



ARCHDIOCESE OF BALTIMORE † ARCHDIOCESE OF WASHINGTON † DIOCESE OF WILMINGTON

February 20, 2020

HB 842

Juvenile Law – Informal Adjustment

House Judiciary

Position: Support

The Maryland Catholic Conference offers this testimony in SUPPORT of House Bill 842. The Catholic Conference represents the public-policy interests of the three (arch)dioceses serving Maryland, including the Archdioceses of Baltimore and Washington and the Diocese of Wilmington, which together encompass over one million Marylanders.

Under the Maryland Code, when the Department of Juvenile Services receives a new juvenile case at “intake”, an intake conference will take place, where an Intake Officer will evaluate whether a case would be best evaluated through court action or by an “informal adjustment”. The Code, however, does not expressly provide a judge with the discretion to divert a case for an informal adjustment after the intake stage.

House Bill 842 would expand the abilities of a judge to grant an informal adjustment even after the intake officer has decided the case would require court action. Therefore, it would provide the judge with a second opportunity to consider the case for diversion, without an admission of guilt by the alleged youthful offender which could result in unwarranted consequences. Moreover, it does not undermine the authority of the States’ attorney, as all parties must still agree on the judge’s decision that an informal adjustment would be appropriate.

As an advocate for restorative justice, particularly within the juvenile system, the Maryland Catholic Conference supports any opportunity to give young people the chance to amend their lives through an alternative method, where warranted. There are many cases where an anger management course, a rehabilitation facility, or a service requirement might be more appropriate. As the United States Conference of Catholic Bishops states, “People must be held accountable for their actions but justice and restoration must be the object of punishment which must have a constructive and reformatory purpose” (*Restorative Justice: Healing and Transformation of Persons, Families and Communities*, USCCB, 2015). Providing the opportunity for an informal adjustment gives the judiciary one more option for resolving the case with the well-being and future of the child and the community in mind.

It is for these reasons that the Catholic Conference requests your support for House Bill 842.