

Raise the Age: Keep Kids Out of Adult Jails and Prisons

Currently: Texas is 1 of only 4 states to send all 17-year-olds accused of a crime to the adult justice system, making Texas out of step with best practices.

- When 17-year-olds are arrested in Texas, they are treated as adults and no one is required to inform their parents of the arrest.
- An adult criminal record creates barriers to getting an education, gaining employment, securing housing, and joining the military.
- In the adult system, 17-year-olds face a higher risk of sexual assault,¹ and are 36 times more likely to commit suicide than those in juvenile facilities.²
- Sending 17-year-olds to adult jails is costly and subjects sheriffs to liability. Keeping as many kids as possible out of adult jails will prevent Texas sheriffs from having to retrofit their facilities at tremendous expense or face liability for noncompliance with PREA.³
- Due to “sight and sound separation” requirements under PREA, kids in adult facilities can spend up to 23 hours per day in solitary confinement, which can lead to physical and psychological harm.

In 2018, the Texas Criminal Justice Coalition hosted visioning sessions with system-impacted kids and families across the State.

In every visioning session, attendees chose “raise the age” as the most urgent youth justice priority.

Support HB 344 by Reps. Dutton & Reynolds: Raising the age of criminal responsibility would start kids off in the youth system, but allow judges to transfer those with the most violent offenses to the adult system if appropriate.

- After the age of criminal responsibility was raised in other states, taxpayer costs were kept in check and crime rates continued to fall.⁴
- Research shows that young people who are kept in the youth justice system are less likely to re-offend than young people who are transferred to the adult system.⁵
- This expansion of juvenile jurisdiction is consistent with federal constitutional law and promotes a youth justice system focused on public safety, youth rehabilitation, fairness, and fiscal responsibility.

Citations

¹ Bureau of Justice Statistics, *Sexual Victimization in Prisons and Jails Reported by Inmates, 2011-12*, 2013, 23, <http://www.bjs.gov/content/pub/pdf/svpjri1112.pdf>.

² The Campaign for Youth Justice, *Jailing Juveniles: The Dangers of Incarcerating Youth in Adult Jails in America*, 2007, 10, http://www.campaignforyouthjustice.org/documents/CFYJNR_JailingJuveniles.pdf.

³ Sheriffs Adrian Garcia, Christopher Kirk, and Lupe Valdez, "Sending 17-Year-Olds to Adult Jails Costly to Teens and Taxpayers," *Dallas Morning News*, May 19, 2014, <http://www.dallasnews.com/opinion/latest-columns/20140519-sending-17-year-olds-to-adult-jails-costly-to-teens-and-taxpayers.ece>.

⁴ Justice Policy Institute, *Raising the Age: Shifting to a Safer and More Effective Juvenile Justice System*, March 2017, <http://www.justicepolicy.org/uploads/justicepolicy/documents/raisetheage.fullreport.pdf>.

⁵ Centers for Disease Control and Prevention, *Effects on Violence of Laws and Policies Facilitating the Transfer of Youth from the Juvenile to the Adult Justice System: A Report on Recommendations of the Task Force on Community Preventive Services*, MMWR 56, No. RR-9 (2007), <http://www.cdc.gov/mmwr/pdf/rr/rr5609.pdf>.