

February 13, 2024

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TESTIMONY ON SB0052 - POSITION: UNFAVORABLE
Juvenile Justice Restoration Act of 2024

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

FROM: Jeffrey S. Rubin

My name is Jeffrey S. Rubin. I am a resident of District 15. I am submitting this testimony against SB0052, Juvenile Justice Restoration Act of 2024.

Maryland has a regrettable legacy of being among the worst states in our nation when it comes to how we treat children in the criminal legal system. In 2022, steps were taken to diminish a reliance on overly punitive measures and adopt practices based on data, research, and the science of youth development. SB0052 would have us return to failed policies with flawed rationales.

Rather than making better use of social services, the provisions in this bill would lead to the incarceration of more children. The tough on crime theme has again become popular among some law enforcement officials, despite the evidence strongly indicating that community services and protective measures are more effective ways to change behavior. Contrary to the reasoning behind this legislation, policies that promote the incarceration of youth will increase recidivism and decrease public safety.

Moreover, proponents of this bill will contend that access to an attorney is unnecessary because a parent, guardian, or custodian would be capable of guiding the youth when facing the prospect of a custodial interrogation. However, this is mistaken. People often are not knowledgeable about the nuances of the law. In the stressful setting of a confrontation with law enforcement officials, there is a distinct possibility that neither youths nor their adult guides would be capable of making informed decisions. Having access to an attorney is vital to a child, even more so than it is for adults in custody. The evidence has shown that all too often youths make false confessions when they face custodial interrogation.

I respectfully urge this committee to issue an unfavorable report on SB0052.