

Subscribe

Help



54°
H: 74°
L: 54°

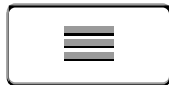


Friday, April 4, 2014

Austin American-Statesman

Sign Out

Search Site



LATEST HEADLINES

HOME / NEWS / OPINION

advertisement

Resize text A | A | A

WE SAY CRIMINAL JUSTICE

Keep 17-year-olds in juvenile system

Posted: 3:11 p.m. Wednesday, April 2, 2014



BY EDITORIAL BOARD

Consider that the vast majority of 17-year-old Texans arrested in 2012 were charged with misdemeanors and nonviolent crimes, with most of those charges falling into the categories of theft, marijuana possession, nonaggravated assault and disorderly conduct.

Then consider that the Texas criminal justice system automatically directs those teenagers into an adult prison system at great cost – financially and socially. Then ask yourself if that way of dealing with 17-year-olds is morally or financially sound and you begin to understand why bipartisan momentum is building for alternate solutions. High on that list is raising the age of adulthood to 18 for criminal matters.

We agree with a growing contingent of bipartisan law enforcement officials and researchers who say there is a better way to hold most errant 17-year-olds accountable for their actions.

Experts testifying before the state House Criminal Jurisprudence Committee at the Capitol recently told lawmakers that steering 17-year-olds to juvenile courts and lockups instead of adult jails would save tax money, reduce arrest rates and simplify jail procedures.

Tough-on-crime critics counter that 17-year-olds who commit murders or sexual assaults belong in an adult system, which is more focused on punishment than rehabilitation. There is some merit to that argument, and it's a point that can be resolved in proposed changes. And by no means is anyone recommending that 17-year-olds be given a walk in the park.

Marc Levin, director of the Center for Effective Justice and Right on Crime at the conservative Texas Public Policy Foundation, told us that lawmakers could address such concerns by crafting a law that treats misdemeanor-offenders differently from those who commit felonies. So 17-year-olds charged with misdemeanors automatically would be steered into the juvenile justice system. But when it comes to felonies, judges would have discretion to certify 17-year-olds as adults and send them to adult prison. That makes sense.

"Certainly, hold them accountable," Levin said. "But in the right place and under the right circumstances – and that is not adult prison."

Texas is one of only eight states that automatically direct every 17-year-old into the adult criminal justice system, while two others include 16-year-olds. By contrast, adulthood begins at 18 in 40 states. Levin said Texas is not alone in considering raising the age of adulthood to 18; North Carolina also is doing that. States are considering such changes based on research that show teenagers have better results when they are steered to juvenile facilities, which emphasize rehabilitation.

Figures show teens in the adult criminal justice system are 36 percent more likely to commit suicide and 34 percent more likely to be rearrested for a felony than those who stayed in the juvenile justice system, according to Michele Deitch, a senior lecturer with the LBJ School of Public Affairs, who testified at the Capitol hearing in March.

Levin noted the incredible expense of housing teenagers with adults because of federal standards. The federal Prison Rape Elimination Act requires inmates younger than 18 to be separated from adult inmates, and that drives up incarceration costs. Dallas County Sheriff Lupe Valdez testified at the hearing that it costs her department \$4 million a year to comply with the act. Levin said federal standards also require one staff person for every eight teenagers during waking hours and a 1 to 16 ratio during sleep hours.

Along with those considerations, there are the social benefits to be considered. Teenagers who stay in the juvenile system have lower rearrest rates, studies show. They are more prone to finish high school and as minors, are still under their parents control so families are involved in helping them turnaround. And it is

easier to have juvenile records sealed so a misdemeanor or petty crime does not follow a teenager forever. That is not the case with adult offenders.

The bottom line, says Levin, is helping a 17-year-old offender become a productive, taxpaying citizen – which the juvenile system has proved more effective in doing than the adult system – or helping that teenager become a career criminal. He has a point. We urge the Legislature to make a change.

In this Section

[More information on Fort Hood victims, shooting suspect expected today](#)

[Fire destroys dry cleaning business in Northeast Austin](#)

[Severe thunderstorm watch canceled](#)

[Fort Hood briefing: Suspected IED detonated near Army base, services planned for shooting victims](#)

[Another Ivan Lopez — this one in Arizona — wants to clear his name](#)

[Ex-school board president rekindles PAC to oppose \\$89.5 million Eanes bond proposal](#)

[Fort Hood victim's mom, 77, had just met daughter](#)

[Killeen church to light a candle for each Fort Hood victim](#)

[Critics question rules that restrict guns on military posts](#)

[Fort Hood: A closer look](#)

PREVIOUS:
NEWS

Second lawsuit to challenge Texas abortion law

NEXT:
LOCAL

Round Rock woman says dog saved her life in house fire

Popular on MyStatesman.com

[Prosecutor says he's 'very concerned' about Perry's conduct in...](#)

[Sprawling 'Pig Pile' offers unusual theatrical experience](#)

[Serial killer executed with Texas' new drug supply](#)

[Expect Longhorns to be tough, Diggs says](#)

[AdBirds founder Randall Stephens enters Austin mayor's race](#)