



"Being here for Maryland's Children, Youth, and Families"

Testimony submitted to Senate Judicial Proceedings Committee

February 5, 2020

**SB 248 - Juvenile Law - Jurisdiction –
Attempted Carjacking and Attempted Armed Carjacking
Oppose**

The Maryland Association of Youth Service Bureaus, which represents 12 Bureaus throughout the State of Maryland, opposes Senate Bill 248 - Juvenile Law - Jurisdiction - Attempted Carjacking and Attempted Armed Carjacking. Youth Service Bureaus provide prevention, intervention and treatment. SB248 expands the reasons a youth can be charged as an adult. We believe that this action does not correspond with the State's movement toward a juvenile system that is developmentally informed.

A developmentally informed approach to juvenile justice recognizes the need to hold youth accountable for their actions while also offering them the resources and opportunities to divert them from future involvement with the juvenile justice system. It recognizes that youth are still maturing and that their brains are not fully developed until after age 24. According to a 2016 report produced by Maryland's Department of Juvenile Services looking at six years of data, 60% of youth automatically sent to the adult justice system either had their case dismissed or sent back to the juvenile system. These youth were needlessly exposed to an adult criminal system and endured more court time as their cases were either dismissed or moved to the juvenile system. Allowing youth to start in the juvenile system will decrease the expose of youth to the adult system, a system whose mission is punishment rather than rehabilitation. Youth whose crimes warrant being heard in an adult court can be waived up to the adult court.

A developmentally informed system is also fair and works to ensure that all youth receive fair and equal treatment. This bill will assist the State of Maryland in addressing racial and ethnic disparities (RED) found in the juvenile justice system. Data in Maryland shows that youth of color are disproportionately impacted at each decision point in the juvenile justice system. The Data Resource Guide 2018 for the Department of Juvenile Services shows that 70% of youth who came into their system were youth of color. Of the 8,800 youth whose case were formalized, 78% were youth of color. Of youth Committed to DJS care, 88% were youth of color. This bill will help ensure fair treatment for youth of color as currently they are more likely to be charged as adults. The 2016 GOCCP and DJS report "Juveniles Charged as Adults and Held in Adult Detention Facilities: Trend Analysis and Population Projections" shows that 87% of youth charged as adults in 2016 were youth of color. This bill will likely increase the number of youth pushed further into the justice system.

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MAYSB believes that following a developmental informed approach to juvenile justice is important and allows youth the opportunity to be held accountable for their actions while also offering them the resources to develop along with their non-incarcerated peers.

At its core this model recognizes that the thinking and maturity of juveniles is not equal to that of adults and works to offer them opportunities to change and learn from their mistakes.

We respectfully ask you to oppose this bill.

Respectfully Submitted:

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