

BILL#SB93_Louise Weissman_Fav
Date of Hearing: February 16, 2023

Louise Weissman
Greenbelt 20770

TESTIMONY ON SB#93 - POSITION: FAV
Juvenile Court – Jurisdiction (Youth Equity & Safety Act)
Ending Automatic Charging of Youth as Adults

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Louise Weissman

My name is Louise Weissman and I am a resident of District 22. I am submitting this testimony in support of SB93, the Youth Equity and Safety Act to make our communities safer and make our youth justice system more equitable. The passage of this bill will ensure all juveniles begin their cases in the juvenile court system.

I am a member of a Jewish congregation, Oseh Shalom in Laurel. One of our most important texts is “*Tzedek tzedek tirdof*” - “*Justice justice you shall pursue*” (*Deut. 16:20*). Jews are guided by the concept of tzelem elohim, which teaches that all people should be treated with dignity, respect, and fairness. People who are Black or Brown, experiencing homelessness and/or mental health crises, those in poverty, and young people facing marginalization are disproportionately targeted for criminalization and are treated with discrimination.

I am the parent of two siblings (now adults) that came out of the foster care system. They joined our family when they were 10 and 8. They both carried multiple mental health challenges. While not engaged in violent activities, as juveniles, they and we were in court on more than one occasion. My husband and I have strong advocacy skills. We are sure those skills, along with our family’s privilege, were factors in helping the children avoid convictions that included jail. If any of their actions resulted from violent acts, we are sure they would have been autocharged. Prosecutors, judges and juries most likely would have missed the point or been insensitive to their history, including severe trauma..

Maryland law requires juveniles to be automatically prosecuted in adult court for 33 kinds of offenses. Per capita, that is the highest number of any state. Last year the state charged the same number of children as adults as Arizona, California, Colorado, Connecticut, Illinois, Kansas, Massachusetts, Minnesota, and Ohio combined. In our state, youth as young as 14 can be tried in adult court depending on the charge a law enforcement levies against them. When young people are automatically charged in adult court, they are more likely to reoffend with more violent crime than children who are charged in juvenile court. The practice conflicts with

scientific understanding of developmental science, and undermines the purpose of the juvenile court system, which pursues rehabilitation, not punishment.

Youth of color are overrepresented at every stage of the Maryland court system. Eighty percent of the kids disproportionately criminalized and incarcerated as adults are Black youth. They are more likely to be tried as adults than white youth, even when charged with similar crimes. Racial inequities are evident in the way youth of color are disciplined in school, policed, arrested, detained, sentenced, and incarcerated.

Twenty-six states have passed laws to treat kids like kids and end automatic charging. Auto-charging juveniles is a pernicious practice and it must end, and **I urge this committee to return a favorable report on SB93.**