



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

**Testimony of Senator Jill P. Carter
In Favor of SB0706 - Juvenile Law - Informal Adjustment
Before the Senate Judicial Proceedings Committee
on March 10, 2020**

Mr. Chairman, Vice chair, and Members of the Committee:

SB0706 attempts to provide youth who have had contact with the juvenile justice system an additional opportunity to have their cases informally adjusted and, therefore, avoid suffering the negative consequences of a formal juvenile record.

This is a rare situation where all the stakeholders agree that this bill is a good thing. We have the Department of Juvenile Services, prosecutors, and the Office of the Public Defender on the same side. Everyone involved wants this additional tool in their toolbox.

Under current law, only an intake officer of the Department of Juvenile Services (DJS) has the discretion to decide if a young person is a good candidate for informal adjustment. If that decision is taken, the intake officer forwards the case to a DJS case manager, where a case plan is created for the youth and, if he or she successfully meets the conditions of the plan, the case is withheld from the State's Attorney's Office and no juvenile record is created.

The proposed law allows the parties to ask the court to refer the case back to DJS for an informal adjustment. For that to happen, all parties have to agree that this is appropriate.

There are a number of positive benefits of this, including ensuring that the severity of the offence and the culpability of the youth is in line with the level of court involvement, and allowing youth to remain with their families, in their communities, and enrolled in school wherever possible.

The Department of Juvenile Services sees great success with the informal adjustment process. They show completion rates of over 90%. These children are getting the services they need without having to go through formal adjudication and bear the additional burdens it places on everyone involved. If the process, for whatever reason, fails, the case can proceed as usual with formal adjudication.

By diverting more youth from the formal process of the juvenile justice system, this bill can help ensure that youth meet the terms and conditions set forth by DJS without suffering the collateral consequences of a formal juvenile record.

I urge this committee to issue a favorable report on SB 706.

Very Truly Yours,

A handwritten signature in blue ink that reads "Jill P. Carter". The signature is written in a cursive, flowing style.

Jill P. Carter