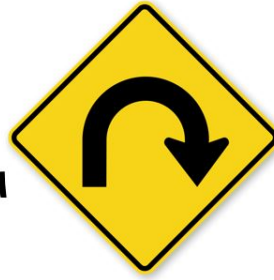


Project AVERT



Montgomery County District Attorney · Human Trafficking Diversion Program

FAQ & Application Process

General Policy Statement:

Pre-trial diversions are granted at the discretion of the Montgomery County District Attorney's office and are considered an extraordinary remedy to resolve criminal cases. If granted a pre-trial diversion, a defendant's full compliance and cooperation with the Montgomery County District Attorney's office and the Montgomery County Department of Community Supervision and Corrections (probation) is expected. Failure to comply with a pre-trial diversion contract could result in the revocation of a defendant's personal recognizance bond and the prosecution of the underlying case. Pre-trial diversions are not to be taken lightly and are considered a remedy for individuals with compelling circumstances. Not every defendant is entitled to consideration for a pre-trial diversion.

Project AVERT Goals:

Project AVERT (Assisting Victims Escape & Resist Trafficking), created in 2018, is a pre-trial diversion program sponsored by the Montgomery County District Attorney's Office. The goal of the program is to divert criminal defendants from the criminal justice system who are: 1) identified as human trafficking victims or 2) at risk of becoming human trafficking victims. Project AVERT utilizes a multi-disciplinary team (MDT) and partnerships with other criminal justice and community agencies to provide an individualized, holistic, and informed approach to human trafficking cases and at risk youth. The goal is to provide necessary resources and to ultimately reduce the harm of a final conviction for trafficking victims.

Project Eligibility:

<i>Victim/Seller Track</i>	<i>At Risk Track</i>
Current or Recent Victimization by Pimp/Trafficker Current or Recent Victimization Linked to Pending Case Willingness to Cooperate with LEO (if needed)	Age 17 to 25 Prior Foster Care Placement / CPS History Homelessness / Runaway
Non-Violent Pending Offense Non-Violent Criminal History Willingness of Defendant to Undergo Treatment (Short & Long Term) Ability of the Program to Meet Needs of the Defendant Safety of the Community	

Project Application Process:

Referral into Project AVERT may come from a variety of sources, including law enforcement, jail staff, social service organizations and non-governmental groups, Judges and court staff, Defense Attorney's, and the District Attorney's Office.

To refer a Defendant with a pending criminal case, fill out and email the ***Project AVERT Referral Sheet*** to ProjectAVERT@mctx.org.

Project Coordinators:

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Answers to FAQs:

1. Unlike other pre-trial diversion contracts, Project AVERT contracts will be tailored to the specific needs of the participant. All terms and agreement are subject to assessments and feedback from Project AVERT partners.
2. Pre-trial diversion is a statutory punishment provision provided for by the Code of Criminal Procedure in addition to incarceration, probation, and deferred punishments. Although this punishment provision is provided for by statute, it is an extraordinary remedy that is rarely approved.
3. A Project AVERT pre-trial diversion contract typically lasts for one year from the date of signing the contract. However, this length of time may be longer or shorter depending on the defendant's needs.
4. Although some pre-trial fees might be required, Project AVERT participants may have their fees waived or paid for by other sources.
5. Any pre-trial diversion contract requires a defendant to remain within the State of Texas and not travel without the approval of the Probation Department.
6. A pre-trial diversion contract requires frequent drug testing.
7. A pre-trial diversion contract may require a defendant to attend certain educational classes and lectures.
8. A pre-trial diversion contract requires a defendant to maintain suitable employment and/or to be enrolled full time at an institution of higher learning.
9. A pre-trial diversion contract requires a defendant to be placed on a personal recognizance bond with ancillary conditions of bond.
10. If granted, the defendant must agree to sign any and all documents associated with the execution of the Project AVERT contract. This will include *an Informed Consent* to share information with the Project AVERT MDT Team Members & Partners.
11. Failure to abide by these conditions will be considered a breach of contract and may result in the trial of the case and the admission of the statement of the defendant.
12. A Project AVERT contract will not be granted as a last minute strategy to avoid a trial date.

Project Partners:

BCFS – Common Thread
Montgomery County Adult Probation (MCD CSC)
Tri-County Behavioral Health
Workforce Solutions
Montgomery County Women's Center
Crisis Assistance Center
Montgomery County Sheriff's Office
Montgomery County District Attorney's Office

Angel Reach
Community Youth Outreach
Redeemed Ministries
Educational Outcomes
Montgomery County DWI & Drugs Courts
Montgomery County Homeless Coalition
Children's Safe Harbor
Montgomery County Mental Health Court Services

Project Documents:

<https://www.mctxdao.org/pretrial-diversions.html>