

HB0636 - Support.pdf

Uploaded by: Anne Kirsch

Position: FAV



PREPARE
PREpare for PARole and REentry

Anne Bocchini Kirsch
Director of Advocacy, PREPARE
anne@prepare-parole.org
(410) 994-6136

**HBO636 - Juvenile Law – Commission to Study the Ability of the
Department of Juvenile Services to Provide Effective Social Services to
Juvenile Offenders - SUPPORT**

There are drastic and frightening changes proposed to juvenile law this session, many of which would result in the incarceration of fourth and fifth graders although no proper infrastructure exists to provide for their care. In fact, there are serious questions about the care that older children are currently receiving in DJS, most recently and seriously illustrated by 200 allegations of sexual abuse at DJS facilities, many of which are still in operation.¹ I am glad to see HBO636 proposing a more measured and conservative approach of studying the problem and building infrastructure first, and placing children in care only when appropriate services are available. I urge a favorable report.

As frustrating as youth crime is, it is important that we never lose sight of the fact that these children are Maryland's future. Reacting quickly and punitively to the actions of children without considering the underlying behavioral causes or providing for proper care and rehabilitation of those children sets a frightening precedent and sets our state up for long term failure. An interesting example of similar action occurred in Rutherford County, Tennessee, where Judge Donna Scott Davenport took it upon herself to incarcerate children for nonviolent crimes.² She worked over two decades, locking up 48% of children that came in front of her (the national average is 5%). Forced into retirement, her legacy is one of abuse, trauma, and racial injustice. The JJRA is a frightening echo of many of her policies, detailed in the cited article.

Rutherford County is a cautionary tale of what happens when a single branch of government takes extreme action against children without consulting those with expertise - people like social workers, mental health workers, educators, and other community stakeholders. Maryland can do better. We know we have a problem - let's take our time, do the work, and develop an effective solution.

¹ Lea Skene, 200 victims allege child sex abuse in Maryland youth detention facilities, Associated Press, 2/8/2024, <https://apnews.com/article/maryland-juvenile-detention-child-sexual-abuse-lawsuits-f16ecfb7c76da6c46f538152c95a215f>

² Meribah Knight, Black Children Were Jailed for a Crime That Doesn't Exist. Almost Nothing Happened to the Adults in Charge., Pro Publica, 10/8/2021
<https://www.propublica.org/article/black-children-were-jailed-for-a-crime-that-doesnt-exist>

PREPARE
PO Box 9738 Towson, MD 21284

SB 636 Fav.pdf

Uploaded by: Christopher West

Position: FAV

CHRIS WEST
Legislative District 42
Baltimore and Carroll Counties

Judicial Proceedings Committee



Annapolis Office
James Senate Office Building
11 Bladen Street, Room 322
Annapolis, Maryland 21401
410-841-3648 · 301-858-3648
800-492-7122 Ext. 3648
Chris.West@senate.state.md.us

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

February 22, 2024
The Maryland State Senate Judicial Proceedings Committee
The Honorable William C. Smith, Jr.
2 East Miller Senate Building
Annapolis, Maryland 21401

Re: Senate Bill 636: *Juvenile Law – Commission to Study the Ability of the Department of Juvenile Services to Provide Effective Social Services to Juvenile Offenders*

Dear Chairman Smith and Members of the Committee,

This is perhaps my most important bill of the session because of the imperative short and long-term impact it could have.

As we're all aware of by now, both chambers of the General Assembly and the Governor have signaled their intention to make juvenile justice a top priority this session. Regardless of on which side one may fall on the policy issues presented by the various juvenile bills pending before us, I think we all agree that it is absolutely essential that the State of Maryland be in a position to provide effective treatment services to juveniles who have gotten themselves in trouble. Accountability and effective treatment for juveniles who are committing crimes is imperative. But repeated testimony that we have received confirms that this is not occurring at present. For example, this Committee has received reports that one youthful offender after another has received no treatment services because "there are no slots available". Such a situation is intolerable. To get to the bottom of this problem and to solve it, I present to the Committee Senate Bill 636.

If passed, this bill will establish a commission to study how effectively the Department of Juvenile Services can provide social services to juvenile offenders. The commission will be comprised of a member of a Maryland State Senate appointed by the chair of this Committee, a Delegate appointed by the Chair of the House Judiciary Committee, an appointee of the Department of Juvenile Services, an appointee of the Office of the Public Defender, an appointee of the Maryland State's Attorney's Association, an appointee of the State Police, and an appointee of the Attorney General.

The best way for me to describe the mission of the proposed commission is to simply read to you the mission statement contained in the bill:

The Commission shall: (1) review and assess the efficiency and effectiveness of the policies and practices of the Department of Juvenile Services relating to: (i) the supervision and monitoring

of juvenile offenders; (ii) treatment programs; (iii) intervention and prevention services; (iv) rehabilitative services; (v) community supervision; and (vi) mental health services provided to juvenile offenders; (2) consider available evidence-based assessments of Department of Juvenile Services programs; (3) develop data relating to the number of juvenile offenders and the length and frequency of juvenile participation; (4) investigate the effectiveness of Department of Juvenile Services programs and services aimed at juvenile offenders; (5) assess the total cost associated with Department of Juvenile Services programs and services within the last 5 fiscal years; (6) make recommendations regarding improvements to the Department of Juvenile Services residential programs; (7) assess and make recommendations regarding the ability of the Department of Juvenile Services to provide social services to juvenile offenders; and (8) make recommendations regarding budgetary appropriations to sustain and improve Department of Juvenile Services programs and services.

Upon reviewing the draft bill prior to this hearing, I realized that an amendment is needed. Currently, the bill requires the commission to render its final report by December 1, 2025 and provides that the commission will sunset on December 31, 2024. Obviously, that timing doesn't work. The amendment will provide that the commission's final report will be due by December 31, 2024 and that the commission will sunset on June 30, 2025. It is vital that this Committee have the commission's work product in hand at the end of this calendar year so appropriate implementing legislation can be enacted in next year's session.

The ultimate goal of all the juvenile bills before the General Assembly this session is to reduce crime, but it will be in vain if we do not have the tools to ensure that juveniles do not become repeat offenders.

I appreciate the Committee's consideration of Senate Bill 636 and will be happy to answer any questions the Committee may have.

MD Catholic Conference_SB 636_FAV.pdf

Uploaded by: Garrett O'Day

Position: FAV



MARYLAND
CATHOLIC
CONFERENCE

February 22, 2024

SB 636

Juvenile Law – Commission to Study the Ability of the Department of Juvenile Services to Provide Effective Social Services to Juvenile Offenders

Senate Judicial Proceedings Committee

Position: FAVORABLE

The Maryland Catholic Conference offers this testimony in support of Senate Bill 636. The Catholic Conference is the public policy representative of the three (arch)dioceses serving Maryland, which together encompass over one million Marylanders. Statewide, their parishes, schools, hospitals and numerous charities combine to form our state’s second largest social service provider network, behind only our state government.

Senate Bill 636 establishes the Commission to Study the Ability of the Department of Juvenile Services (DJS) to Provide Effective Social Services to Juvenile Offenders. On or before December 1, 2025, the Commission would be required to report on its review on the efficiency and effectiveness of the DJS in the supervision and monitoring of youth in its care, including but not limited to the provision of treatment programs and rehabilitative services, as well as mental health services. The Commission would also be mandated to review community supervision procedures and develop data relating to the number of youth in the department’s custody and their time of stay. The Commission would also study the costs associated with DJS programs and services. The Commission would make recommendations as part of its report.

The Maryland General Assembly has made some very important inroads in the last several years, many of which the MCC has supported as we seek to reduce future recidivism and promote a holistic, restorative approach to youth accountability. Whether it was increased educational services for incarcerated youths, limitations on automatically charging youth as adults, eradicating life without parole for juvenile offenders, or ensuring that youth are not housed with adult inmates, all of these efforts were grounded in Church teaching.

In the pastoral statement *Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Criminal Justice* (2000), the United States Conference of Catholic Bishops stated, “We call upon government to redirect the vast amount of public resources away from building more and more prisons and toward better and more effective programs aimed at crime prevention, rehabilitation, education efforts, substance abuse treatment, and programs of probation, parole and reintegration.” As this legislation seeks to review and ensure best practices for system-involved youth, seemingly focused on treatment and rehabilitation, the Conference requests a favorable report on Senate Bill 636.

Gordon Pack's SB 0636 Testimony 2024.docx.pdf

Uploaded by: Gordon Pack, Jr.

Position: FAV



PREPARE
PREpare for PARole and REentry

February 21, 2024

Re: Testimony in Support of SB 0636
Juvenile Law - Commission to study ability of DJS to
provide effective social services to juvenile offenders

Dear Members of the Judiciary Committee:

I am a beneficiary of the Juvenile Restoration Act (JuvRA). Having been adjudicated as an adult in the Criminal Justice System at the age of fifteen, served over 42 years of a life sentence, engaged in specialized treatment for eleven of those years, counseled hundreds of at-risk youth from prison, taught and mentored incarcerated peers, and being released to become a parole advocate and reentry coach, I support SB 0636.

While I am a loyal enthusiast of public safety, accountability, and just desserts, proposed reform to the 2022 Juvenile Justice Reform Act of 2022 lacks a restorative justice component. I agree that there is a need to take action addressing juvenile crime. However, I believe that widening the net for induction in juvenile services is putting the cart before the horse. The Department of Juvenile Service is under functioning. My years of interaction with troubled youth tells me that many exit juvenile services programming worse than when entering.

Something is clearly wrong! The existing structure relied upon to protect and reform our youth has been resulting in irreparable harm to the individual youth and society. Why are our children violating probation? Why do so many continue the behavior which led to DJS involvement in the first place?

So, I applaud this endeavor to determine how to improve our juvenile justice system in order to prevent greater harm. I urge this honorable committee to vote favorably for SB 0636.

Respectfully submitted,

Gordon R. Pack
Gordon@prepare-parole.org
Cell# 410-456-7034

Prepare-parole.org
PO Box 9738, Towson, MD 21284

SB636 FAV.pdf

Uploaded by: Morgan Mills

Position: FAV

February 22, 2024

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

NAMI Maryland and our 11 local affiliates across the state represent a network of more than 58,000 families, individuals, community-based organizations, and service providers. NAMI Maryland is a 501(c)(3) non-profit dedicated to providing education, support, and advocacy for people living with mental illnesses, their families, and the wider community.

SB636 would establish a Commission to study the ability of the Department of Juvenile Services to Provide Effective Social Services to Juvenile Offenders. The Commission is to assess the efficiency and effectiveness of the practices of DJS related to treatment programs and mental health services, among other services provided to juvenile offenders.

One of NAMI MD's main goals is to ensure that people get help early. Early intervention and treatment save lives. Since 50% of all mental illness begins by age 14, and 75% by age 24, it is critical that we promote greater awareness and early identification of mental health conditions in youth. We know that children and youth with mental illness need more support in Maryland.

70% of youth in the juvenile justice system have a diagnosable mental health condition Youth in detention are 10x more likely to suffer from psychosis than youth in the community. Many individuals with mental health conditions become justice-involved due to lack of adequate community mental health services—1 in 4 individuals with serious mental illness will be arrested in their lives.

Maryland youth deserve better—they deserve effective, comprehensive systems of care. By establishing a Commission to study the effectiveness of the Department of Juvenile Services to provide effective social services, we are taking the first step at addressing the gaps in the continuum of care for justice involved- youth.

For these reasons, we urge a favorable report.

SB636 Commission to Study DJS Ability to effective

Uploaded by: Kimberlee Watts

Position: FWA



NATASHA DARTIGUE
PUBLIC DEFENDER

KEITH LOTRIDGE
DEPUTY PUBLIC DEFENDER

MELISSA ROTHSTEIN
CHIEF OF EXTERNAL AFFAIRS

ELIZABETH HILLIARD
ACTING DIRECTOR OF GOVERNMENT RELATIONS

POSITION ON PROPOSED LEGISLATION

BILL: SB 636 Juvenile Law- Commission to Study the Ability of the Department of Juvenile Services to Provide Effective Social Services to Juvenile Offenders

FROM: Maryland Office of the Public Defender

POSITION: Favorable, with Amendments

DATE: 2/21/2024

The Maryland Office of the Public Defender respectfully requests that the Committee issue a favorable report on Senate Bill 636, with the amendments outlined below.

I am Office of the Public Defender's Forensic Mental Health Division Chief, and I have been an attorney representing children in delinquency court for about 25 years.

Children involved in the juvenile delinquency system are not simply "bad kids". They are often children with unmet mental health needs¹, and children with Intellectual and Learning Disabilities². More than 40 years of research indicates that the likelihood of a child committing a delinquent act increases dramatically if the child has a history of child abuse, neglect and involvement with the Department of Social Services.³

¹ Developmental Services Group, Inc. 2017. "Intersection between Mental Health and the Juvenile Justice System." Literature Review. Washington, D.C.: Office of Juvenile Justice and Delinquency Prevention.

<https://ojjdp.ojp.gov/model-programs-guide/literature-reviews/intsection-between-mental-health-and-the-juvenile-justice-system.pdf>

² Developmental Services Group, Inc. 2017. "Youths with Intellectual and Developmental Disabilities in the Juvenile Justice System." Literature Review. Washington, D.C.: Office of Juvenile Justice and Delinquency Prevention.

<https://ojjdp.ojp.gov/model-programs-guide/literature-reviews/youths-with-intellectual-and-developmental-disabilities-in-the-juvenile-justice-system.pdf>

³ Development Services Group, Inc. 2021. Intersection of Juvenile Justice and Child Welfare Systems. Literature review. Washington, DC: Office of Juvenile Justice and Delinquency. <https://ojjdp.ojp.gov/model-programs-guide/literature-reviews/Intersection-Juvenile-Justice-Child-Welfare-Systems#9-0>

Understandably, many Marylanders are questioning whether the Department of Juvenile Services is capable of delivering the services our children need, which is why we support creating a commission to study the ability of DJS to provide effective social services to juvenile offenders.

That being said, we feel that this bill would better serve Marylanders by expanding the commission members. As noted above children in the delinquency system face myriad problems and DJS is far from the only organization providing social services to our children. In fact, schools, the Behavioral Health Administration, and the Department of Social Services may also be providing services to delinquency involved children. Therefore OPD believes members of those agencies should be a part of this commission as well. Further, the importance of the experiences of Juvenile Judges, the families and formerly delinquency involved children themselves can not be understated. No one is in a better position to help evaluate the ability of DJS to provide social services like the people directly involved with DJS.

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue a Favorable report on SB636, with amendments to include the following representatives on the Commission: Representatives from: the Maryland Association of School Principals, Maryland Behavioral Health Administration, Maryland Department of Social Services, the Maryland Judiciary, Maryland Coalition of Families, and an individual who has been under the jurisdiction of DJS.

**Submitted by: Maryland Office of the Public Defender, Government Relations Division.
Authored by: Kimber D. Watts, Supervising Attorney, OPD Forensic Mental Health
Division. Kimberlee.watts@maryland.gov. 410-767-1839**

SB 636_Final.pdf

Uploaded by: Karalyn Aanenson

Position: INFO



DEPARTMENT OF
JUVENILE SERVICES

Aruna Miller
Lt. Governor

Wes Moore
Governor

217 East Redwood Street
Baltimore, MD 21202

Vincent Schiraldi
Secretary

Date: February 21, 2024
Bill Number/Title: SB 636 Juvenile Law – Commission to Study the Ability of the Department of Juvenile Services to Provide Effective Social Services to Juvenile Offenders
Committee: Judicial Proceedings
DJS Position: Letter of Information

SB 636 creates a commission to study the ability of the Department of Juvenile Services (DJS) to provide effective services to juveniles in its care and custody. The commission is to report its findings to the Governor and the General Assembly on or before December 1, 2025.

First, DJS is committed to working with stakeholders to ensure youth in its care and custody have access to effective community-based and residential services and programming. To that end, DJS supports the creation of a commission to review data and identify opportunities to provide effective services to young people involved in the justice system.

Lastly, SB744 creates a more expansive commission by merging two existing entities: DJS's State Advisory Board (SAB) and the Evidence Based Services Commission. This new commission, titled The Commission on Juvenile Justice Reform and Emerging Best Practices, would be required to meet at least 6 times a year, review multiple data sources, and study a number of issues that have been outlined in SB 636.

