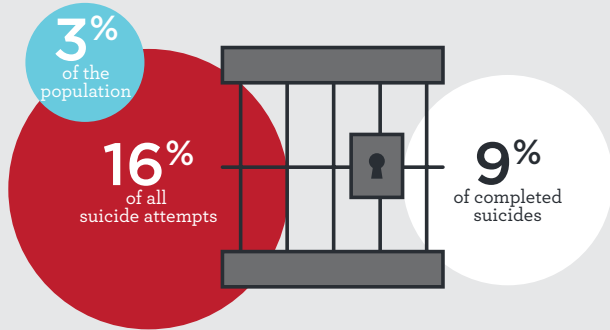


# YOUNG OFFENDERS NEED SAFE, DEVELOPMENTALLY APPROPRIATE REHABILITATION

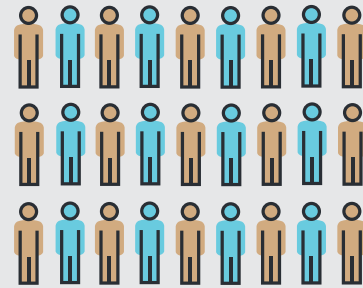
Research and data show that placing youth in adult secure facilities results in harm to youth and higher rates of recidivism.

## Adult Prisons are a Dangerous Setting for Youthful Offenders



Offenders ages 21 and under make up just over 3% of the population in Texas Department of Criminal Justice (TDCJ) facilities, but they account for 16% of all suicide attempts and represent 9% of completed suicides.

Offenders ages 17 and under are at particularly high risk of suicide. In fiscal year 2017, there were **30 17-year-olds at TDCJ** and **30 suicide attempts by 17-year-olds**. Their rate of attempted suicide is 13x the rate of attempted suicide for 18-to-21-year-olds.



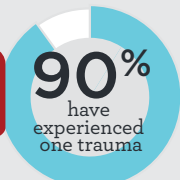
The rate of serious offender-on-offender assaults for inmates 21 and under is 4x the rate for all others in TDCJ.

## Solitary Confinement Harms Youth

71 offenders ages 21 and under were in solitary confinement as of October 2017. Solitary confinement can cause serious psychological, physical and developmental harm to youth who need age-appropriate services for development and rehabilitation.



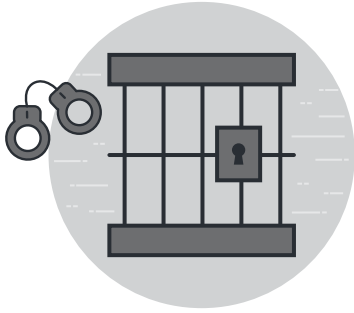
Department of Justice research found more than 50% of suicides of incarcerated youth occurred while in solitary confinement; 62% of them had a history of solitary confinement.<sup>1</sup>



## Justice-Involved Youth Have High Levels of Past Trauma

Some studies estimate that over 90% of justice involved youth have experienced at least 1 trauma with many experiencing more with an average of 5 different types of trauma or violence exposure.<sup>2</sup> Without access to trauma-informed care, these youths' symptoms will be exacerbated by secure confinement and may result in behavioral problems.

# When Young Offenders Don't Get Age-Appropriate Rehabilitation, They Act Out<sup>3</sup>



While there are just under **5,000** offenders aged 21 and under housed in TDCJ facilities, they account for close to **35,000** guilty findings in a disciplinary offense, are responsible for **14%** of serious offender-on-offender assaults and **11%** of serious staff assaults.



Youth in the adult system are approximately **34%** more likely than youth in the juvenile system to be re-arrested.<sup>4</sup>

## Texas Needs to Find Developmentally Appropriate Solutions to Rehabilitate Young Offenders

Over the past three years, the Texas Juvenile Justice Department (TJJD) has significantly increased the percentage of determinate sentenced youth it transfers to TDCJ institutions. TJJD defends this practice as an attempt to discourage disruptions in its own facilities, but its data show this practice isn't working.<sup>5</sup> TDCJ data shows that these youth are at increased risk of harm — and behavioral problems — once transferred.

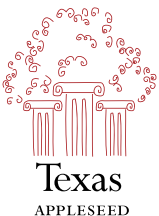
✔ TJJD should fix the systemic problems that contribute to unsafe conditions in its secure facilities rather than shifting youth into settings that expose them to higher risk of harm and poorer outcomes.

Our data shows youth under age 18 are at particularly high risk of harm in TDCJ institutions. Raising the age of juvenile court jurisdiction from 17 to 18 would reduce the number of 17-year-olds being placed in adult facilities where they aren't safe.<sup>6</sup> The Texas Legislature has shown some support for this measure, but has failed to raise the age. Texas is one of a handful of states that has not raised the age to at least 18.

✔ Texas should raise the age of juvenile court jurisdiction in 2019.

TDCJ has developed a program for youth under 18 in an attempt to provide them with age-appropriate rehabilitative services. However, [this program has come under fire recently for poor conditions](#). Brain science tells us that even youth aged 18 to 24 need developmentally responsive programming in order to get back on the path to productive citizenship.

✔ TDCJ should create specific developmentally appropriate programs for youthful offenders 24 and under.



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<sup>1</sup> Hayes, Lindsay M., Dep't of Justice Office of Juvenile Justice and Delinquency Prevention, Juvenile Suicide in Confinement: A National Survey 42 (2009), available at <https://www.ncjrs.gov/pdffiles1/ojjdp/213691.pdf> (The study suggests that, "When placed in a cold and empty room by themselves, suicidal youth have little to focus on - except all of their reasons for being depressed and the various ways that they can attempt to kill themselves."); see also Lisa M. Boesky, Juvenile Offenders with Mental Health Disorders: Who Are They and What Do We Do With Them? 210 (2002).

<sup>2</sup> Rosenberg, H. J., Vance, J. E., Rosenberg, S. D., Wolford, G. L., Ashley, S. W., & Howard, M. L. Trauma exposure, psychiatric disorders, and resiliency in juvenile-justice-involved youth, Psychological Trauma: Theory, Research, Practice, and Policy, 6(4), 430-437 (2014); Abram, K. et al., Posttraumatic stress disorder and trauma in youth in juvenile detention (National Center for Mental Health and Juvenile Justice: OJJDP Juvenile Justice Bulletin. Washington, D.C.: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention (2013); Ford, J. D., Grasso, D. J., Hawke, J., & Chapman, J. F., Poly-victimization among juvenile justice-involved youths, Child Abuse & Neglect, 37(10), 788-800 (2013).

<sup>3</sup> See National Conference of State Legislatures, Principles of Effective Juvenile Justice Policy (Jan. 2018), available at [http://www.ncsl.org/Portals/1/HTML\\_LargeReports/Principles\\_JJ.htm](http://www.ncsl.org/Portals/1/HTML_LargeReports/Principles_JJ.htm) (accessed Jan. 25, 2018) (citing Abram, K. et al., Posttraumatic stress disorder and trauma in youth in juvenile detention (National Center for Mental Health and Juvenile Justice: OJJDP Juvenile Justice Bulletin. Washington, D.C.: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention (2013).

<sup>4</sup> Centers for Disease Control and Prevention. (2007) Effects on Violence of Laws and Policies Facilitating the Transfer of Youth from the Juvenile to the Adult Justice System: A Report on Recommendations of the Task Force on Community Preventive Services. MMWR 2007; 56 (No. RR-9). Available online at <http://www.cdc.gov/mmwr/pdf/rr/rr5609.pdf>.

<sup>5</sup> Recommendations for Next Steps in Juvenile Justice Reform (Jan. 2018), available at [https://www.texasappleseed.org/sites/default/files/Jan2018\\_Texas\\_JuvenileJusticeReformGoals.pdf](https://www.texasappleseed.org/sites/default/files/Jan2018_Texas_JuvenileJusticeReformGoals.pdf).

<sup>6</sup> Texas Appleseed, Raise the Age: 17-Year-Olds in the Criminal Justice System (April 2017), available at [https://www.texasappleseed.org/sites/default/files/Jan2018\\_Texas\\_JuvenileJusticeReformGoals.pdf](https://www.texasappleseed.org/sites/default/files/Jan2018_Texas_JuvenileJusticeReformGoals.pdf).