

Coalition wants minors out of adult prisons

February 14, 2017

AUSTIN—A broad-based coalition that includes the Texas Baptist Christian Life Commission insists tough-on-crime Texas should get smart on crime by raising the age of juvenile jurisdiction from 17 to 18.

Texas is one of only seven states where 17-year-old offenders are treated as adults.



John Ogletree “At 17, they physically can’t handle it. They are subject to abuse—sexual abuse, physical abuse—that can warp them for a lifetime,” said John Ogletree, pastor of First Metropolitan Baptist Church in Houston, and one of many faith leaders involved in the [Texas Smart-on-Crime Coalition](#) and its “Raise the Age” initiative.

Although the Prison Rape Elimination Act calls for 17-year-olds to be separated from adults, jails and prisons often fail to comply due to overcrowding, Ogletree noted.

He worked as a jailer and bailiff before he entered practice as an attorney, and those memories stick with him as a minister.

“I’ve seen the dark side of the criminal justice system,” he said. “Texas

needs to raise the age because it is the good and moral thing to do.”

The Texas Department of Public Safety [reports](#) 95 percent of 17-year-olds arrested in 2015 were accused of nonviolent crimes and misdemeanor offenses.

But in Texas, 17-year-old offenders automatically enter the adult criminal justice system, and if incarcerated in an adult facility, they become more likely to re-offend than their 16-year-old peers in the juvenile justice system.

Differences between juvenile and adult systems

A [study](#) by the Centers for Disease Control and Prevention shows young people transferred from the juvenile court system to the adult criminal justice are about 34 percent more likely to be re-arrested than youth who remain in the juvenile system.



Gene McGuire Gene McGuire understands first-hand the difference between the juvenile system and adult incarceration.

While the juvenile system focuses on rehabilitation, in the adult system, “a lot of it is warehousing,” said McGuire, who became a Christian in prison and now works as a chaplain for a family-owned North Texas chain of restaurants.

At age 17, McGuire accompanied his step-brother and older cousin to a tavern to drink and to shoot pool. That night, his cousin robbed and killed

the tavern's proprietor. Although McGuire was not inside the building when the woman was killed, he received a life sentence for second-degree murder.

After nine months in the juvenile system, he entered adult correctional facilities on his 18th birthday, where he spent nearly 35 years before a judge commuted his sentence to time served.

"In juvie, we had classes available, plenty of counselors and teachers, and they were scheduled for you," he recalled. "In the adult system, you're pretty much on your own. It's not geared toward rehabilitation. You have to ask for help. In the juvenile system, they are more concerned about you as an individual."

A criminal record limits opportunities for life

Regardless of the age at which they enter the adult criminal justice system, after offenders serve their time, they leave prison with a criminal record that limits their opportunities for education, employment and housing.



Doug Smith Doug Smith knows about those limitations all too well. Texas lawmakers listen when Smith lobbies for criminal justice reform—not only because of his academic credentials, but also because he speaks with the authority personal experience brings.

"I was the first person in my family to get a master's degree and the first to go to prison," said Smith, a policy analyst with the [Texas Criminal Justice](#)

[Coalition.](#)

Smith graduated cum laude from St. Edward's University and earned his master's degree in social work from the University of Texas at Austin. He also spent nearly six years incarcerated by the Texas Department of Criminal Justice for crimes committed as a direct outcome of his drug addiction.

"There's not any reason to dance around it," he said. "I had a pretty bad problem with addiction, and I found my life spinning out of control."

Smith's substance-abuse problems began with alcohol. Then he moved on to prescription narcotics. Before long, he began using illegal street drugs and committed robbery to support his habit.

The support of a faith community inside prison, the influence of a mentor and involvement in meaningful service through the prison chapel and various programs enabled Smith to turn his life around. Even so, he recognized his criminal record would limit future employment opportunities.

"I wondered if I would be able to have a meaningful life after prison," he said.

Today, he works with the Texas Criminal Justice Coalition to influence public policy decisions to help reduce repeat offenses, keep minors from being incarcerated in adult facilities and make re-entry into free society easier for released ex-offenders.

The organization he serves participates in the Texas Smart-on-Crime Coalition—a network that includes the [Texas Baptist Christian Life Commission](#) and Prison Fellowship, as well as the Texas Association of Business, the Texas Public Policy Foundation, Goodwill of Central Texas and the American Civil Liberties Union.

A life-or-death matter

The Texas Smart-on-Crime Coalition views the “Raise the Age” initiative as an urgent life-and-death matter, not just a long-range public policy goal. A 17-year-old prisoner committed suicide in the Fort Bend County jail Jan. 26.



Elizabeth Henneke “A 17-year-old in an adult facility is 36 times more likely to commit suicide than someone in a juvenile facility,” said Elizabeth Henneke, policy attorney with the Texas Criminal Justice Coalition.

Proposed “Raise the Age” legislation would leave in place a certification process that allows prosecutors to charge older minors accused of violent crimes with adult offenses and authorizes judges to transfer cases to the adult system on a case-by-case basis, she explained.

While incarceration in a juvenile facility costs more per day than incarceration in an adult facility because of the rehabilitative services and educational opportunities offered to young offenders, the reduction in repeat offenses offsets results in long-term savings, she noted.

“The state has to pay a little more on the front end, but it’s a cost-effective approach in the long run,” Henneke said.

“More importantly, it’s a moral imperative. Raising the age puts these 17-year-olds in a safer environment with greater opportunities. It’s giving them another chance to rise to their potential.”

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