



RACIAL EQUITY IMPACT NOTE

DEPARTMENT OF LEGISLATIVE SERVICES
MARYLAND ▪ GENERAL ▪ ASSEMBLY

2025 Session
HB0873

Juvenile Law - Juvenile Court Jurisdiction - Theft of a Motor Vehicle

Bill Summary

This bill expands the juvenile court's jurisdiction to include a child who is at least age 10 and is alleged to have committed an act that, if committed by an adult, would constitute theft of a motor vehicle pursuant to § 7-105 of the Criminal Law Article, if the child has previously been referred to an at-risk youth prevention and diversion program, as specified, for a violation of § 5-133 (possession of a regulated firearm); § 5-134 (sale, rental, or transfer of a regulated firearm); § 5-138 (sale, transfer, or disposal of a stolen regulated firearm); § 5-142 (removal or alteration of an identification mark or number on a firearm); § 5-203 (possession of a short-barreled rifle or short-barreled shotgun); or § 5-703 (untraceable firearms/violating serial number requirements for firearms) of the Public Safety Article.

Racial Equity Impact Statement

The bill takes specified cases involving motor vehicle theft by children younger than 13 that result in child in need of supervision (CINS) petitions under existing law and moves them into the juvenile court's delinquency jurisdiction. While Black youth are overrepresented in both Department of Juvenile Services (DJS) complaints for youth under 13 and CINS petitions, the bill will likely apply to a small number of youth. According to DJS data for fiscal 2024, only 10 offenses for motor vehicle theft or unauthorized use of a vehicle were attributed to youth under 13. Due to the small number of youth potentially affected by the bill, the equity impacts are likely to be minimal.

Analysis

In general, the juvenile court has jurisdiction over children who are alleged to be delinquent, a CINS, or who have received a citation for specified violations. The juvenile court also has jurisdiction over peace order proceedings in which the respondent is a child.

The juvenile court has jurisdiction over a child who is at least age 10 and is alleged to have committed an act that would, if committed by an adult, be (1) a “crime of violence” (as defined in § 14-101 of the Criminal Law Article); (2) specified crimes involving handguns and firearms; (3) aggravated cruelty to animals; or (4) third-degree sexual offense. Outside of these circumstances, the juvenile court does not have jurisdiction over a child younger than age 13 for purposes of a delinquency proceeding, and such a child may not be charged with a crime. A child of any age may be adjudicated a CINS and subject to the juvenile court’s jurisdiction under applicable provisions.

Section 7-105 of the Criminal Law Article – Motor Vehicle Theft

A person may not knowingly and willfully take a motor vehicle out of the owner’s lawful custody, control, or use without the owner’s consent. Violators are guilty of a felony and on conviction subject to imprisonment for up to five years and/or a fine of up to \$5,000. Violators must restore the motor vehicle or, if unable to restore the motor vehicle, pay the owner the full value of the motor vehicle.

“Owner” means a person who has a lawful interest in or is in lawful possession of a motor vehicle by consent or chain or consent of the title owner.

Child in Need of Supervision Petitions – Motor Vehicle Theft

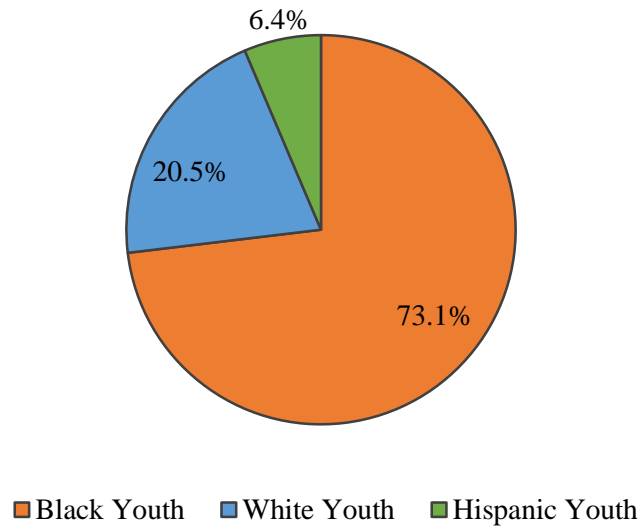
Pursuant to Chapter 735 of 2024, if a law enforcement officer alleges that a child younger than age 13 committed an act that would constitute motor vehicle theft under § 7-105 of the Criminal Law Article, the officer must forward the complaint to DJS to file a petition alleging that the child is in need of supervision. Upon receipt of such a complaint, a DJS intake officer must authorize the filing of a CINS petition, subjecting the child to the jurisdiction of the juvenile court for CINS proceedings.

Impacts of the Bill

According to DJS, for fiscal 2024, CINS offenses accounted for 48% of all intake charges for youth younger than age 13, and 1.7% of all intake charges were for auto theft or unauthorized use of a vehicle. No information was available regarding what portion of this total were youth that had been previously referred to an at-risk youth prevention and diversion program for firearm offenses, or their race or ethnicity.

While no data is available on the demographics of youth younger than 13 charged with auto theft or unauthorized use of a vehicle, the overall composition of DJS intakes for this age group is primarily Black youth. DJS received 1,084 complaints for youth under 13 in fiscal 2024, or 7.6% of all complaints in that year. As shown in **Exhibit 1**, Black youth comprised 73% of that total, while 21% were white youth and 6% were Hispanic youth.

Exhibit 1
DJS Intakes for Youth Under Age 13
Fiscal 2024

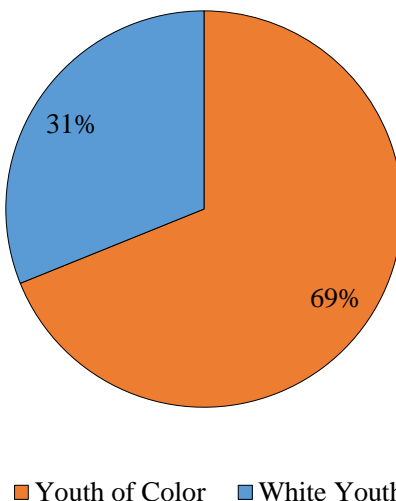


Source: Department of Juvenile Services; Department of Legislative Services

Juvenile Court CINS Dispositions

In fiscal 2024, over 800 CINS offenses were assessed at intake by DJS. CINS offenses include when a child is a danger to self and others, runaway, truant, or ungovernable. As shown in **Exhibit 2**, 69% of this population are youth of color.

Exhibit 2
Juvenile Court CINS Offense Intakes
Fiscal 2024



Source: Department of Juvenile Services; Department of Legislative Services

Conclusion

The statewide racial and ethnic demographics of complaints for youth under age 13 illustrate that youth of color, especially Black youth, in this age group are overrepresented for DJS intake complaints. The bill would move youth between the ages of 10 and 12 who are accused of motor vehicle theft from CINS to the juvenile court's delinquency jurisdiction if they have been previously placed in an at-risk youth prevention and diversion program for specified firearm offenses. Intake complaints for youth under age 13, however, comprise a relatively small portion of the overall juvenile population managed by DJS and complaints for motor vehicle theft or unauthorized use of a vehicle encompassed only a handful of individuals in fiscal 2024. Thus, the bill's impacts are likely to be negligible assuming current intake trends continue.

Information Sources: Department of Juvenile Services; Department of Legislative Services

Analysis by: Dr. Jasmón Bailey

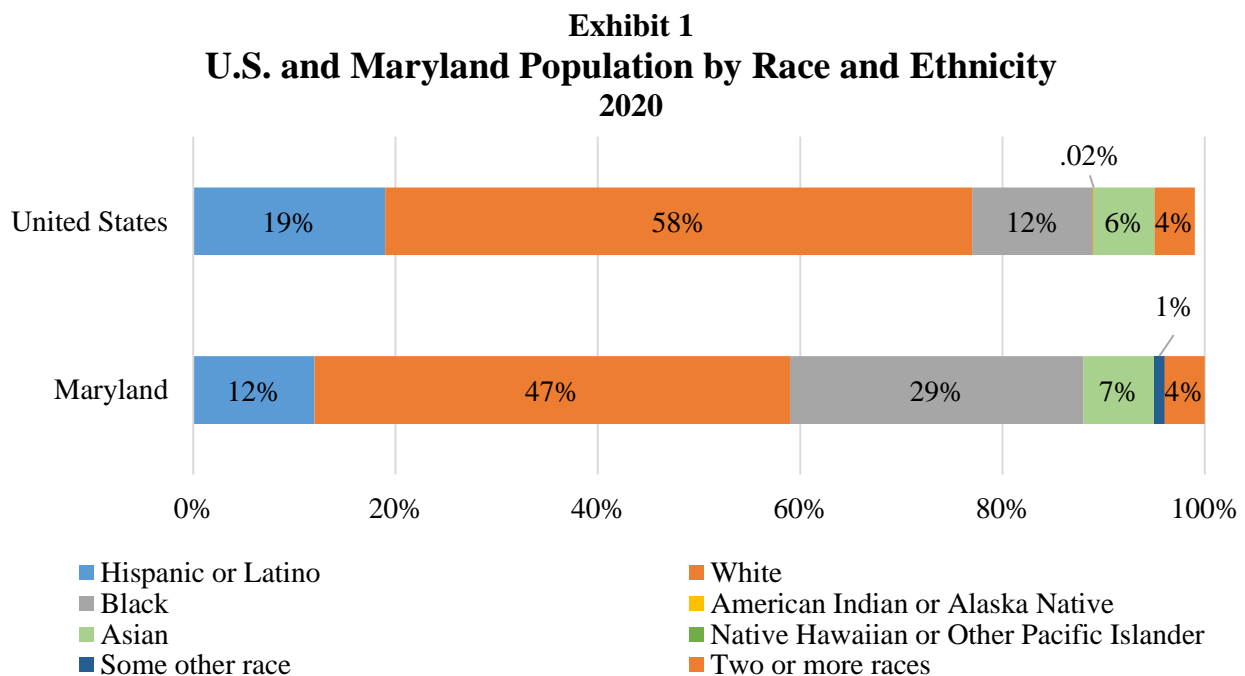
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Appendix – Maryland Demographics

Race and Ethnicity of the Maryland Population

Maryland’s 2020 census population is 6,177,244, a 7% increase from the 2010 census count and approximately 2% higher than the 2019 census population estimates. In addition to an increase in population, Maryland’s racial demographics have become more diverse. Maryland is now a state in which racial minorities make up a majority of its total population. Notable changes relevant to this shift are the increase in groups who identify as “other” and “multiracial” (*i.e.*, two or more racial identities), which total 5% of the State’s population. Additionally, the change in demographics is due to the decrease in the number of individuals who only report “white” as their racial group. Despite this decrease, non-Hispanic whites remain the largest race demographic group in the State at 47% of the State’s population.

Compared to the U.S. population overall, Maryland’s population of individuals who identify as a single race is more diverse. Maryland is ranked as the fourth most diverse state by the U.S. Census Bureau’s [Diversity Index](#). As shown in **Exhibit 1**, in Maryland, 47% identify as white alone compared to 58% of the national population. Similarly, 51% of the population identify as non-white or multi-racial compared to 38% of the national population. In both the State and national populations, the largest shares of the non-white population are individuals who are Black, with 29% of the State population identifying only as Black and another 2.5% identifying as Black in combination with some other race. Maryland’s Asian population is 7%, which is slightly higher than the Asian share of the national population of 6%. The State’s overall population by ethnicity, however, is slightly less diverse than the U.S. population; 12% of the State’s population identified as Hispanic or Latino compared to 19% of the U.S. population.



Source: U.S. Census Bureau, 2020 Census Redistricting Data (Public Law 94-171), Table ID P2, HISPANIC OR LATINO, AND NOT HISPANIC OR LATINO BY RACE.