

**Written Testimony Submitted for the Record to the Maryland Senate
Judicial Proceedings Committee
For the Hearing on
Juvenile Court – Jurisdiction - Senate Bill 93 (SB93) (The YES Act)
February 16, 2023
SUPPORT**

Free State PTA represents over 50,000 volunteer members and families in over 500 public schools. Free State PTA is composed of families, students, teachers, administrators, and business as well as community leaders devoted to the educational success of children and family engagement in Maryland. As the state's premier and largest child advocacy organization, Free State PTA is a powerful voice for all children, a relevant resource for families, schools and communities and a strong advocate for public education. ***Senate Bill 93, Juvenile Court – Jurisdiction - aligns with Free State PTA's legislative agenda which states the use of compassionate youth justice by advocating for practices that are equitable within the justice system and considers the mental development of youth.***

Senate bill 93 (the Youth Equity and Safety – YES Act) is a very simple bill that many can easily make complicated when delving into details that don't impact the outcome of the bill. Senate bill 93 does one thing: places a child into juvenile court upon the charge of a serious felony instead of an adult court. The bill repeals language and adds no new law. The Free State PTA believes the YES Act helps resolves inequities, increases continuity of educational attainment, and minimizes recidivism while fostering greater access to youth rehabilitative services.

Free State PTA advocates for juvenile and criminal justice. The PTA supports this bill given the inherent inequities that exist when eighty-one percent of youth charged in adult court in Maryland are Black. Because Black youth are more likely to be sent to adult prison and receive longer sentences than their white counterparts for similar offenses, the PTA is fighting against this disparate discipline that this bill attempts to eradicate. Despite all the recent reforms intended to improve the juvenile justice system, judicial waivers in 2017 were the most racially disparate in 40 years. Implicit bias research shows that Black kids are more likely to be seen and treated as adults than white kids. The YES Act along with Free State PTA protects Black youth from discrimination.

From an education perspective, youth detained in a Maryland juvenile facility managed by the Department of Juvenile Services (DJS) are more likely to receive appropriate education while being detained. The Juvenile Services Education Program (JSEP) and its education Board is an independent unit within the DJS that oversees and provides comprehensive educational services to all juveniles placed in a DJS operated detention and residential facility.

Students can receive instruction in coursework aligned with the Maryland State Department of Education (MSDE) graduation requirements. Furthermore, students can receive Career and Technology Education (CTE) certifications, specialized instruction, participate in GED completion, receive comprehensive school counseling support, and post-secondary opportunities. Instruction in core content subjects, library/media services, life skills, and special education services are also

available. Having youth detained in an adult facility denies youth continuity in education while awaiting trial.

In fact, if the opportunity presented itself to have a waiver to change jurisdiction from an adult court to a juvenile court, youth would wait for as long as 140 days in solitary confinement in an adult institution. That experience in-and-of itself is traumatic and reflects the antithesis of trauma-informed care. Free State PTA values the YES Act highlight of rehabilitative services and treatment in juvenile facilities that are evidence-based and crime preventative. Free State PTA supports at all levels eradicating the negative impact of institutional racism. The Association represents all children advocates beyond rhetoric and rise to correct all inequities and injustices, and thus. urge the passing of SB 93.

Sincerely,

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