



SB 323 Juvenile Court – Jurisdiction (Youth Charging Reform Act)
Position: Favorable

February 4, 2026

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

The Maryland Youth Justice Coalition (MYJC) is a diverse array of organizations dedicated to preventing children and adolescents from becoming involved in the legal system, upholding the highest standards of care when children do enter the legal system, and ensuring a platform for system-involved youth and their families to be heard. MYJC strives for a Maryland where no children are at risk of system involvement and, if they are involved with the legal system, they and their families receive every possible opportunity to define and live safe, healthy, and fulfilling lives through restorative practices supported by our state and local communities.

We urge the Judicial Proceedings Committee to issue a favorable report of SB 323

This legislation seeks to address components of our state’s unacceptable system of automatically charging youth as adults. It eliminates automatic charging for children aged 14 and 15, and reduces the list of charges for 16 and 17-year-olds. While MYJC supports ending the practice of automatically charging people under 18 as if they were adults entirely, and beginning all cases involving youth (17 and younger) in juvenile court, we recognize this compromise legislation as a critical step forward.

Maryland is a National Outlier on Automatic Charging

Under current Maryland law, some 14 and 15-year-olds, and most 16 and 17-year-olds are required to be automatically prosecuted in adult court for [33 offenses](#) – putting us out of step with other states and international human rights law. Due to this unusually long list of automatic charges, Maryland sends more young people per capita to adult court based on offense type than any other state except for Alabama.ⁱ Maryland also ranks 4th highest in the country for the number of people convicted as adults when they were children, according to a [2024 report](#) from Human Rights for Kids (HRFK).

Automatic-charging Harms Youth Wellbeing and Public Safety

Research shows that treating kids as if they were adults, in the adult criminal legal system, puts them at far greater physical, emotional, and psychological risk, and leads to higher rates of recidivism. **Youth charged in adult court are less likely to receive rehabilitative services, which makes them more likely to reoffend than similarly situated youth charged in juvenile court.ⁱⁱ Adult charging results in increased physical violence, sexual violence, and isolation.** According to the 2024 HRFK reportⁱⁱⁱ about individuals incarcerated as children in Maryland:

- Nearly 80% were placed in solitary confinement as children
- Over 80% reported experiencing abuse from staff or other incarcerated people
- Only 28.23% of people incarcerated as children have received treatment to address any of the various traumas they experienced prior to their incarceration

The Current System is Biased Against Black Youth

Black youth, overwhelmingly Black and brown, are overrepresented at every stage of the Maryland court system.^{iv} Rampant racial inequities are evident in the way Black kids in particular are disciplined in school, policed and arrested,^v detained, sentenced, and incarcerated.^{vi} These inequities persist even after controlling for variables like offense severity and prior criminal record. **Nearly 80% of youth charged in adult court in Maryland are Black.**^{vii} Black youth are more likely to be prosecuted as adults^{viii}, and receive longer sentences than their white counterparts for similar offenses, in part because Black kids are more likely to be seen and treated as adults than white kids.^{ix}

“Tough on Crime” Laws Criminalize Kids and Make Us Less Safe

Research shows that “tough on crime” policy shifts during the 1980s and 1990s have negatively impacted children, families, and Black communities. These laws were fueled by high-profile criminal cases involving youth, sensationalized coverage of system-involved youth by the media, and crusading politicians who warned that juvenile “super-predators” posed a significant threat to public safety. The general sentiment — not based on research or data — across the political spectrum was that treatment approaches and rehabilitation attempts did not work. However, time has shown that harshly punishing kids by trying them in the adult system has failed as an effective deterrent.^x Studies have found higher recidivism rates among kids tried and sentenced in adult court than among kids charged with similar offenses in juvenile court.

Automatically Charging Kids as Adults is Inefficient and Costly for the State

Keeping children and communities safe should be our highest priority. That's why we must improve laws for teenagers facing adult criminal charges. Maryland's juvenile justice system is designed to hold teens accountable by providing them with tools and resources to change their behavior and avoid future involvement in the criminal legal system. Yet every year, hundreds of kids are placed in the adult criminal justice system instead. And every year, judges decide to have 87% of these cases sent to juvenile court, dismissed, or granted probation – an expensive process that costs over \$20 million a year. This system is wasting resources that could go towards violence prevention and rehabilitative services that actually reduce crime. By requiring cases to start in juvenile court where a judge can review a case and decide whether it is in the best interest of both the youth and our communities to move the case to adult court, Maryland legislators would help produce better outcomes for youth, improve community safety, and save taxpayer money.

This evidence-based reform is long overdue. The first bill on automatic charging was introduced in 2013. Since that time, *three commissions* appointed by three different Governors have recommended ending automatic charging, including the Commission on Juvenile Justice Reform & Emerging & Best Practices (CJJR) created by the General Assembly in 2024 – [2025 Commission report](#). We can and must treat our kids better. Since the year 2000, half of the states have narrowed or eliminated automatic pathways to adult court.^{xi} Maryland should follow suit and pass SB 323 this year.

MYJC respectfully requests that this committee return a favorable report on SB 323

ACLU of Maryland	Maryland Coalition to Reform School Discipline
Advance Maryland	Maryland Defenders Union
Baltimore Algebra Project	Mental Health Association of Maryland
Baltimore Jewish Council	Maryland Out of School Time Network
BRIDGE Maryland, Inc.	Ortega Law, LLC
Campaign for the Fair Sentencing of Youth	Out For Justice
CASH Campaign of Maryland Center for Criminal Justice Reform, University of Baltimore School of Law	Public Justice Center Quaker Voice of Maryland
Center for Violence Prevention at the University of Maryland, Baltimore	R Street
The Choice Program at UMBC	The Rebuild, Overcome, and Rise (ROAR) Center of UMB
Disability Rights Maryland	Sayra & Neil Meyerhoff Center for Families, Children and the Courts
Fenix Youth Project Inc.	The Sentencing Project
The Gault Center: Defenders of Youth Rights	Showing Up for Racial Justice Baltimore (SURJ)
Human Rights For Kids	Strong Schools Maryland
Jewish Community Relations Council (JCRC) of Greater Washington	Youth As Resources
Jews United for Justice	
Maryland Alliance for Racial Equity in Education	
Maryland Association of Youth Service Bureaus (MAYSB)	
Maryland Catholic Conference	

Sources

ⁱMaryland JJRC and Marcy Mistrett, National Trends in Charging Children as adults, The Sentencing Project (July 20, 2021)

ⁱⁱ Centers for Disease Control and Prevention. (2007). [Effects on violence of laws and policies facilitating the transfer of youth from the juvenile to the adult justice system: A report on recommendations of the task force on community preventive services;](#)

ⁱⁱⁱHuman Rights for Kids, [Disposable Children The Prevalence of Child Abuse and Trauma Among Children Prosecuted and Incarcerated As Adults in Maryland](#), 17 (2024)

^{iv} Hagan J, Shedd C, Payne MR. Race, ethnicity, and youth perceptions of criminal injustice. *American Sociological Review*. 2005;70(3):381-407. See also, DJS Data Resource Guide FY2021, 241.

https://djs.maryland.gov/Documents/DRG/Data_Resource_Guide_FY2021.pdf.

^v Monroe CR. Why Are “Bad Boys” always Black?: Causes of Disproportionality in School Discipline and Recommendations for Change. *The Clearing House: A Journal of Educational Strategies, Issues and Ideas*. 2005;79(1):45-50. doi:10.3200/TCHS.79.1.45-50

^{vi}Douglas Young, et al, [Disproportionate Minority Contact in the Maryland Juvenile Justice System](#) , Institute for Governmental Service and Research, University of Maryland, College Park

^{vii}Maryland Governor’s Office of Crime Prevention and Policy. *Juveniles charged as adults*. Retrieved from

<https://app.powerbigov.us/view?r=eyJrIjoiaNzQzYTBlYmMtNzVmOC00OGE2LWFkNzktZDliYzg5NzEyODU2liwidCI6IjYwYWZlOWUyLTQ5Y2QtNDliMS04ODUxLTY0ZGYwMjc2YTJlOCJ9>.

^{viii} <https://www.baltimoresun.com/2025/01/29/marylands-youth-are-unfairly-criminalized-guest-commentary/>

^{ix} Soler M. Health issues for adolescents in the justice system. *Journal of Adolescent Health*. 2002;31(6):321–333.

^x https://humanimpact.org/wp-content/uploads/2018/10/HIP_JuvenileInJusticeReport_2017.02.pdf

^{xi} Mistrett, M., & Espinoza, M. (2021, December 16). *Youth in adult courts, jails, and prisons*. The Sentencing Project.

<https://www.sentencingproject.org/reports/youth-in-adult-courts-jails-and-prisons/>