

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

**INTERLOCAL AGREEMENT PARTICIPATION IN
CHOICES & CONSEQUENCES PROGRAM**

This Interlocal Agreement (hereinafter referred to as “Agreement”), is made and entered into pursuant to the Interlocal Cooperation Act, Chapter 791 of the TEXAS GOVERNMENT CODE, by and between FORT BEND COUNTY, TEXAS (hereinafter referred to as “County”), a body corporate and politic, acting by and through its Commissioners Court, and the CITY OF SUGAR LAND, TEXAS (hereinafter referred to as “City”), a municipality duly organized and existing under the laws of the State of Texas, acting by and through its City Manager.

RECITALS

WHEREAS, the Choices & Consequences Program (hereinafter referred to as the “Program,”) is a community service program for juveniles who are ordered to perform community service from Justices of the Peace and the Sugar Land Municipal Court in Fort Bend County; and,

WHEREAS, County and City have a responsibility to provide programming for juveniles sentenced to perform community service; and,

WHEREAS, the County and City find that it will be in the public interest and serve the general welfare of the community to provide programming and a location for juveniles to fulfill their community service sentences ordered by Fort Bend County Justices of the Peace and the Sugar Land Municipal Court; and

NOW, THEREFORE, for and in consideration of the mutual covenants, agreements and benefits to the parties herein named, it is hereby agreed as follows:

**ARTICLE I
PURPOSE**

The purpose of this Agreement is to allow City to refer juveniles to the Program, conducted by Fort Bend County Justices of the Peace (coordinated by the Program’s Facilitator through the Fort Bend County Justice Courts and the Sugar Land Municipal Court).

**ARTICLE II
TERM**

- 2.01 This Agreement shall commence October 1, 2009 and shall terminate on September 30, 2010.
- 2.02 City and County acknowledge that City must provide funding to County each year for a continuation of this service and that service may be discontinued at any time by County. In the event service is discontinued for any reason, County is under no obligation to return any funds provided by City.

- 2.03 On the specified termination date, this Contract automatically renews for successive one-year terms unless one of the parties gives written notice of termination of the Contract to the other party at least 30 days prior to the specified termination date. In the event of termination by either party, County is under no obligation to return any funds provided by City.

ARTICLE III
CONSIDERATION

- 3.01 As consideration for County's performance under this Agreement, City agrees to pay Four Thousand Five Hundred Ninety Dollars (\$4,590.00) annually. Payment shall be made to County in one lump sum within thirty (30) days of execution of this Agreement by City.
- 3.02 In addition to the consideration in Section 3.01 above, City shall require all juveniles referred to the Program to pay the County forty dollars (\$40.00) for each year that the juvenile is referred to the Program by the City. Said forty dollar (\$40.00) fee shall apply to administrative costs incurred by County for the juveniles referred to the Program by the City. The \$40.00 fee paid by each juvenile referred to the Program is nonrefundable.
- 3.03 Exhibit A attached to this Agreement is incorporated by reference as if set forth herein verbatim.

ARTICLE IV
MISCELLANEOUS

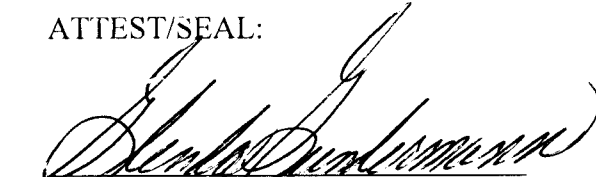
- 4.01 This Agreement may be amended by the mutual agreement of the parties hereto in writing to be attached to and incorporated into this Agreement.
- 4.02 Venue for any litigation involving this Agreement shall be in Fort Bend County, Texas.
- 4.03 If any one or more of the provisions contained in this Agreement shall be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.
- 4.04 This Agreement supersedes any and all other agreements, either oral or in writing between the parties hereto with respect to the subject matter hereof, and no other agreement, statement, or promise relating to the subject matter of this Agreement which is not contained herein shall be valid or binding.
- 4.05 This Agreement cannot be assigned by either party.

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EXECUTED IN DUPLICATE ORIGINALS, EACH OF WHICH SHALL HAVE THE FULL FORCE AND EFFECT AS OF THE DATE OF THE LAST SIGNATURE.

CITY SUGAR LAND, TEXAS

ATTEST/SEAL:



City Secretary

12-01-09
Date

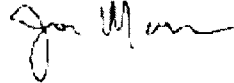
APPROVED:



Allen Bogard, City Manager


11-30-09
Date

Reviewed for Legal Compliance:



FORT BEND COUNTY


ATTEST/SEAL:



Dianne Wilson, County Clerk

12-22-09
Date

APPROVED:



Robert E. Hebert, County Judge

12/22/09
Date

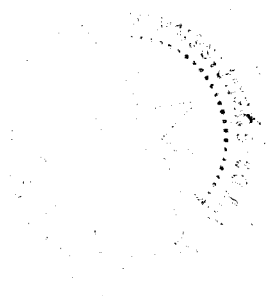


EXHIBIT A

**Financial Consideration for City of Sugar Land Participation
in the County's Choices & Consequences Program**

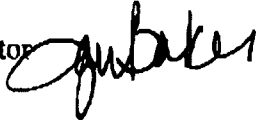

Proposed Service Fee Breakdown

	Annual
Administration Fee	\$1440
Instructor/Classroom Rent	\$2400
Teaching Materials	\$ 400
Mileage Reimbursement	<u>\$ 350</u>
	\$4590

Assumptions:

- ◆ Facilitator will attend Municipal Court on the second and fourth Monday of each month for registration of referrals for approximately 10 hours per month.
- ◆ Instructor and Class time allocation will be 20 hours per month.
- ◆ Travel for the Facilitator from Choices & Consequences office in Richmond to Sugar Land twice a month will not exceed 60 miles per month.
- ◆ Number of students referred does not impact the annual service fee.
- ◆ Teaching Materials

PRIVILEGED ATTORNEY-CLIENT COMMUNICATION
(Distribute Only to Persons Identified)

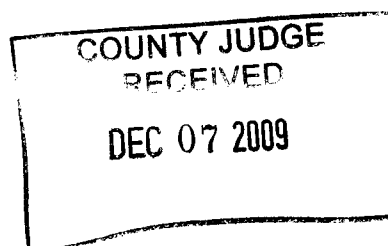
TO: Allen Bogard, City Manager
FROM: Jan Baker, Municipal Court Prosecutor 
VIA: Joe Morris, City Attorney 
DATE: October 8, 2009
SUBJECT: Choices and Consequences Contract

I am requesting that the City renew the attached contract with Fort Bend County for fiscal year 2009-2010 for the Choices and Consequences program which addresses a serious problem with school truancy. The contract for FY 2008-2009 was delayed and brought to you for signature on June 26, 2009. The Legal Department has added a renewal clause to the contract so that as long as the City provides funding, it will not need to be routed for your signature every year.

This program was implemented by Municipal Court beginning with an annual contract in October 2007 through the use of Police Department funds. In 2008 the municipal court was asked to fund the program. There is funding available for this contract under account number 010-1360-513-31-01. Your approval of the contract will allow the City to pay the annual costs of \$4590 for the program.

The Choices and Consequences program is a diversionary course for juvenile offenders. It is divided into two 16 hour classroom courses: "Right Choices" and "Consequences". The first program teaches young offenders how to make better decisions for their future. The program is an excellent tool that I include as a condition of probation for violations of the Penal Code, Alcoholic Beverage Code, and City Ordinances such as theft, Disorderly Conduct (fighting), Criminal Mischief, Minor Driving Under the Influence, Open Party and other violations. This program has been very popular with juvenile offenders and I have heard good feedback from both juveniles and their parents. The Sugar Land Municipal Court has sent approximately 50 juveniles to the Choices program this fiscal year.

A summary of the program and its results from Debbie Leavey, the program's director, is attached. Ms. Leavey reports that the program has shown a 95% success rate in the six month period following completion of the course.



*"Choices &
Consequences"
Educational
Community
Service Program*

November 5

2009

This represents the annual report for the Educational Community Service Program "Choices & Consequences". It includes a summary of the results for the fiscal year 2009 and a projection for the fiscal year 2010.

**ANNUAL
REPORT**

"Choices & Consequences" Educational Community Service Program

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"Choices & Consequences" Educational Community Service Program

I. INTRODUCTION

The "Choices & Consequences" Educational Community Service Program celebrated its' fifth year anniversary here in Fort Bend County, during the month of October 2008. Looking back over this year, as well as the previous years, we believe the program has been very successful in attaining its' desired purpose. It is comforting to know that this educational community service program has helped our youth to gain knowledge about the judicial system, make better informed decisions pertaining to their choices and ultimately, become better citizens as a result.

This year started off being a little more challenging in comparison to previous years. With the changes made concerning the determination of a failure to attend school, it was necessary for the program to adjust the curriculum slightly to address this subject matter, as well as, adjust the class scheduling to accommodate the additional students.

During the year, we have invited a number of guest speakers to participate in the program. As the awareness of the community about the existence of the program increase, a number of citizens have come forward, including parents of students, friends of the employees, as well as, former students.

Another change this year was the conversion of the "hard copy" paper filing system with the addition of an electronic database collection system. It is anticipated that this will simplify the administrative activities and reduce the complexity of the system. It should also provide additional statistical data that should be useful in coordinating the program any given year and planning for the future years. Examples of this statistical data have been provided in this report, in an effort to illustrate the topics presented.

II. FISCAL YEAR 2009

The fiscal year for this program has been established to be from October 1 of a given year through September 30 of the following year. All references in this report to the program year or reporting period implies the period from October 1, 2008 through September 30, 2009.

The following topics represent a summary of those things that help illustrate the significance of the program.

A. Classes Conducted

During this reporting period, there were thirty-four (34) Consequences classes and five (5) Right Choices classes conducted. Each session consisted of 16 hours of instruction. This represents 624 classroom hours.

B. Employees

During the summer of 2009, a former student from the previous year was given the opportunity to work part-time for the "Choices & Consequences" program and was hired to assist with the instruction and administration of the program. She was released of her duty at the beginning of

"Choices & Consequences" Educational Community Service Program

the school year so she can focus on her last year of school. We look forward to her graduation June 2010.

James Miller was added as one of the instructors recently. With this addition, we now have four (4) part-time instructors and one (1) full-time program coordinator/instructor.

I would also like to take this time to acknowledge Instructor, Aaron Littlepage, for dedicating four years educating our youth. He has truly been an asset to the "Choices & Consequences" program.

C. Statistical Data

In an effort to gauge the progress of the program during the year and to help in the coordination/management of the program over the coming years, a number of criteria have been established. The following represent some of the major indices:

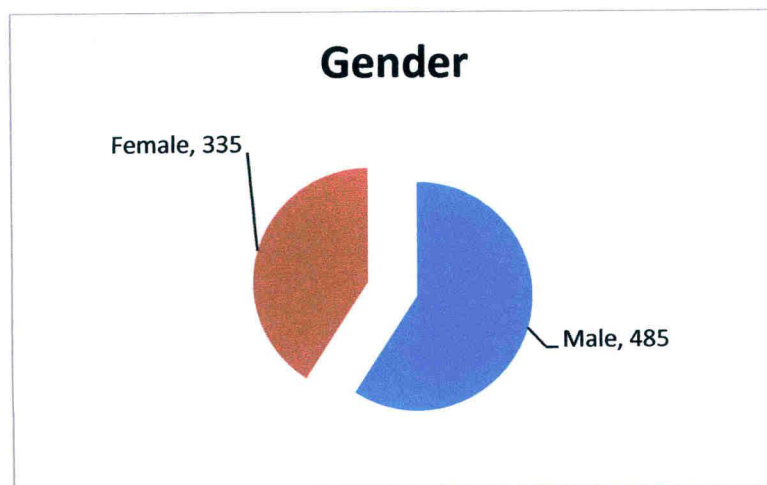
1. Total Referrals

During the year, the total number of referrals to the program was **825** students. This represents **110** more referrals or **15%** increase from last year's total. A further breakdown is as follows:

649 or 79%	have completed the program
152 or 18%	were non-compliant
24 or 3%	are pending, waived or paid the fine

2. Gender

Based on the data collected during the registration of the students into the program, the gender breakdown is illustrated in the following graph:

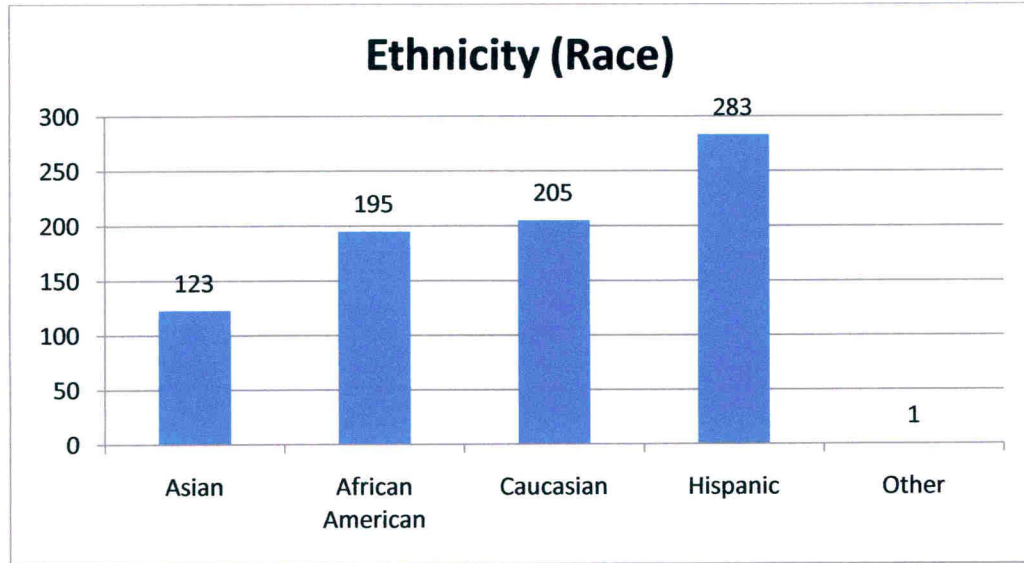


This distribution represents: 59% male and 41% female.

"Choices & Consequences" Educational Community Service Program

3. Ethnicity

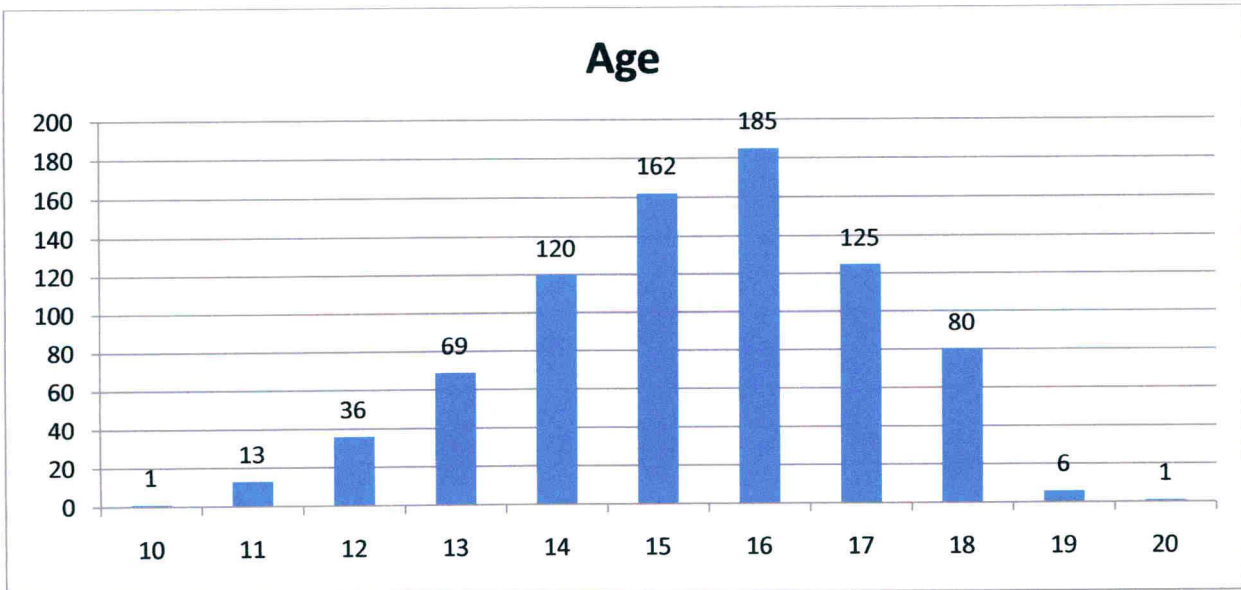
Based on the data collected during the registration of the students into the program, the ethnicity breakdown is illustrated in the following graph:



This represents: 15% Asian, 24% African American, 25% Caucasian & 35% Hispanic.

4. Age

Based on the data collected during the registration of the students into the program, the age breakdown is illustrated in the following graph:

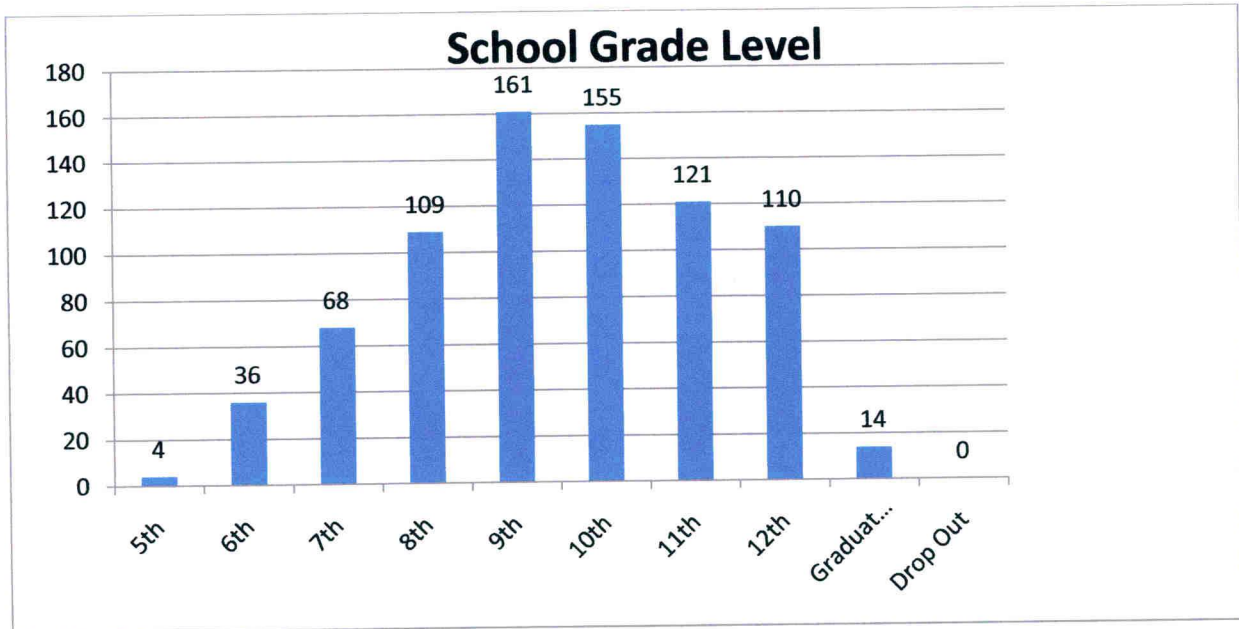


This represents an average age of slightly over 15 years of age (15.35).

"Choices & Consequences" Educational Community Service Program

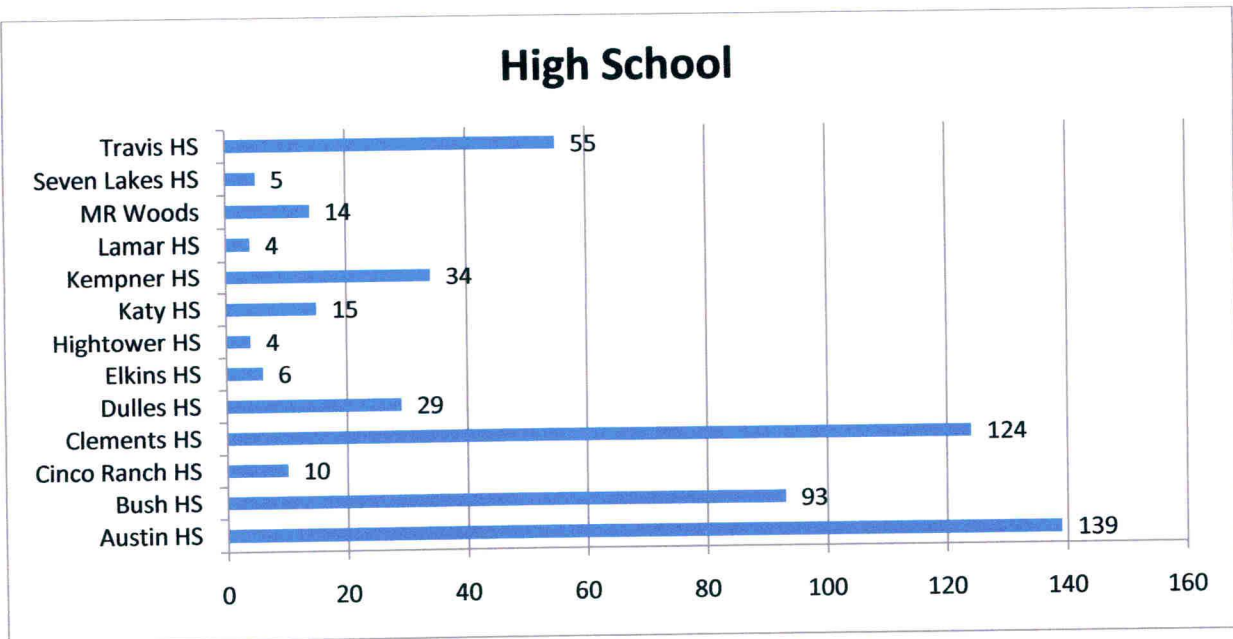
5. Grade

Based on the data collected during the registration of the students into the program, the school grade level breakdown is illustrated in the following graph:



6. School Attended

During the registration process, 740 students provided the name of the school that they were currently attending. Of those, 538 were enrolled in one of the area high schools.

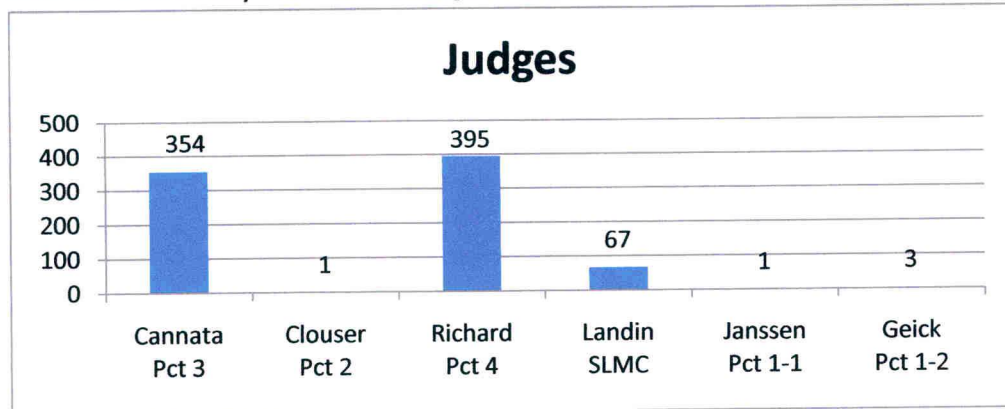


Some of the other schools represented are as follows: Crocket MS (13), First Colony MS (11), Garcia Elem (29), Hodges Bend MS (46), Lake Olympia MS (13), Sartartia MS (13) and Sugar Land MS (40).

"Choices & Consequences" Educational Community Service Program

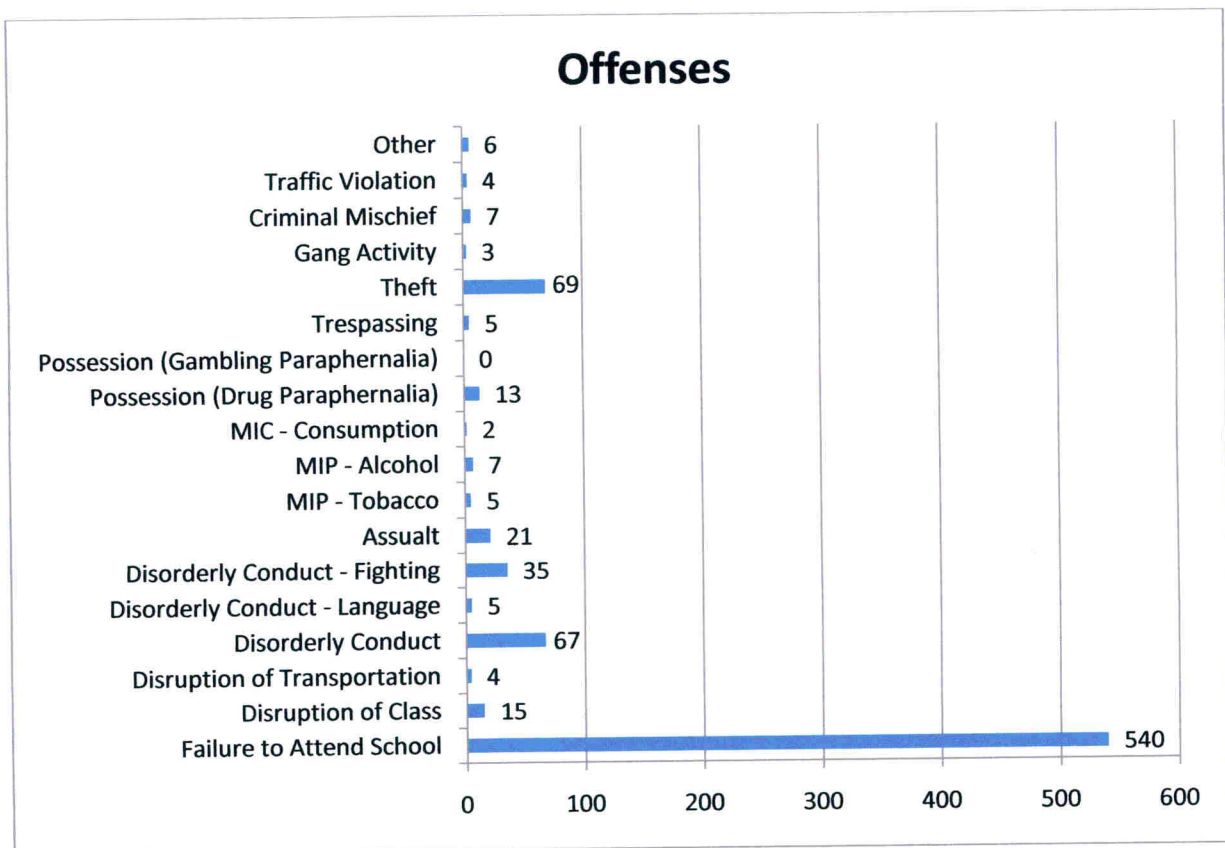
7. Referral Sources

With the exception of three (3) parent referrals to the program, all of the referrals are ordered to attend by the Precinct Judges along with one Municipal Judge.



8. Violations

A number of violations have been identified as typical for the student population.



As illustrated in the above graph, **Failure to Attend School** was the major offense committed by the students, representing **67%** of the total. **Disorderly Conduct** and **Assaultive** type offenses represent approximately **16%** of the total. **Theft** offense represents approximately **9%** of the total.

"Choices & Consequences" Educational Community Service Program

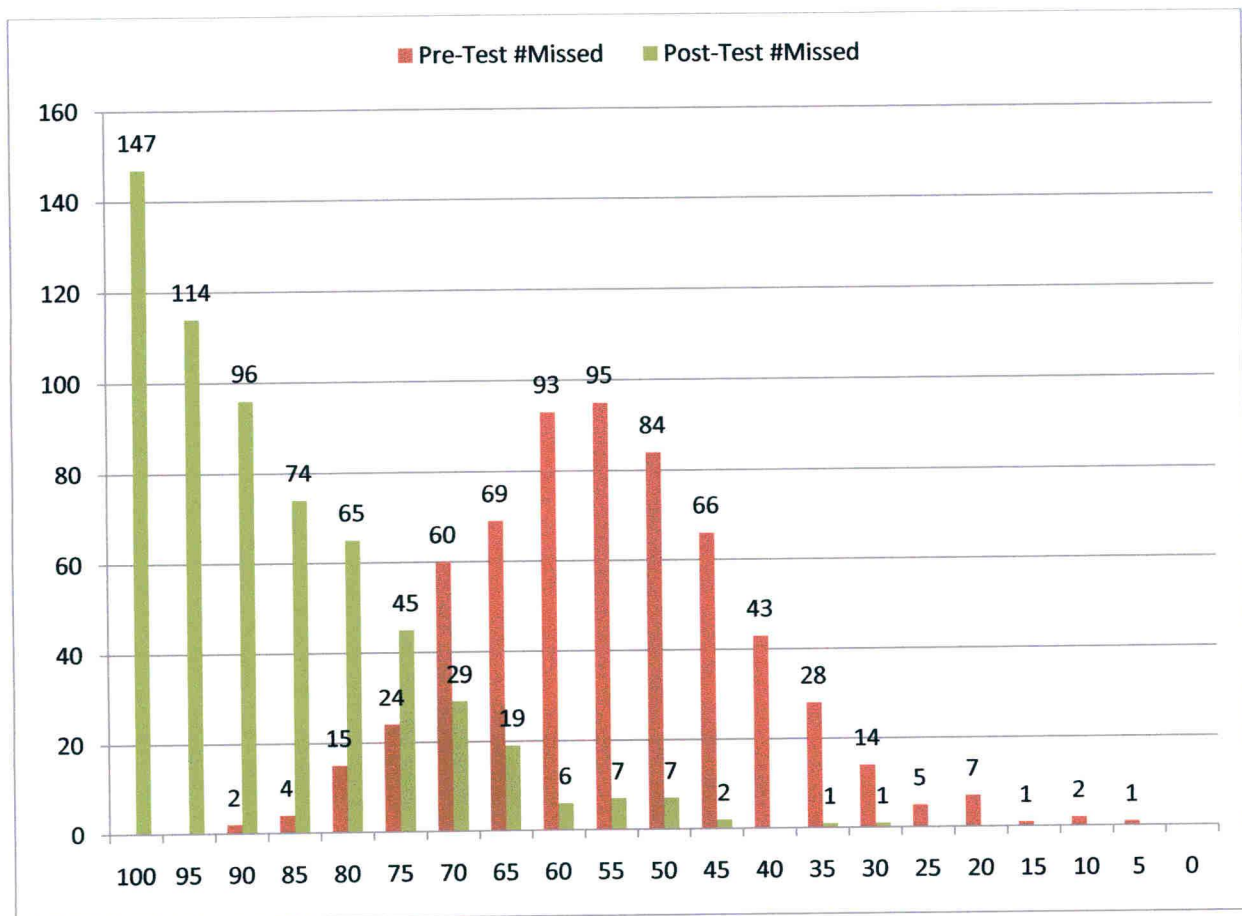
9. Repeat Students

Repeat students, as ordered by the Judges, are represented in the following list:

- 62 or 18%** Repeat students from JP3 (Cannata)
- 5 or 7%** Repeat students from SLMC (Landin)
- 15 or 4%** Repeat students from JP4 (Richard)

10. Success Rate

Measuring the immediate increase in knowledge of the participating youth in the Consequences program is achieved through a pre-test and a post-test comparison. In a sampling of 613 students' scores, the average grade of the pre-test was 55 (an F) and the average grade of the post-test was 87 (a B).



Another method that the program uses to help measure the success in getting the course content across to the students are the individual student evaluation letters submitted at the conclusion of the class. A few of the comments from the students and parents have been compiled in **APPENDIX B**.

"Choices & Consequences" Educational Community Service Program

11. **Recidivism**

Of all the juveniles referred to the Choices & Consequences program in 2009, a total of **530** boys and girls completed the course before July 1, 2009. In the six months following their completion of the classes, **502** have not had subsequent referrals to juvenile justice system. This is a 94% success rate.

D. Administration Changes

To aid in the collection of data concerning each of the students referred to the program, a database has been developed. One of the many benefits of using the database includes the reduction in the administrative effort associated with the program. Another benefit will be the statistical data available that can be used to help monitor progress and manage the program.

During the FY 2007-2008, the program was moved to an alternate location due to the mold issue at the George Family Development Center. It was temporarily housed at the Christina Smith First Years, First Steps facility for the remainder of that year. In October 2008, the program was moved back to the George Family Development Center. This once again allowed us to have stable classes and the opportunity to hold two classes simultaneously, when needed.

E. Budget Summary

One of the sources of revenue for the program is Participants' Fees. The current fee collected from each participant attending a 16 hour class is \$40. During this year, \$27,690 was collected.

III. FISCAL YEAR 2010

A. Program Changes

It is anticipated that the number of referrals will be reduced this year because of the changes made at the school district level, concerning violations of school attendance. Based on the **Offenses** data (see above) collected from last year, **67%** of the referrals were due to **Failure to Attend School**. To offset this anticipated drop in referrals, the program is planning to utilize the database to report those students which have failed to register for the program or failed to attend/complete class (after registering). Provided that the Compliance Date ordered has not expired, a diligent effort will be made to encourage the student to successfully complete the program.

Another anticipated change will be the collection of **Participants' Fees** and setting it as part of the criteria for successful completion of the program. Again, the database will be able to provide a report of those students who have not paid the required fees.

B. Proposed FY2010 Budget

See **APPENDIX A**

"Choices & Consequences" Educational Community Service Program

IV. SUMMARY

During this sixth year of the program in this county, the "Choices & Consequences" Educational Community Service Program staff carried out all of its' defined program responsibilities. In doing so, the program has been successful in educating the students about the judicial system and helping them make informed decisions and ultimately becoming good law abiding citizens.

Each year the program faces new challenges that must be addressed. It is anticipated that the number of referrals to the program for violation of failure to attend school will be reduced from the previous year. Steps will be taken to accommodate the change.

The number of guest speakers is expected to increase over the coming year. With this volunteer effort, we will be able to capitalize on this fresh outlook to continue to keep the program interesting and informative for the participants.

The electronic database collection system will continue to be developed and utilized. It is anticipated that this system will reduce the administrative responsibilities and improve the accuracy of the reporting. Additionally, it should help in the coordination of the program for the current year and help manage the program over the coming years.

"Choices & Consequences" Educational Community Service Program

APPENDIX A

PROPOSED FY2010 BUDGET

Revenue

Fort Bend County	\$37,300
Sugar Land Fees	4,590
Participants' Fees	<u>20,000</u>
Total Revenue	\$61,890

Expense Categories

Personnel

One full-time contract person	\$35,440
One part-time contract personnel	8,400
Three part-time contract personnel	12,000
Program Supplies	900
Equipment	250
Local Travel	1,700
Conferences/Training	
Including registration, meals, and lodging	800

Rent

<i>(\$200 per month at George Family Development Center)</i>	<u>2,400</u>
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Total Expenses	\$61,890
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"Choices & Consequences" Educational Community Service Program

APPENDIX B

Student Comments:

"When I first came to class I thought that it was going to be a waste of my time. Then at the end of the first day I changed my mind. I learned a lot, not only about laws, but about how important it is to go to college and get an education. Not only to better myself but to better influence my younger generation."

"It helped change my mind about skipping school & even though I didn't do any of the other things, I still took it in."

"I learned what the long-term consequences of my actions would look like. I surprised myself when I found out how little I really knew and how much the stuff that I did learn really would affect me. This class will definitely change my mind about doing drugs."

"I learned more in those four days than I have in a week at class. This was a real life changing kind experience."

"Many family & friends mislead me about the use of marijuana saying it had no harmful side effects, but after watching a video and seeing a man without a jaw it became very clear that it was very harmful, especially in high doses. Another thing that I learned was, before you do anything, ask yourself will you regret it and is it worth it."

"You helped me really open up and think twice about what I'm doing with my life."

"This was an overall good experience for me because now I know and understand the consequences of crime."

"I think that if I had taken this class in high school it would have prevented or stopped how out-of-control I was for a while."

"I noticed that I only did the bad things to be cool in front of my friends but you all taught me, if I'm trying that hard to be cool in front of them, I'm hanging around the wrong crowd. From here on out I know that everyone has choices and we all might make a few bad ones here and there but it's how we learn from them."

"You helped me realize that stealing is for fools and I'm not a fool."

"My friend had told me the dumb "useless things" they say in here, but she didn't mention the fun interactive games we had. And it turned out those so called "useless things" were pretty inspiring. So whoever reads this, don't set your expectations low before the experience even has a chance to begin..."

"Choices & Consequences" Educational Community Service Program

Parent Comments:

"When I first walked in the door I was so upset. I didn't want to do this. I didn't want my daughter to go to this classroom. After the first class I went to work and talked about this class to everyone I worked with. I was excited to share with everyone all the info that was shared in this class."

"After attending this class, I, as a parent, learned some things, as well as my daughter. I really do thank the court for sending us through this class; it has really opened our eyes up to a lot of things that are happening in the world around us which I had no clue about. This class was informing as well as educating and I wish that every student could have these lessons prior to them getting into trouble."

"As a parent I started this class with discontent – of being punished for nothing. But as the class progressed, I realized the need to be informed about the legalities & also the importance of discipline even in a small way; else it could lead to something seriously bad."

"I think that it should be mandatory for the parents to attend at least two classes, one of them being the reason why their child was sent to the program. Parents need to be more aware of what is going on with the young people today."

"I was concerned and nervous when we were told we needed to attend this class. The 16 hours really flew by because it was so interesting! This was a good class to participate with. I learned a lot by sitting back here listening to all the discussions. I'm really disappointed that more parents did not attend this with their children. I think this class and this material should be taught in the public school. This class was taught well and the materials were excellent. Thank you for taking the time away from your family to (hopefully) better the lives of the teenagers who attended this class."

"Comments;

- 1) The course was very informative.*
- 2) Was conducted brilliantly maintaining a flow of thoughts for all 4 hours each class.*
- 3) Instructors were knowledgeable & also managed the class very well, without unnecessary topics being lingered for a long time.*
- 4) I have gained a lot of information, awareness & understanding of the legal aspects with respect to juveniles.*