



**Senate Bill 853
Testimony in Support
Players Coalition**

**Maryland Senate Judicial Proceedings Committee
Submitted: March 1, 2021**

Thank you for the opportunity to provide written testimony in support of Senate Bill 853, on behalf of PC Advocacy Initiative, an Ohio nonprofit corporation doing business as Players Coalition and recognized as a tax-exempt organization pursuant to Section 501(c)(4) of the Internal Revenue Code (“Players Coalition”).

Players Coalition, directly and in connection with its affiliate organization, PC Charitable Foundation, an Ohio nonprofit corporation recognized as a tax-exempt organization pursuant to Section 501(c)(3) of the Internal Revenue Code, works with professional athletes, coaches and owners across leagues to improve social justice and racial equality in our country. We work to make an impact at the federal, state, and local levels and have active members here in Maryland.

Senate Bill 853 would take several important steps toward downsizing Maryland’s juvenile delinquency system and has potential to decrease the system’s racial disparities. We respectfully ask the Senate Judicial Proceedings Committee to vote favorably on SB 853.

Numerous studies have found that most young people will simply outgrow their delinquent behavior without intervention by the court system,¹ but the United States continues to incarcerate children at the highest rate in the world. Nearly 2,000 children are arrested each day—more than 750,000 per year—and on any given night, more than 40,000 children are held in jail- or prison-like facilities.²

Black and brown youth bear the outsized burden of this country’s addiction to incarceration. Black youth are 2.5 times more likely to be arrested than white youth, Black children are detained at nearly five times the rate of white children, and two-thirds of the children in the juvenile court system are children of color.³ The overrepresentation of Black youth in the juvenile legal system is not due to differences in youth behavior,⁴ but to the legal system’s disproportionate criminalization of the behavior of Black children.

¹ Anthony Petrosino, et al., *Formal System Processing of Juveniles: Effects on Delinquency*, CAMPBELL SYSTEMATIC REVIEWS (Jan. 2010); Ed Mulvey, et al., *Pathways to Desistance*, NCJRS.GOV (JAN 2014), <https://www.ncjrs.gov/pdffiles1/nij/grants/244689.pdf>.

² Children’s Defense Fund, *The State of America’s Children 2020: Youth Justice*, <https://www.childrensdefense.org/policy/resources/soac-2020-youth-justice/>.

³ *Id.*

⁴ Skiba, R. J. (2000). *An analysis of school disciplinary practice*. Policy Research Rep. No. SRS2. Bloomington, Indiana Education Policy Center (noting that overrepresentation of Black students is related to referral bias on the part of school officials).



Maryland Senate Bill 853 proposes four important reforms that have potential to decrease the size of the state's delinquency system, reduce racial disparities, and relieve the state's young people from the burden of juvenile court involvement. SB 853 would:

1. Set the minimum age of juvenile court jurisdiction at 13;
2. Increase opportunities for diversion from the delinquency court system;
3. Limit the length of probation supervision; and
4. Disallow the use of juvenile jail and prison for low-level offenses.

Each of these proposed reforms would move Maryland's system to be more in line with what both research and common sense tell us about children and adolescents. The youngest children do not belong in the legal system at all, and should receive support they need in the community. Given children's propensity to grow out of delinquent behavior, as well as the negative impacts of juvenile court involvement, every effort should be made to divert youth before they enter the delinquency court system.

Probation supervision should be limited in length of time and scope, and should focus on building the skills young people need to succeed. Limiting the amount of time youth spend on probation and using incentive-based probation practices that reward youth with decreases in the amount of time on probation can "improve outcomes and reduce costs with no harm to public safety."⁵

The arrest, prosecution, supervision, and incarceration of children has profoundly negative direct and indirect impacts on young people, their families, their communities, and public safety. And when we incarcerate young people, we subject them to risks of increased victimization, recidivism, school drop-out, and long-term physical and mental health issues.⁶ SB 853 will help protect youth from the stigma of juvenile court involvement and the harms associated with incarceration.

⁵ *Transforming Juvenile Probation: A Vision for Getting it Right*, The Annie E. Casey Foundation, p17, <https://www.aecf.org/resources/transforming-juvenile-probation/>.

⁶ Andrea J. Sedlak et al., U.S. Dep't of Justice, Office of Juvenile Justice & Delinquency Prevention, *Nature and Risk of Victimization: Findings from the Survey of Youth in Residential Placement* (2013), OJJDP Juv. Just. Bull., <https://www.ojjdp.gov/pubs/240703.pdf>. Allen J. Beck et al., U.S. Dep't of Justice, Office of Justice Programs, *Sexual Victimization in Juvenile Facilities Reported by Youth* (2012), <https://www.bjs.gov/content/pub/pdf/svjfry12.pdf>. Thomas J. Dishion & Jessica M. Tipsord, *Peer Contagion in Child and Adolescent Social and Emotional Development*, 62 Ann. Rev. Psychol. 189 (2011), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3523739/>. Umberto Gatti et al., *Iatrogenic Effect of Juvenile Justice*, 50 J. Child Psychol. & Psychiatry 591 (2009). David S. Kirk & Robert J. Sampson, *Juvenile Arrest and Collateral Educational Damage in the Transition to Adulthood*, 86 Soc. Educ. 36 (2013), <http://www.asanet.org/sites/default/files/savvy/journals/soe/Jan13SOEFeature.pdf/>. Elizabeth S. Barnert et al., *Does Incarcerating Young People Affect Their Adult Health Outcomes?*, 139 Pediatrics 1 (2017), <https://pediatrics.aappublications.org/content/pediatrics/139/2/e20162624.full.pdf>.



Players Coalition respectfully encourages the Maryland Senate Judicial Proceedings Committee to vote favorably on Senate Bill 853, an important step forward in eliminating the social injustices and racial disparities of the state's delinquency system.

Sincerely,

Aveion Cason (NFL player, retired)