduct.

Crime Victims' Compensation

Passed by the Texas Legislature in 1979, the Crime Victims' Compensation Act created a fund and established eligibility guidelines for the provision of certain benefits for crime victims. The revenue in the fund comes from payments made by convicted offenders for court costs, fees, and fines. Compensation varies depending on the types of crimes committed. The fund is administered by the Office of the Attorney General Crime Victims' Compensation Division

Victim Notification

It is important to note you are not automatically notified about juvenile proceedings. Some victims want to know about proceedings and others do not. If you wish to be notified, you must contact your county juvenile probation office, court or TJJD to request notification. The juvenile probation victim assistance coordinator in your county, or a TJJD victim assistance representative, can explain how notification works and what to expect.