

Hearing: February 4, 2026
Miriam R. Eisenstein
Chevy Chase, MD

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: Miriam R. Eisenstein

My name is Miriam R. Eisenstein. I am a resident of District 16 in Montgomery County. I am a retired attorney who has had some experience litigating cases concerning the rights of juveniles. In addition, I am a member of Adat Shalom Reconstructionist Congregation. Jewish tradition has been an important source of my values. Consistent with those values, I am submitting this testimony in favor of SB323: Juvenile Court- Jurisdiction - (Youth Charging Reform Act). The bill prevents children accused of certain crimes from being processed and tried as adults.

The rabbis of Talmudic times recognized that laws regarding children needed to progress to incorporate new understandings of what is properly corrective rather than retributive. Thus, they made radical changes in Biblical injunctions regarding the treatment of the so-called "rebellious child" (Deuteronomy 21, Talmud, Sanhedrin 71A), ruling out certain punishments entirely and limiting others. Most of the states in the United States have progressed farther than Maryland in their understanding of the needs of juveniles. It is now rare for children to be sent directly to adult criminal courts to answer for crimes they may have committed. Instead, they are sent initially to juvenile or "family" court. Maryland's law still retains vestiges of an older and less enlightened approach to juveniles.

If sages in the first millennium (A.D.) were capable of embracing progress in their treatment of children, surely the State of Maryland is able to do so as well. The harms done to children, and ultimately to society as a whole, by thrusting children into the adult criminal system, are well documented and well known. Children are subject to trauma, even to physical harm when awaiting trial in adult facilities. If they are sent to solitary confinement (by whatever euphemistic name), the damage may be lasting. Contact with the adult criminal system has been shown to aggravate antisocial tendencies and recidivism. We in Maryland have begun, but have not finished changing the juvenile justice system to conform with both what we know and what we value.

HB409 will advance the cause of updating our juvenile justice laws by removing a set of crimes from the original jurisdiction of the adult criminal courts. This bill is consistent with the values of embracing compassion and wisdom as well as justice for children. **Therefore, I respectfully urge this committee to return a favorable report on SB323.**