



# STOP AUTOMATICALLY PROSECUTING 17-YEAR-OLDS AS ADULTS

## Current System is Harmful & Out of Step with National Standards

TEXAS IS JUST **1** OF **7**

states that automatically sends 17-year-olds into the adult, rather than juvenile, criminal justice system when accused of a crime.



This practice is out of step with societal consensus on maturity: 17-year-olds can't vote, serve on juries or join the military but are treated as adults by the criminal justice system.

Parents aren't required to be informed when 17-year-olds are arrested, leaving their children to fend for themselves.



Youth sent to adult jails are **more likely to be victims** of sexual assault, suffer from mental illness and commit suicide.<sup>1</sup>

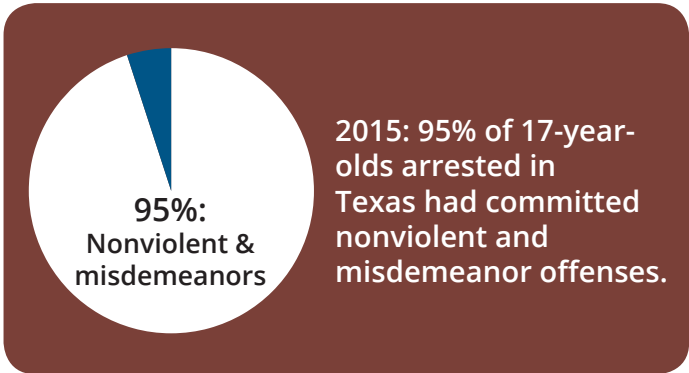


Having an adult criminal record **creates barriers** to education, employment, housing and military service.<sup>2</sup>

## Raising the Age WON'T Threaten Public Safety<sup>3</sup>

17-year-olds statewide are **most often arrested for drug offenses.**

- 75.5% of drug offense arrests are for small amounts of marijuana possession.
- Houston area: This makes up **35.9%** of school district police-based arrests of 17-year-olds.



## Raising the Age WILL Prevent Crime



Nationally, **youth kept in adult jails are 34% more likely to be re-arrested** for violent or other crimes than youth retained in the juvenile court system.<sup>4</sup>



Greater emphasis on research-based **youth rehabilitation led to a 26% drop in arrest rates** for Texas 16-year-olds from 2013-2015.<sup>5</sup>

Raising the Age will likely produce similar results for 17-year-olds.

## 16- vs. 17-Year-Olds: Comparable Offenses, Different Treatment<sup>6</sup>

The types of offenses committed by 16- and 17-year-olds are very similar.

### Most Common Offenses Leading to Arrest

Offense	Age 16	Age 17
Theft	20.2%	20.8%
Misdemeanor assault	13.7%	10.8%
Drug possession	12.5%	19.1%

Despite similar behavior, 17-year-olds are jailed more often than 16-year-olds are detained:



## Texas' Restructured Juvenile System is Well-Positioned to Absorb 17-Year-Olds



**Juvenile arrests have declined 61%** since 2007, a period in which youth and state dollars were moved out of ineffective and expensive state facilities and into community-based programs.<sup>7</sup>



This change precipitated **a 68% increase in per capita funding** for juvenile probation programs and additional capacity for 17-year-olds.<sup>8</sup>

## Raising the Age is a Smart-on-Crime Reform: It Will Benefit Young People and Taxpayers, While Making Communities Safer. Support Legislation to Raise the Age!

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### Endnotes

<sup>1</sup> I.Y.H. Ng, X. Shen, H. Sim, R.C. Sarri, E. Stoffregen, and J.J. Shook, *Incarcerating Juveniles in Adult Prisons as a Factor in Depression*, Criminal Behaviour and Mental Health 21, 27 (2011); Campaign for Youth Justice, *Jailing Juveniles: The Dangers of Incarcerating Youth in Adult Jails in America* 4 (2007). U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, *Detained Youth Processed in Juvenile and Adult Court: Psychiatric Disorders and Mental Health Needs* 8 (2015).

<sup>2</sup> Solomon, Amy L., *In Search of a Job: Criminal Records as Barriers to Employment*, National Institute of Justice (June 2012).

<sup>3</sup> Texas Appleseed, *Raise the Age: 17-Year-Olds in the Criminal Justice System*, (March 2017).

<sup>4</sup> 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*, MMWR 2007; 56 (No. RR-9) (2007).

<sup>5</sup> Texas Department of Public Safety, *Uniform Crime Reports*.

<sup>6</sup> Texas Appleseed, *Raise the Age: 17-Year-Olds in the Criminal Justice System*, (March 2017).

<sup>7</sup> Texas Department of Public Safety, *Uniform Crime Reports*.

<sup>8</sup> Council of State Governments, *Closer to Home: An Analysis of State and Local Impact of the Texas Juvenile Justice Reforms*.