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TESTIMONY 2013
H.B. 1541

Dear Members of the Committee,

Thank you for allowing me this opportunity to present testimony in favor of H.B. 1541, an effective policy that will provide leadership with more comprehensive information about youth who are incarcerated in adult correctional settings. With this bill, policy-makers are choosing to support the use of empirical evidence to identify the most effective and cost-efficient methods for rehabilitating Texas' youth.

TEXAS MUST EXPAND DATA COLLECTION RELATED TO INCARCERATING YOUTH IN THE ADULT PRISON SYSTEM

Over the past five years, Texas lawmakers have made significant strides in reforming Texas' juvenile justice system. However, the certification and transfer of youth to adult criminal court continue to occur.

At the national level, extensive research has deemed this practice to be harmful to youth, as well as counterproductive to ensuring public safety. Youth who are incarcerated within adult correctional settings face higher risks of both physical and sexual victimization,¹ and they violently recidivate at a much higher rate than their counterparts served in the juvenile system.² The practice of sending youth to the adult system also defies neurological science-based findings, which show the ongoing development of pro-social behaviors during adolescent years,³ warranting age-specific treatment and settings.

Texas should similarly collect information about the consequences of juvenile certification or transfer. State leadership owes it to the youth and to community members to identify whether these practices are effective. By collecting and analyzing specific information about this youth population (e.g., length of confinement, treatment services, rates of recidivism), practitioners will be able to make more informed decisions that will benefit public safety, protect limited resources, and successfully rehabilitate youth.

KEY FINDINGS

- Due to a current lack of data collection, Texas cannot calculate a recidivism rate for youth who are certified as an adult or transferred from Texas' juvenile justice system into the adult criminal justice system. **This leaves practitioners guessing whether costly programming and services are meeting youths' needs.**
- No evidence exists to suggest that incarcerating youth in Texas' adult correctional facilities is effective in rehabilitating youth or ensuring public safety. **Without comprehensive data collection, taxpayers will continue to foot the bill for practices that may ultimately harm public safety in the long term.**

COST-SAVING AND PUBLIC SAFETY-DRIVEN SOLUTION: SUPPORT H.B. 1541 BY REPRESENTATIVE TURNER

H.B. 1541 will address the lack of Texas-specific information on youth incarcerated in adult prisons by calling for the Texas Department of Criminal Justice to conduct a study on the recidivism and rehabilitation rates of youth released from its facilities, using data on youth released from the Texas Juvenile Justice Department as a point of comparison. Specific data to be studied includes, among other items, the length of confinement or supervision; populations with mental illness or substance abuse issues; youth receiving treatment and other behavioral therapy; physical and sexual assaults; suicide attempts or completions; restraints and seclusions; education levels and service provision; and grievances.

Continued on reverse.

With this data, leadership will have clarity on whether sending youth to adult prisons is an effective rehabilitative approach. This will not only benefit long-term public safety and protect limited state resources, it will ensure that youth with the highest needs are given the most appropriate treatment within appropriate settings.

CONCLUSION

Again, I would like to thank you for allowing me the opportunity to provide testimony in favor of H.B. 1541, an effective policy that is smart on crime by helping to identify the most successful approaches for rehabilitating youth. The Texas Criminal Justice Coalition strongly urges you to support this bill and implement evidence-based decision-making in juvenile justice.

Citations

¹ National Prison Rape Elimination Commission, *Report* (June 2009), <http://www.ncjrs.gov/pdffiles1/226680.pdf>.

² Based on a study conducted by the Centers for Disease Control, *Effects on Violence of Laws and Policies Facilitating the Transfer of Youth from the Juvenile to the Adult Justice System* (November 2007), researchers found that youth certified as adults are 34% more likely to violently recidivate.

³ A. Schore, *Affect Dysregulation and Disorders of the Self*, New York: W. W. Norton & Co (2003).