



## LOCAL NEWS

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### **VIDEO** Harris County a leader in trying teens as adults

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By Dave Fehling / 11 News



11 News report

When a teenager is accused of murder, should they be tried as adult?

One such case come to an end last week: [Ashley Benton](#) getting probation after her murder trial ended in a hung jury.

Harris County is the toughest in Texas on teen criminals, but some question whether it's the right approach, or just passing the buck.

It is a case that symbolizes kids becoming criminals: a city park where baseball bats were used not for a game, but for a gang fight.

It was where Ashley Benton stabbed a 15-year-old. Benton was 16 and became one of an increasing number of Houston teenagers put on trial as an adult.

"The factor is how many kids are committing serious offenses," Harris County prosecutor Bill Hawkins said.

You'd have to go back nearly 10 years to find a time when as many teenagers were being tried as adults in Harris County. Back then, it was a response to an explosion of teen crime. Same thing now, but with a new twist."

Texas law allows 14-, 15- and 16-year-olds who otherwise would be handled in the juvenile system to be tried in adult court if they kill, kidnap, or rape.

In the mid-1990s, the county chose to try as many as 170 teens in one year in adult court.

But over the next few years, the numbers dropped dramatically.

Then, last year, they shot up, and this year an estimated 90 teens were certified to be tried as adults. And it's happening only in Harris County.

In years past, Dallas, Tarrant and Bexar counties hardly come close, rarely choosing to try teens as adults.

"I think it's a very effective way," juvenile court prosecutor Hawkins said.

He said Harris County is doing what Texas wants: being tough on violent teens.

"If all you're going to look at is the best interests of the child — which is no longer Texas' standard — then that's probably not the best course," he said. "But if you look at both the victim and society in general, then that is the right course.

"It changed in the mid-'90s when all the juvenile crime was so terribly out of control," Hawkins said.

The thinking goes because teens are increasingly committing horribly violent crimes, they can no longer be treated leniently.

What's more, Harris County prosecutors said they're more likely now to try kids as adults because of the trouble at the Texas Youth Commission.

"It's very unfortunate what happened there," state Sen. Tommy Williams, of The Woodlands, said. "We're doing what we can to right that situation."

He's talking about the Legislature's efforts to reform the Youth Commission. It once held kids until they turned 21, but lawmakers lowered it to 18.

It means that prosecutors, worried that sentences will be cut short at TYC, are now more likely than ever to try teens in the adult system so they'll go directly to adult prison and stay longer.

This lawyer thinks that's exactly the wrong approach: "And they have not been helped ... I think it needs to take place."

Mike Coulson defends kids in juvenile court, often taking on prosecutors who want to try the kid as an adult.

He said Harris County is too quick to send teenagers off to state prisons and too slow to fund county-run youth centers where early intervention might make a difference.

11 News: "Send them off to the state, make it their problem?"

Coulson: "Let them deal with it."

Let the state deal with the most violent teens from a county where their crimes mean they'll be tried like adults.

