

Juvenile Probation: Room to Spare for Raising the Age

Texas **automatically** sends 17-year-olds accused of a crime to the adult criminal justice system, regardless of the fact that **95% of them are arrested for nonviolent and misdemeanor offenses.**

- 17-year-olds in the adult system face higher rates of sexual assault and depression, and **are 36 times more likely to commit suicide.**
- An adult criminal record creates barriers to getting an education, gaining employment, securing housing, and joining the military. As Rep. Byron Cook phrased it on the House floor on April 20th, **this is “an economic death sentence.”**
- “Raising the age” would start 17-year-olds off in the juvenile system but give judges the discretion to transfer youth with the most serious offenses to the adult system on a case-by-case basis.
- **This expansion of juvenile jurisdiction promotes a juvenile justice system focused on public safety, youth rehabilitation, fairness, and fiscal responsibility.**

Counties Can Increase Capacity for “Raise the Age” by Implementing Best Practices

- **3,860 children age 10-13 were detained** in pre-adjudication facilities and **680 children age 10-13 were placed in post-adjudication** facilities in 2016 in Texas.
- Detaining so many younger children is out of step with best practices, and **counties should employ more appropriate alternatives to detaining such young children.**

Data Shows Raising the Age Will Not Flood Juvenile Probation

Arrest rates in Texas for both 16- and 17-year-olds have steadily declined since 2007 – by 26% for 16-year-olds and 17% for 17-year-olds. If the number of 17-year-olds arrested last year is added to the number of youth currently in the juvenile justice system, the total is still less than the number of youth in the juvenile system in 2007.

At the same time, funding has shifted away from state secure facilities to juvenile probation. A 2015 report by the Council of State Governments revealed that per capita funding for juvenile probation departments increased 68% between FY 2005 and FY 2012.

This has put juvenile probation in a position well-equipped to absorb 17-year-olds.

Current Statewide Juvenile Facility Projections (Without Considering “Raise the Age”)

YEAR	POPULATION PROJECTION	UNDER CAPACITY BY	EMPTY BEDS PERCENT	SUPPORTABLE POPULATION INCREASE
2016	1,345	662	33.00%	49.22%
2017	1,389	618	30.80%	44.49%
2018	1,403	604	30.10%	43.05%
2019	1,386	621	30.90%	44.81%
2020	1,460	547	27.30%	37.47%
2021	1,518	489	24.40%	32.21%