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20 percent of TYC inmates rearrested after release

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CORSICANA, Texas — Nearly 20 percent of juvenile offenders released from the Texas Youth Commission since March have been rearrested, including a parolee accused of sexually assaulting his 79-year-old neighbor in this East Texas town.

More than 2,210 inmates have been released since March 1 as part of the state's reorganization of the commission. Of those, 408 have been rearrested for new offenses, including 43 for violent crimes, according to documents obtained by the San Antonio Express-News and Houston Chronicle.

Earlier this year Texas officials launched investigations and sweeping reforms to state-run youth prisons in response to a sex scandal and a possible coverup by agency officials. Under the changes in state law, youths convicted of misdemeanors and offenders 19 and older may no longer be incarcerated in state youth prisons.

Recidivism among juvenile inmates isn't a new problem — 50 percent of TYC parolees reoffend within three years, according to the agency.

"There are people who are going to get out and reoffend. We know that," spokesman Jim Hurley said. "These kinds of things happen in every state in the union and in every country in the world. Somebody gets paroled and they commit another crime. It is horrific that these things happen, but we have to make decisions based on the law."

Highlighting the recidivism problem is the case of 20-year-old Howard McJunkin, who was sent to TYC at the age of 15 for raping and beating an elderly woman whose lawn he once mowed, officials said.

Thirteen days after his release in July, McJunkin was rearrested and charged as an adult with aggravated sexual assault. He's accused of breaking into the home of his elderly neighbor and raping her, Corsicana police Capt. Kenneth Kirkwood said.

McJunkin refused a request to be interviewed by the newspapers.

When considering reforms this spring, the Legislature didn't change the agency's criteria to parole juveniles. Staff members who make parole decisions can consider only the inmates' behavior inside TYC, and not the seriousness of the original crime or sentence.

Hurley said the agency is unlikely to require original offenses to be considered without lawmakers ordering it.

Prosecutors said they expect more recidivism cases as the TYC works on a state order to trim its inmate population by up to 40 percent.

Bill Hawkins, chief of the juvenile division at the Harris County district attorney's office, said recently released TYC parolees have been arrested on allegations of aggravated robbery in three separate incidents. Two of them were originally sent to TYC for the same crime.

"I'll be surprised if we don't get more of these cases," Hawkins said.

Hurley said the agency is still trying to figure out what to do with 150 offenders between the ages of 19 and 21 who can no longer remain at TYC.

"Just because the crime is really egregious doesn't mean we can automatically send a kid to the adult prison," Hurley said.

<http://www.chron.com/disp/story.mpl/ap/tx/5088269.html>