



87th Legislative Session

Texas PTA Legislative Priority

JUVENILE JUSTICE REFORM

Support legislation to increase the age of adult criminal responsibility from 17 to 18, and monitor funding for students in Juvenile Justice Alternative Education Programs.

BACKGROUND

- The Texas Juvenile Justice Department is in the third year of a reform of the Juvenile Justice system, constitutionally required to be a safe environment where youth receive treatment and rehabilitation.
- Texas PTA supports policies and funding that restructures the juvenile system by:
 - Closing the large state secure facilities and moving youth and resources closer to their home communities.
 - Reinvesting the savings in county run probation departments to create a continuum of care for youth.
 - Establishing standards of care for youth with mental health diagnoses and youth with intellectual and developmental disabilities.
 - Incorporating plans to include 17-year-olds in the juvenile justice system.
- Texas PTA will continue to educate about the need to raise the age of adult criminal responsibility to 18 years of age.
 - Texas is [one of only 4 states](#) that send all 17-year-olds accused of a crime through the adult criminal justice system, regardless of circumstances or offense.
 - [Only 33 teens aged 17 or younger](#) were incarcerated in an adult Texas prison or state jail as of August 2017 – a small population that could be absorbed by the juvenile system, especially given that the incarcerated juvenile population declined from 1,026 in December 2017 to 879 in June 2018.
 - [95% of 17-year-olds arrested in Texas in 2017](#) were arrested for nonviolent, misdemeanor offenses.
 - Raising the age of adult criminal responsibility would leave in place the certification process by which prosecutors can charge youth (14 and up) with violent crimes.
- Teens in Texas are not considered to be adults until they turn 18 when they are able to vote, join the military, buy lottery tickets, and are no longer required to attend school.
- When 17-year-olds are arrested in Texas, they are treated as adults.
 - 17-year-olds must be charged as an adult for ANY criminal offense of which they are accused.
 - Law enforcement is not required to inform parents of their arrest.
 - Parents do not have the right to be involved in the court process.

Visit txpta.org/legislative-priorities



87th Legislative Session

Texas PTA Legislative Priority

JUVENILE JUSTICE REFORM

- In the adult system, 17-year-olds are subjected to dangerous conditions and legal barriers to rehabilitation.
 - Of all incarcerated people, youth held with adults are at the highest risk of sexual abuse. They are also 36 times more likely to [commit suicide](#) than youth in juvenile facilities and pose a greater risk of being held in [solitary confinement](#) compared to juvenile facilities.
 - Teens in adult facilities can spend [up to 23 hours per day](#) in solitary confinement, which can lead to physical and psychological harm.
 - [Adult criminal records create barriers](#) to getting an education, gaining employment, securing housing, and joining the military.
- 17-year-olds fare better in the juvenile justice system.
 - [According to Centers for Disease Control and Prevention](#), teens who are transferred from the juvenile court system to the adult criminal justice system are approximately 34% more likely to be re-arrested for violent or other crimes than youth kept in the juvenile court system.
 - Youth benefit from more age-appropriate interventions. The focus of the juvenile system is on rehabilitation, providing youth with tools they need to avoid further interactions with the justice system.

Funding for students in Juvenile Justice Alternative Education Programs (JJAEP):

- In May 2020, Governor Greg Abbott [directed state agencies to cut 5%](#) from their current budgets as a result of the economic downturn caused by COVID-19.
- As a result of these cuts, a portion of the funding for educational services for students in JJAEPs was reduced by 5%. Funding for all other students in Texas public schools was protected from the 5% cut. Because all students have a constitutional right to a substantially equal public education, Texas PTA will advocate for statutory changes to protect funding for these students as well.