

Maryland Criminal Defense Attorney's Association



MD Senate -Judicial Proceedings Committee

January 27, 2022 1:00pm

Hearing on SB 165

Juvenile Court - Jurisdiction

MCDAA POSITION: SUPPORT

Brief bill explanation: The bill makes changes to the system by which individuals are placed in either adult court or juvenile court. This bill moves us to a system which allows prosecutors and judges to decide who belongs in adult court - after a full and fair hearing, but prior to a hearing on the charges.

Simply put, Maryland's system of charging youth directly as adults in criminal court does not work for youth, for families, or other stakeholders.

This bill gets young people into treatment faster, and limits unnecessary detention and delays for witnesses, crime victims, and other stakeholders. This bill also reflects the reality in Maryland courts: when judges finally make decisions about who belongs in adult court, they overwhelmingly decide juvenile court is the right place for juveniles - - even under the current system by which the juvenile has the burden of showing they belong in juvenile court.

Maryland did good work ten years ago in reforming the harmful practice of holding juveniles in adult facilities pending transfer hearings. Since that time, while other states have taken leadership roles, Maryland has not changed their outdated system. This bill brings Maryland back to the forefront of juvenile justice reform.

For additional information or questions regarding this legislation, please contact MCDAA Government Relations Contact John Giannetti 410.300.6393, JohnGiannetti.mcdaa@gmail.com