

# Juvenile Justice Reform

The Texas Catholic Conference **supports efforts to reform the juvenile justice system in Texas.**

We bishops cannot support policies that treat young offenders as though they are adults. The actions of the most violent youth leave us shocked and frightened and therefore they should be removed from society until they are no longer dangerous. But society must never respond to children who have committed crimes as though they are somehow equal to adults—fully formed in conscience and fully aware of their actions. Placing children in adult jails is a sign of failure, not a solution. In many instances, such terrible behavior points to our own negligence in raising children with a respect for life, providing a nurturing and loving environment, or addressing serious mental or emotional illnesses. (*U.S. Conference of Catholic Bishops, Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Criminal Justice*)

## *A Texas Bishop Speaks:*

"We have finally gotten scientific proof that just as our entire bodies develop gradually and our brain is part of the body, it does not come with complete maturity and development on a date on the calendar. Juveniles lack discretion, they lack experience, they lack judgment and juveniles can also do terrible things. When that happens they need every possible bit of care that can possibly be made available to them, but they do not need to be placed in a cell for 50 or 60 years."



*-Bishop Emeritus John McCarthy, Diocese of Austin*

## Church Teaching

- ★ Socio-economic factors such as extreme poverty, discrimination, and racism are serious contributors to crime...We cannot ignore the fact that one-fifth of our preschoolers are growing up in poverty and far too many go to bed hungry. Any comprehensive approach to criminal justice must address these factors, but it should also consider the positive impact of strong, intact families. Parents have a critical and irreplaceable role as primary guardians and guides of their children. One only has to observe how gangs often provide young people with a sense of belonging and hope when grinding poverty and family disintegration have been their only experience. And while it is true that many poor children who are products of dysfunctional families never commit crimes, poverty and family disintegration are significant risk factors for criminal activity. Finally, quality education must be available for all children to prepare them for gainful employment, further education, and responsible citizenship. The failure of our education system in many communities contributes to crime. Fighting poverty, educating children, and supporting families are essential anti-crime strategies. (*USCCB, Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Criminal Justice*)
- ★ Judicial and penal institutions play a fundamental role in protecting citizens and safeguarding the common good. At the same time, they are to aid in rebuilding social relationships disrupted by the criminal act committed. By their very nature, therefore, these institutions must contribute to the rehabilitation of offenders, facilitating their transition from despair to hope and from unreliability to dependability. When conditions within jails and prisons are not conducive to the process of regaining a sense of a worth and accepting its related duties, these institutions fail to achieve one of their essential ends. (*Pope Benedict XVI, Address to Participants in the Twelfth World Congress of the International Commission of Catholic Prison Pastoral Care*)

## Resources

- ★ **Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Criminal Justice** (USCCB) ([www.usccb.org/sdwp/criminal.shtml](http://www.usccb.org/sdwp/criminal.shtml))
- ★ **Restore Justice** offers resources and services and educational information for anyone who is affected by crime ([www.RestoreJustice.com](http://www.RestoreJustice.com))
- ★ **Texas Youth Commission** Texas' juvenile corrections agency ([www.tyc.state.tx.us/](http://www.tyc.state.tx.us/))

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The Texas Catholic Conference (TCC) is the association of the 15 Roman Catholic dioceses of the State of Texas, and is the Official Public Policy Voice of the Catholic Bishops of Texas.

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Many youth in our juvenile justice system experience poverty, significant life trauma, or troubles in school. Furthermore, 50 to 75 percent of incarcerated juveniles battle mental health disorders, as compared to just 20 percent of juveniles in the general population. These young people need special attention and age-appropriate services so they can have a second chance. According to the Children’s Defense Fund, “the vast majority of young people caught up in the criminal justice system are not violent and do not re-offend.”

The Texas Catholic Conference supporting increasing resources to prevent juvenile crime and delinquency and promoting polices to rehabilitate juvenile offenders and prevent recidivism, including family strengthening, ending the school-to-prison pipeline, and gang prevention must be an integral piece of juvenile justice programs. The Texas Catholic Conference opposes legislation that is tough on crimes committed by juveniles but put youth at risk of being treated and tried as adults under the federal court system.<sup>i</sup> We are pleased to see that TYC’s LARs do not reflect any cuts to essential programs.

## Length of Time in TYC<sup>ii</sup>

Some courts send youth to TYC with specific sentences, which can be for up to 40 years. State law requires a *minimum period of confinement* in a residential placement. The minimum period of confinement is based upon the severity of the offense committed by the youth. A youth with a determinate commitment is given a chance to participate in treatment in TYC, but if the youth fails to progress in treatment, he or she may be transferred to adult prison on or before his or her 19th birthday. If a determinate commitment youth is successful in TYC treatment and has completed his or her minimum period of confinement, he or she may be allowed to transfer from TYC to adult parole rather than to prison.

A youth with an indeterminate commitment may remain in TYC custody until his or her 19th birthday unless the youth qualifies for early release or discharge. When the youth arrives at TYC, he or she is given a minimum length of stay - which is a *minimum* period of time the youth must remain in a residential placement. The youth is eligible for release to parole supervision once he or she has completed the assigned minimum length of stay and has made sufficient progress in treatment. Just completing a minimum length of stay is not a guarantee of release. If the youth does not complete their treatment program and qualify for release to parole supervision by the end of the assigned minimum length of stay, a TYC Review Panel will examine the youth's progress in treatment to determine if the youth should remain in a residential setting for further rehabilitation.

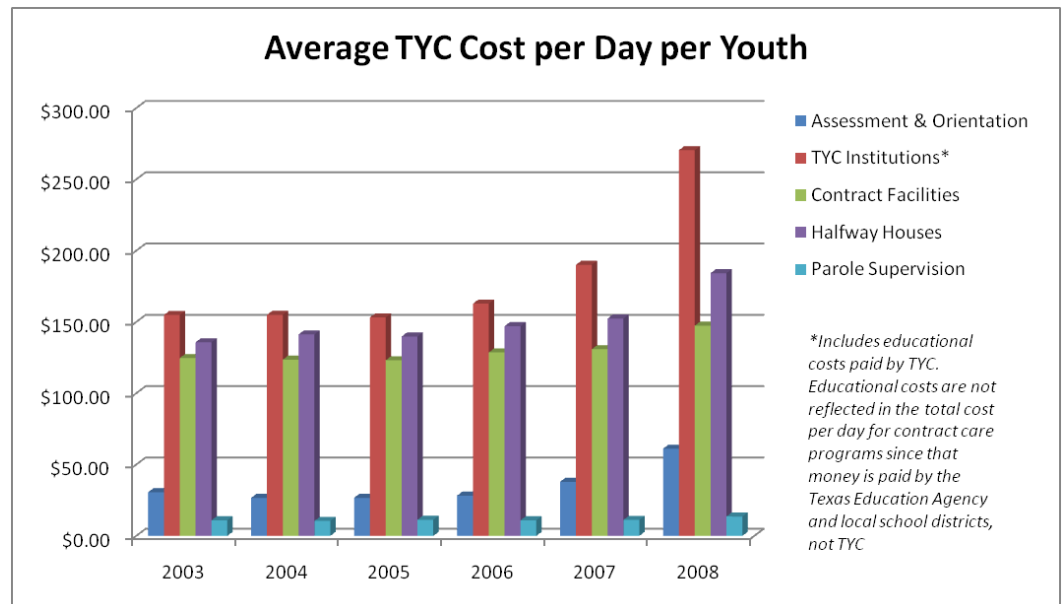


Chart: Cost Per Day Per Youth<sup>iii</sup>  
 (Last updated August 10, 2010, 82<sup>nd</sup> Legislative Session)

<sup>i</sup> "Special Populations: Juvenile Justice." *Catholic Charities USA - Working to Reduce Poverty in America*. Web. 11 Aug. 2010. <[www.catholiccharitiesusa.org/NetCommunity/Page.aspx?pid=649](http://www.catholiccharitiesusa.org/NetCommunity/Page.aspx?pid=649)>.

<sup>ii</sup> "Determining How Long Youth Stay in TYC." *Texas Youth Commission Home*. Web. 11 Aug. 2010. <[www.tyc.state.tx.us/about/how\\_class.html](http://www.tyc.state.tx.us/about/how_class.html)>.

<sup>iii</sup> "Average Cost per Day per Youth." *Texas Youth Commission Home*. Web. 11 Aug. 2010. <[www.tyc.state.tx.us/research/cost\\_per\\_day.html](http://www.tyc.state.tx.us/research/cost_per_day.html)>.