

Hold kids accountable for their actions without pretending they're adults.



Steering kids into adult prisons and courts instead of the juvenile justice system compromises safety—not just for the youth but for society as a whole. It leads to higher recidivism and less public safety.

Texas created its juvenile justice system to hold kids accountable and rehabilitate them, preventing crime for years to come. This youth-focused justice system exists for good reason. Multiple studies have found public safety improves and the likelihood of further crimes diminishes when young offenders receive age-appropriate rehabilitative services that will help them turn their lives around. While the juvenile justice system was tailored for rehabilitating young offenders and designed especially to respond to youths' still-developing minds and special propensity to change,¹ the same cannot be said for the adult justice system. Common sense and research both say the best way to rehabilitate young offenders is to keep them safe and away from adult criminals. Putting kids in adult prisons, on adult probation and parole, and in adult court increases chances of reoffending.



What to Know

- **Children in the adult system are 34% more likely to be rearrested after release** compared to their counterparts in the youth justice system.² The Centers for Disease Control and Prevention declared it “counterproductive” to transfer youth to the adult system, since it has no deterrent value and just increases the chances that youth will commit other, more serious crimes later on.
- **It's not uncommon for children to be certified to stand trial and be sentenced as adults in Texas.**³ In FY 2012, judges transferred 170 juvenile cases to adult courts for trial and adult sentencing. A study looking at five years of certifications found that the best predictor for transfer was not the young person's history of crime—72% of children certified as adults had no prior history of violence—but the county in which the sentencing occurred.
- **Nonviolent crimes can lead children into the adult system.** The majority of certifications are for offenses considered violent. However, from 2009 to 2011, the percentage of non-violent offenses that made up all certifications increased from 11% to 27%.^{4,5}
- **The Texas juvenile justice system has proven treatment programs shown to reduce recidivism.** For example, the Capital and Serious Violent Offenders Treatment Program reduces the chances of later crime by 74%, while Aggression Replacement Training has proven effective in decreasing

aggression and improving decision making. Neither of these effective programs is available in the adult system.^{6,7}

- About 120 Texans under 18 are housed in adult prisons. **Many kids in adult prisons are the same age and committed the same crimes as teens in juvenile facilities, but they face greater dangers.** Children in adult facilities are more likely to be isolated,^{8, 9} more likely to face mental health challenges, and 36 times more likely to commit suicide than those in juvenile facilities.¹⁰
- **Nearly all youth—96%—in the juvenile justice system receive some schooling, but only 38% of youth in the adult correctional system do.**¹¹ This leaves the majority of them unprepared for life that awaits them after prison.

How to Make it Happen

- **Hold youth certified to stand trial as adults in juvenile facilities** both before and during trial. While a 2011 law gave counties the option to hold certified youth in juvenile facilities while they await trial, it does not require that they do so.
- **Allow effective rehabilitation programs to run their course:** When a child serving a determinate sentence turns 19, the youth should be given the opportunity to complete his or her course of treatment and programming within the juvenile system before a determination is made on whether the youth should be paroled or sent to adult prison.
- **Acknowledge that nonviolent offenses are different:** Because kids are not adults and because the adult system carries serious risk of harm to a child and to a child's likelihood of recidivating, the decision to certify a child as an adult should not be taken lightly. At the very least, it should be reserved for only circumstances involving the most violent offenses.

For more on this idea, visit: <http://tinyurl.com/NoKidsInPrisons>

Thinking About Costs

Holding youth accountable and rehabilitating them in the justice system created specifically for them makes a lot more sense than sending children to adult courts and prisons. By one estimate, society saves \$3 in later correctional costs for every \$1 spent on rehabilitation in the youth justice system. By contrast, a child offender sent to adult prison is 100% more likely to commit a violent crime than someone who committed a similar offense but entered the juvenile justice system instead.

Sources

"Thinking about Costs"

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3 Michele Deitch (2011) Juveniles in the Adult Criminal Justice System in Texas, Austin, TX: The University of Texas at Austin, LBJ School of Public Affairs.

4 Texas Family Code, Title 3: Juvenile Justice Code, 53.045(a).

5 Legislative Budget Board, "Trends Related to the Certification of Juveniles as Adults; Prepared for the Texas House of Representatives Corrections Committee," 82nd Legislative Session—Interim, March 6, 2012.

6 Texas Youth Commission, "Annual Treatment Effectiveness Review 2010" and "Strategic Plan 2011-2015."

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8 Jason Ziedenberg (2011) You're an Adult Now: Youth in Adult Criminal Justice Systems, U.S. Department of Justice National Institute of Corrections, <http://static.nicic.gov/Library/025555.pdf>.

9 Chris Vogel, "For Their Own Good," Houston Press, May 27, 2009.

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

11 Michele Deitch (2011) Juveniles in the Adult Criminal Justice System in Texas, Austin, TX: The University of Texas at Austin, LBJ School of Public Affairs, p. xi.

