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Testimony in support of HB 967 from:
Josiah Neeley, Texas Director, R Street Institute

March 22, 2021

House Committee on Juvenile Justice and Family Issues

Chair Neave and members of the committee,

My name is Josiah Neeley. I am the Texas director of the R Street Institute, a center-right, free market think tank that supports limited effective government in many areas, including criminal justice reform. That is why HB 967, which would raise the age of adult criminal responsibility from 17 to 18 years of age, is of special interest to us.

Texas is one of the last three states that still automatically prosecutes 17-year-olds as adults. This policy burdens many Texans with criminal records that can follow them for the rest of their adult lives—preventing them from enjoying rights and privileges and making it more difficult to obtain a decent job, merely because of a mistake they committed as a minor.¹

Treating 17-year-olds as adults will not deter them from committing further crimes in the future. In fact, the evidence suggests the opposite. Minors placed in the juvenile justice system are 37 percent less likely to recidivate than those placed in the adult corrections system.²

Placing minors in adult prisons also creates negative outcomes. Minors who are placed in adult jails and prisons have higher suicide rates and may not receive needed education and schooling. They are also vulnerable to abuse. Nationally, youths comprise less than 1 percent of the prison population, but they are the victims of 21 percent of sexual violence in prisons.³

Besides all of these issues, punishing 17-year-olds as adults wholesale is unnecessary. Other methods, including discretionary waivers, permit minors to be treated as adults in specific and particularly heinous circumstances, while allowing the majority of minors to be treated as the children that they are. Given that the vast majority of 17-year-olds arrested in Texas are arrested for nonviolent and misdemeanor offenses, automatically sending these cases through the adult system makes little sense.⁴

For these reasons, the R Street Institute supports HB 967.



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¹ Jesse Kelley, “Texas Can Reclaim Justice Reform by Addressing Juvenile Justice Issues,” *R Street Shorts*, No. 83, February 2020. <https://www.rstreet.org/wp-content/uploads/2020/02/Short-No.-83-1.pdf>.

² Ibid.

³ See, e.g., “Youth in the Adult System Fact Sheet,” ACT 4 Juvenile Justice, August 2014. <https://www.act4jj.org/sites/default/files/ckfinder/files/ACT4JJ%20Youth%20In%20Adult%20System%20Fact%20Sheet%20Aug%202014%20FINAL.pdf>; Caitlyn Curly, “Juveniles Tried As Adults: What Happens When Children Go to Prison,” *GenBiz*, Nov. 11, 2016. <http://www.genfkid.org/juveniles-tried-adults-happens-children-go-prison>.

⁴ “Crime Records Service,” Texas Department of Public Safety, last accessed March 19, 2021. http://www.dps.texas.gov/administration/crime_records/pages/crimestatistics.htm.