

Crime Rates and Youth Incarceration in Texas and California Compared:

Public Safety or Public Waste?

By Mike Males PhD, Christina Stahlkopf PhD, and Daniel Macallair MPA

Texas and California, the nation's two most populous states, are home to 22% of America's youth. Over the last decade, these two states have taken diametrically opposite approaches to locking up juveniles. From 1995 to 2006, Texas increased the number of youth that were incarcerated under the age of 18 by 48%. This was done through harsh sentencing practices that targeted non-violent, property and drug offenders. In contrast, during the same period, California drastically reduced the total number of juveniles incarcerated in youth prisons by 75%—an unprecedented decline—by imprisoning only the most violent offenders (**Table 1 and Table 2**). As a result, Texas, which has 1.8 million fewer juvenile than California, now imprisons substantially more youth than California. These two radically different practices allow for a stark analysis of a long and hotly debated issue: Do higher incarceration rates reduce crime? This paper explores this crucial question.

Imprisonment Trends

The contrasting youth imprisonment practices in Texas and California are striking. Figure 1 illustrates the results of the differing state policies with regard to juvenile incarceration between 1995 and 2006. In 1995, the youth incarceration rate in California was 2.2 times higher than in Texas. However, by 2006, the situation was reversed, and the Lone Star State's juvenile incarceration rate was 2.6 times higher than in California (**Table 1**).

These substantial changes in the youth incarceration rate call for a closer examination of the corresponding changes in the population of incarcerated youth in both states. Specifically, who goes to jail and how has this changed over the last decade?

FIGURE 1: Average Population of Incarcerated Youth per 100,000. Ages 10-17. Texas vs. California (1995-2006).

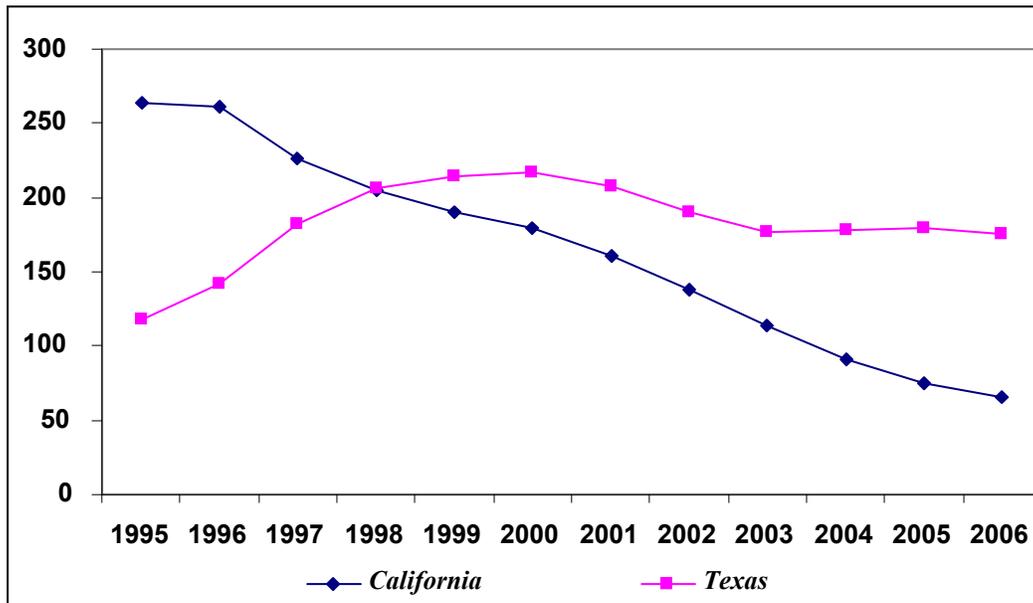


TABLE 1: Youth Incarceration, Texas vs. California (1995-2006).

Year	Average Daily Population Incarcerated		Population 10-17 (000)	
	Rate/100,000	Total Imprisoned	California	Texas
1995	263.5	9,674	3,671.7	2,381.8
1996	261.2	9,772	3,741.8	2,452.5
1997	226.1	8,655	3,828.3	2,505.8
1998	205.2	7,991	3,894.9	2,548.3
1999	190.7	7,556	3,962.0	2,582.7
2000	179.7	7,303	4,065.0	2,607.9
2001	160.6	6,727	4,188.1	2,665.0
2002	138.5	5,954	4,299.7	2,710.2
2003	114.3	5,024	4,394.2	2,728.6
2004	91.4	4,067	4,450.6	2,742.3
2005	74.5	3,348	4,493.4	2,721.5
2006	65.7	2,962	4,505.8	2,732.5
2005 v 1995	-75%	-69%	+4%	+15%

The data reveal several notable disparities and changes. To begin with, there are fundamental differences in the ages of the juveniles incarcerated in both states. In Texas, 18% of the youth incarcerated in state prisons are younger than 15 compared to four-tenths of 1% in California. Moreover, there are 152 juveniles younger than 18 being held in adult prisons in Texas, whereas there are none in California.

Additionally, key proportional inequalities exist between the juvenile populations imprisoned for violent and non-violent offenses. In 2006, nearly two-thirds of young offenders imprisoned in California were held for violent offenses compared to a little more than a quarter of the youth population in Texas jails. This means that Texas imprisons larger numbers of younger offenders for less serious crimes, while California incarcerates older offenders for more serious crimes.

When evaluating current trends in both states with data from a decade ago, these patterns persist. In Texas today, the profile of incarcerated youth has evolved from violent offenders who were generally male in 1995 to young girls arrested for property or drug offenses (**Table 2**). In comparison, the profile of those juveniles imprisoned in California during the decade studied has changed little, except for the fact that there has been a sharp decline in the number of youths jailed for property and drug offenses.

TABLE 2: Trends in Percentages of Incarcerated Offenders.

<u>Characteristics:</u>	<u>State</u>	<u>1995</u>	<u>2005</u>	<u>Change</u>
Percentage of Youth Incarcerated For:				
Murder	California	5.0%	4.0%	-20%
	Texas	5.0%	1.0%	-80%
Violent crime	California	65.0%	63.8%	-2%
	Texas	32.0%	27.0%	-16%
Property crime	California	23.0%	18.0%	-22%
	Texas	35.0%	39.0%	+11%
Drug offenses	California	6.3%	3.0%	-52%
	Texas	9.0%	11.0%	+22%
Percent of Wards That Are:				
White	California	16.4%	13.0%	-21%
	Texas	18.0%	22.0%	+22%
Latino	California	47.1%	51.0%	+8%
	Texas	42.0%	44.0%	+5%
Black	California	27.4%	31.0%	+13%
	Texas	39.0%	34.0%	-13%
Female	California	4.1%	5.0%	+22%
	Texas	7.0%	11.0%	+57%

Effects on Crime

What has been the effect on serious youth crime of the two states' sharply contrasting juvenile incarceration policies? Interestingly, the trends over the last decade in Texas and California are *identical*. Youth crime rates in both states began a steady and consistent decline beginning in 1995 and continued through 2005. Texas's massive increase in youth incarceration produced no changes in youth crime rates relative to California (**Figure 2** and **Table 3**). One can pick particular years or offenses to compare and find slight differences, but this exercise only multiplies the ironies. It is clear that Texas's policy of incarcerating both violent and non-violent, juvenile offenders resulted in only slightly greater declines in violent crimes overall. Meanwhile, by reducing the proportion of nonviolent, juvenile offenders sent to jail for property and drug offenses as well as the number of imprisoned youth overall, California experienced larger declines in rape, burglary, robbery, car theft, and arson.

FIGURE 2: Felony Index Crime Arrest per 100,000. Ages 10-17. Texas vs. California (1995-2005).

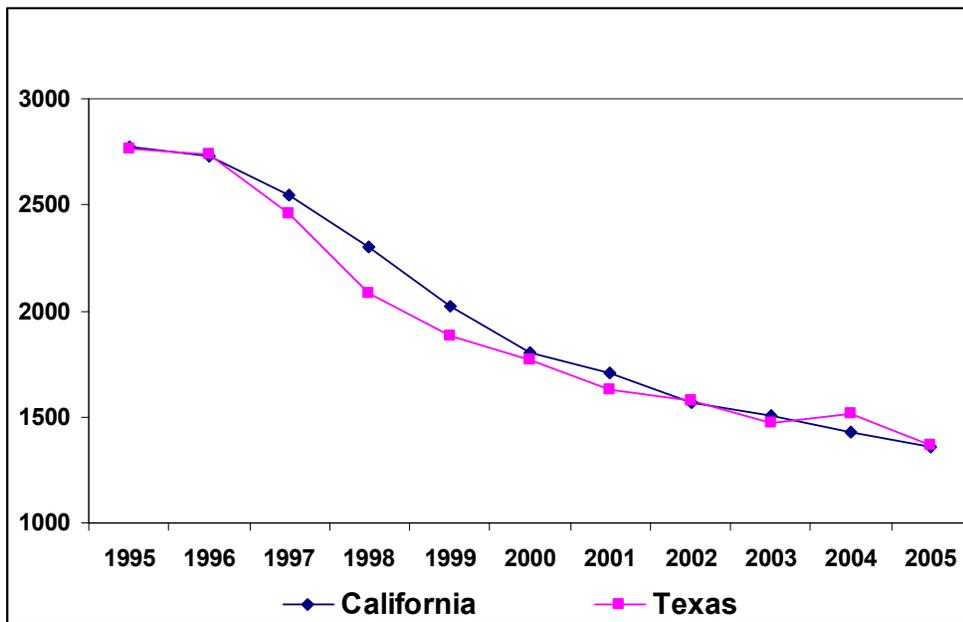


TABLE 3: Index Crime Trends (1995-2005).

Year	Arrest Rates/100,000 Age 10-17		Arrests	
	California	Texas	California	Texas
1995	2,773.8	2,767.8	101,847	65,923
1996	2,727.5	2,735.1	102,058	67,079
1997	2,545.0	2,462.5	97,431	61,706
1998	2,304.4	2,086.5	89,754	53,170
1999	2,026.0	1,883.1	80,271	48,635
2000	1,804.1	1,768.6	73,338	46,123

2001	1,710.8	1,625.0	71,649	43,307
2002	1,567.8	1,573.0	67,409	42,630
2003	1,502.6	1,472.2	66,028	40,172
2004	1,429.9	1,516.9	63,641	41,598
<u>2005</u>	<u>1,357.1</u>	<u>1,365.6</u>	<u>60,980</u>	<u>37,166</u>
2005 v 1995	-51%	-51%		

Extending the trend further back in time does not change these findings. From 1982 to 1994, juvenile offenders were arrested at higher rates for serious felonies in California than in Texas. However, the modest increase in California’s youth incarceration rate that occurred during this period was accompanied by only a modest decline in youth crime. During the same years, the increased incarceration of juveniles in Texas was accompanied by a modest increase in the rates of index offenses committed by youth. Whether examined by crime, year, or historical context, then, higher incarceration rates are not associated with declines in juvenile crime.

Conclusion

The starkly different youth incarceration policies of Texas and California offer a rare opportunity to test theoretical assertions that tougher sentencing policies and higher incarceration reduces crime. Texas’s youth sentencing policies over the past ten years emphasized increased imprisonment for younger offenders for less serious crimes. In contrast, California increased the overall age of young offenders committed to youth correctional facilities and diverted many juveniles who formerly would have been imprisoned. Under incapacitation theory, the significantly higher rates of youth incarceration in Texas should have produced an accelerated decrease in the crime rate relative to California. However, this study has clearly shown that no such differential effect occurred in the crime rates of the two states. This result suggests that juvenile crime control policies that emphasize incarceration and similar punitive measures need to be reconsidered, and that Texas’s current youth incarceration policy is unjustified and unnecessary. Given the recent human rights abuses occurring in Texas and California youth correctional facilities, crime control policies that emphasize non-incarcerative options should be given greater priority. The savings achieved by reduced incarceration could be reinvested in a range of community-based interventions.

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Commitment Profile <http://www.tyc.state.tx.us/research/profile.html>

Average cost per day per youth http://www.tyc.state.tx.us/research/cost_per_day.html