

SB0323_RichardKaplowitz_FAV
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**TESTIMONY ON SB#0323 - POSITION: FAVORABLE
Juvenile Court - Jurisdiction (Youth Charging Reform Act)**

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

FROM: Richard Keith Kaplowitz

My name is Richard Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of SB#/0323, **Juvenile Court - Jurisdiction (Youth Charging Reform Act)**

The Equal Justice Initiative has documented significant problems with charging youth as adults.

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[6 states], Maryland, [6 other states] have no minimum age for the adult prosecution of children. Very young children are vulnerable to unfair pressure when accused of crimes. The absence of a minimum age also exposes very young children to being held in adult correctional facilities, where they are at increased risk of sexual, physical, and psychological abuse.

Hundreds of state and federal laws – from child-labor laws and compulsory education to age-based restrictions on driving, marriage, and even tattoos – recognize that young children need greater protections and more supervision than older teens. Children under 14 are especially immature and impulsive. They have not yet developed mature judgment or the ability to accurately assess risks and consequences. More so than older teens, they are vulnerable to peer pressure and are quick to comply with the wishes of authority figures, making them highly susceptible to false confessions.

The American Bar Association has stated ²

- At its formation, the juvenile justice system was designed to protect youth. The goal was treatment and rehabilitation as opposed to punishment.
- Unfortunately, the United States has a long history of over-criminalizing and policing youth, especially Black and Brown youth.
- Youth should not be tried in adult court because it does not promote rehabilitation, does not deter youth crime, and imposes immense harm on children.

This bill will alter the jurisdiction of the juvenile court by repealing provisions specifying that the juvenile court does not have jurisdiction over a child alleged to have committed any crime punishable by life imprisonment. We should favor rehabilitation over punishment for juveniles.

I respectfully urge this committee to return a favorable report on SB0323.

¹ <https://eji.org/news/13-states-lack-minimum-age-for-trying-kids-as-adults/>

² <https://www.americanbar.org/groups/litigation/resources/newsletters/childrens-rights/should-juveniles-be-charged-adults-criminal-justice-system/>