

February 12, 2024

Carol Stern
4550 North Park Avenue, Apt T106
Chevy, Chase, MD 20815

TESTIMONY ON SB52 - POSITION: UNFAVORABLE)
Juvenile Justice Restoration Act of 2024

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

FROM: My name is Carol Stern. I am a resident of District 16. I am submitting this testimony against SB52- Juvenile Justice Restoration Act of 2024. I am a member of Adat Shalom Reconstructionist Congregation. I also provide this testimony as a mother and grandmother.

The Jewish text that shapes my religious and moral conviction that juveniles must be treated as children and not adults is the directive issued in Deuteronomy 16:20, "Tzedek, tzedek tirdof - Justice, justice shall you pursue." The Jewish sages explain that the word tzedek is repeated not only for emphasis but to teach us that in our pursuit of justice, our means must be as just as our ends. Rabbi Mordecai Kaplan wrote "teach us to respect the integrity of every human soul be it that of a friend or stranger, child or adult." When we are working to reform our criminal justice system, we must demand that it operates in accordance with these deeply held Jewish beliefs.

In 2022, I wrote testimony in favor of both the Child Interrogation Protection Act (CIPA) and the Juvenile Justice Reform Act (JJRA). These laws have made a real difference because every day in Maryland, children entangled in the legal justice system can no longer be questioned without an attorney present. Because of these laws, children do not have to endure the injustice of facing criminal charges, prosecution, and incarceration without their basic due process rights protected.

Unfortunately SB 52, will definitely rollback some of the most important key provisions of these two 2022 laws. This bill lowers the age to 10 that defines a juvenile under this proposed law. Instead of requiring an attorney to be present for a juvenile's questioning, all that would be needed is parental consent for the questioning to take place. In addition, individuals under the age of 13 who use firearms in the commission of a crime can be charged in the juvenile court system. Upon a juvenile's third arrest for a crime that does not fall within the category of "crimes of violence," or a crime committed with a firearm, they will be charged under the juvenile court system.

As a mother of two children and a grandmother of three, I cannot imagine allowing my children or grandchildren to be treated as an adult by the police, in detention or in any court proceeding without an attorney present. This lack of justice must be protected in our state. A child must be treated as a child. Without the reforms in both CIPA and JJRS, the criminalization and incarceration of black and brown youth, who are disproportionately targeted by our justice system, will not be protected.

I respectfully urge this committee to return an unfavorable report on SB52.