

[2021 Session] Keep 10- and 11-Year-Olds Out of the Juvenile Justice System

Policy Background

In Texas, 10 and 11-year-olds can and do become entangled in the criminal legal system, despite crime rates being low for this age group.¹ While their numbers have fallen to zero in Texas' state secure facilities as of 2019, county detention beds are still reserved for these young children. Yet, in most cases, children under 12 who break the law are placed on probation, which comes with conditions that even adults struggle to comply with, and which sets youth down the pipeline to prison.

Proposed Solution

Remove 10- and 11-year-olds from juvenile jurisdiction by raising the minimum age of delinquency to 12, which will allow counties to reserve costly supervision services and detention beds for other needs.

Relevant Bills

- **Bill Number:** [HB 1430](#) [Dutton]
Bill Caption: Relating to the age of a child at which a juvenile court may exercise jurisdiction over the child, to the age of criminal responsibility, and to certain substantive and procedural matters related to those ages.
- **Bill Number:** [SB 1552](#) [Hinojosa]
Bill Caption: Relating to the age of a child at which a juvenile court may exercise jurisdiction over the child, to the age of criminal responsibility, and to certain substantive and procedural matters related to those ages.
- **Bill Number:** [HB 1783](#) [White]
Bill Caption: Relating to the age of a child at which a juvenile court may exercise jurisdiction over the child and to the minimum age of criminal responsibility.
- **Bill Number:** [HB 4371](#) [Allen]
Bill Caption: Relating to juvenile justice reform, including the age of a child at which a juvenile court may exercise jurisdiction over the child and the age of criminal responsibility.
TCJE Materials: [Testimony on omnibus bill](#)

Other Materials

- TCJE's "Spend Your Values, Cut Your Losses" [portfolio](#) and [webpage](#) [Smart and Safe Solution #6]
- TCJE [Testimony](#) on the Texas Juvenile Justice Department, submitted to the House Appropriations Subcommittee on Article I, IV & V [March 2021]
- TCJE [Testimony](#) on the Texas Juvenile Justice Department, submitted to the Senate Finance Committee [March 2021]

1 U.S. Department of Justice, Office of Justice Programs, *Juvenile Justice Statistics National Report Series Bulletin*, June 2020.