

WHAT IS...

MISCONDUCT



- **Weapons on school property**
- **Disorderly conduct**
- **Disturbance of the peace**
- **Battery of a child**
- **Failure to attend school**
- **Alcohol**
- **Tobacco**
- **Vandalism**

WEAPONS ON SCHOOL PROPERTY



The following are considered weapons:

- Gun, rifle, pistol or firearm of any kind
- Dynamite, bomb, grenade, or other explosive
- BB gun, air rifle, air pistol
- Bowie knife, dirk, dagger, switchblade knife, razor and razor blades (unless used for shaving)
- Slingshot
- Leaded cane
- Blackjack
- Metallic knuckles
- Any sharp-pointed or edged instrument (except instructional supplies, cooking utensils, and tools)



It doesn't matter whether the weapons are openly possessed or concealed.

CONSEQUENCES:

Consequences of actual possession of a weapon or "causing, encouraging, or aiding" a minor to possess or carry a weapon:

FELONY CONVICTION

Up to \$5,000 fine, imprisonment for up to three (3) years, or both;

MISDEMEANOR CONVICTION

Up to \$1,000 fine, imprisonment for up to six (6) months, or both.

The student who carries a weapon onto school property or during a school-related function not only risks going to jail or detention, paying a fine, or both, but he or she also risks losing an education.

DISORDERLY CONDUCT

A person or people in a crowd who fail or refuse to move on when ordered to do so by any law enforcement officer or insults or makes rude or obscene remarks or gestures, or uses profane language, or physical acts, or indecent proposals to another person.

CONSEQUENCES:

A person guilty of disorderly conduct can be fined up to \$200, imprisoned in the county jail for up to four (4) months, or face detention.



DISTURBANCE OF THE PEACE

Disturbance of the public peace is any person who disturbs the peace of others, by violent, loud, insulting, profane, indecent, offensive, boisterous conduct or language, or by intimidation.

CONSEQUENCES:

A person guilty of disturbing the peace shall be punished by a fine of up to \$500, imprisoned in the county jail for up to six (6) months or face detention.

BATTERY OF A CHILD

A person who willfully commits any act which results in the abuse and/or battering of any child.

CONSEQUENCES:

A person guilty of battery of a child shall be punished by a fine up to \$1,000, imprisoned up to one (1) year in jail, or face detention.



while you are at school?

FAILURE TO ATTEND SCHOOL

Mississippi Law requires all persons between the ages of 6 and 17 to enroll in and attend school.



The only absences that are excused for non-public schools are those approved by the school officials.

CONSEQUENCES:

- 1 If you have more than five unexcused absences, your school official is required to report this to the county's school attendance officer.
- 2 The county's school attendance officer will attempt to get you back into school by conducting home visits and working with you and your parents or guardians.
- 3 If you do not return to school as requested, the county's school attendance officer can file an action in Youth Court against you and your parents and order you to return to school.



ALCOHOL

PURCHASE:

If you are under the age of 21 and you:

- 1 Purchase any alcoholic beverage;
- 2 Falsely state that you are 21 years old for the purpose of purchasing alcoholic beverages; or
- 3 Present any documentation falsely indicating that you are over the age of 21 for the purpose of purchasing alcoholic beverages.



CONSEQUENCES:

You will face the following punishment: a fine of \$25 to \$250 and a sentence of thirty (30) days of community service.

POSSESS/CONSUME:

If you are caught possessing and/or consuming alcoholic beverages on school property, you may be subject to any or all of the following immediate punishment.

CONSEQUENCES:

Students may be expelled, suspended, or otherwise punished by the school.



TOBACCO

PURCHASE:

It is against the law for any person under 18 years of age to purchase any tobacco product. "Tobacco product" means any substance that contains tobacco, including cigarettes, cigars, pipe snuff, smoking tobacco or smokeless tobacco.



POSSESS:

It is against the law for any student of any high school, junior high school or elementary school to possess tobacco on any school property.

CONSEQUENCES:

Any person under the age of 18 who falsely states that he or she is 18, or presents any document that falsely represents that he or she is 18 for the purpose of purchasing or possessing any tobacco product can be subject to a fine of \$25 to \$250 and thirty (30) days of community service.

VANDALISM

Vandalism is willful or mischievous injury, destruction or defacing of school property.



CONSEQUENCES:

- 1 If damage is less than \$300, punishment is one year in prison, a \$1,000 fine, or both.
- 2 If damage is more than \$300, punishment is five years in prison, a \$5,000 fine, or both.
- 3 The student committing the act of vandalism may also have to pay for all damage to school property.
- 4 Students may be expelled, suspended, or otherwise punished by the school.

WHAT IS...the Punishment?



Youth Court

UNDER AGE OF 18



Youth Court Procedure

What happens if you attend a detention hearing?

You have the right to present evidence and to cross-examine witnesses produced by others. All testimony is given under oath.

After all evidence has been presented, the Youth Court Judge shall order that you be released to the custody of your parent, guardian or custodian unless the Court finds that custody by the Court is necessary because:

- 1 A person would be endangered by you
- 2 It is necessary to ensure your attendance in court
- 3 When your parent, guardian, or custodian is not available to provide for your care and supervision.

Where will you be sent after a detention hearing?

The Youth Court Judge will designate the available detention or shelter facilities.

What happens at the adjudicatory hearing?

The Youth Court shall:

- 1 Verify your name, age, address and determine the relationship of all the parties
- 2 Make sure that all necessary parties are present and identify all persons participating in the hearing
- 3 Determine whether the notice requirements have been met
- 4 Explain the purpose of the hearing and the possible consequences
- 5 Explain that you have the right to an attorney, the right to remain silent, the right to subpoena witnesses, the right to cross-examine witnesses testifying against you and the right to appeal
- 6 The Judge will then ask whether you admit or deny the allegations that have been made against you and then decide whether you are a delinquent child or a child in need of supervision.



After the adjudicatory hearing comes the disposition hearing. What happens?

If you have been found to be a delinquent child the court will consider:

- 1 The nature of the offense
- 2 The manner in which the offense was committed
- 3 The nature and manner of your prior offenses
- 4 Your need for care and assistance.

After hearing all of the evidence the Youth Court Judge will enter a disposition order and may do one of the following:

- 1 Release you without further action
- 2 Place you in the custody of your parents, a relative or other persons
- 3 Place you on probation
- 4 Order terms of treatment
- 5 Order terms of supervision which may include participation in a constructive program of service, education, civil fines, restitution to be paid out of your own assets, or by performance of services acceptable to the victims
- 6 The Youth Court Judge can enter an order denying the issuance of a driver's license or your driver's license may be suspended up to one year
- 7 You may be placed into the custody of Department of Human Services
- 8 You may be sent to a wilderness training program or a state-supported training school
- 9 You may be ordered to a statewide juvenile work program where you will be supervised by police officers or reserve officers and the term of service will be from 24 to 120 hours of community service
- 10 You may be placed in a juvenile detention center for not more than 90 days.



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