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TESTIMONY ON SB#52 POSITION: UNFAVORABLE
Juvenile Justice Restoration Act

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

FROM: Toby Ditz

I am a longtime resident of Bolton Hill in Baltimore City in D 40. I oppose SB052.

I come to the table as fearful as anyone about violent crime. In fact, police statistics for my district show that there has been a substantial uptick in armed carjackings in my neighborhood this fall and winter—some committed by children and youths, some by adults. My very close friend was beaten at gunpoint in December in front of his house just after dropping us off around the corner, and just two weeks ago a 77 year-old neighbor was so violently assaulted during a carjacking that he was hospitalized with severe injuries and had to have surgery. We feel frightened and vulnerable.

Even so, I still believe this bill is the wrong response. As study after study has shown, including the work of your own juvenile justice commission, sweeping more children into the criminal justice system and cutting back on their due process rights will not reduce crime and will blight the futures of minors who might otherwise be helped.

The original Juvenile Justice Protection Act passed by this body rightfully protected younger children from the full force of the criminal justice system: you knew then that criminalizing the behavior, even very dangerous behavior, of the very young, will not solve our problem and exposes them to the brutalizing consequences of the carceral system.

Similarly, we know that our youth, despite their superficial bravado, are typically afraid of police, and many have also experienced trauma. Even my own district police captain said to me privately at a community meeting two months ago that children can easily be made to tell the story that their questioners want to hear. And studies show that even older minors cannot be expected to fully comprehend or evaluate their rights. That is why the original CIPA law strengthened its protections for minors facing custodial interrogation.

Yet here we are in danger of capitulating in an election year to the same hyped up racist media narratives about dangerous black youths that plagued us the 1990s and to false claims that the current reforms “tie the hands of the police and prosecutors.” Don’t retreat from your own

best work. Don't let fear and racial bias stop your reforms in their tracks before they have barely had time to be implemented.

Instead of this reactionary lurch backward to the era of mass arrest and incarceration, let's have the courage of our convictions and invest real resources in major support services, diversion programs, and, where truly necessary, in carceral services that are tailored toward children and their rehabilitation. You and I know that we are not doing this on anywhere near the scale needed. In fact, at a recent panel on youth justice held at my synagogue, Beth Am, Vinny Schiraldi, Secretary of the Department of Juvenile Services, said that among the most painful aspects of his job was noticing "how thinned out" services for youth had become throughout the state over the last decade. That is what we need to fix.

I oppose this unwise, backward-looking bill. It will not make people like me safer, and it will not build better futures for our youth, especially black minors: **I respectfully urge this committee to return an unfavorable report on SB52.**