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Testimony from:
Jesse Kelley, Government Affairs Specialist, R Street Institute

In SUPPORT of HB 344, “AN ACT relating to the age of criminal responsibility and to certain substantive and procedural matters related to that age.”

March 13, 2019

House Committee on Juvenile Justice & Family Issues

Chairman Dutton and members of the committee,

My name is Jesse Kelley, and I am the Government Affairs Specialist for the R Street Institute, a nonprofit, nonpartisan public policy research organization. Our mission is to engage in policy research and outreach to promote free markets and limited, effective government in many areas, including juvenile justice reform, which is why HB 344 is of special interest to us.

The R Street Institute stands in support of Raise-the-Age legislation and encourages raising the age of criminal majority so that cases involving 17-year-olds may remain in the juvenile justice system. Texas is one of only four states that automatically treat 17-year-old youth as adults in the criminal justice system, which harms not only those young people but also the Texas economy and local communities.

Primarily, the R Street Institute believes that young people must be separated from the adult criminal justice system to preserve their physical and mental health and promote future economic success. Children who are placed in the adult system are vulnerable to abuse, sent to solitary confinement and are deprived of age-appropriate services.

Allowing 17-year-old children to be included in the juvenile system would provide them greater access to crucial educational and technical training. This leads to better employment opportunities upon release and an increased chance to grow into responsible, productive adults. Tailored education methods with the goal of post-incarceration employment benefit all justice-involved juveniles, but would be most beneficial for older youth.

We are not blind to the potential costs of treating 17-year-olds as juveniles. However, if this legislation is passed, research shows Texas can expect both long-term economic savings and public safety benefits. Although the initial costs of housing youths in juvenile facilities may be higher than housing them in adult prisons, a young person convicted in the adult system can

expect to earn 40 percent less over his or her lifetime. In contrast, youth who were convicted of a crime but did not go to adult prison have almost as good a chance of finding a job as youths who never committed a crime.

From a national perspective, Connecticut, Illinois, Massachusetts and New Hampshire all passed Raise-the-Age laws despite enormous cost estimates. The feared million-dollar price tags associated with these laws never came to fruition because estimates did not account for the savings amassed from lower recidivism rates. Vincent Schiraldi, a senior research fellow in criminal justice at Harvard's John F. Kennedy School of Government who has studied data gathered from states that have raised the age, suggests that treating 17-year-olds as juveniles may actually reduce public costs over time.

For these and other reasons, we support advancing HB 344 and are happy to make ourselves available for additional questions.

Thank you for your consideration,

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