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**TESTIMONY ON SB323: Favorable**  
**Juvenile Court - Jurisdiction (Youth Charging Reform Act)**

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

**FROM:** Toby Ditz

I am Toby Ditz, a resident of District 40 in Baltimore City. I am submitting testimony in **support of SB323.**

I am also a retired historian of the United States. One of my specialties is the history of family life. Historical scholarship shows that this country has never been willing to grant poor and Black children the same protections as we do middle class white children. Until the late nineteenth century, all children of the poor were treated as little laborers, not as vulnerable youngsters requiring special care. But our failure to respect or even to recognize Black childhood is also the legacy of enslavement, with its brutal labor regimes and utter disregard for the integrity of Black families— a legacy which was then reinforced by the era of Jim Crow segregation. As implicit bias studies have shown again and again, racist stereotypes of Black children persist strongly to this day. We see them as more dangerous and impulsive than white children, and as older than they are.

The modern criminal justice system has been one of the main inheritors and perpetrators of our differential treatment of white and Black children. The criminalization of Black childhood is at its starkest when we treat children as *if they were adults* in criminal courts. There, they do not have access to rehabilitative and educative services that should be available to the young, and they have greater exposure to violence and solitary confinement (a violation of human rights law).

The practice of automatically charging children in adult courts is also pointlessly cruel because the majority of pre-conviction detention cases will ultimately end up in juvenile court or will be dismissed.

Maryland, we can do better. We must act decisively to disrupt the dismaying history of disparate treatment of Black children in our criminal justice system. Let's start by making sure children are treated as children when they first encounter our courts. **I respectfully urge this committee to return a favorable report on SB323.**