



Unitarian Universalist Legislative Ministry of Maryland

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Testimony in Support of HB 459 - Juvenile Justice Reform

TO: Chairman Clippinger and Members of the House Judiciary Committee

FROM: Karen “Candy” Clark, Lead Advocate, Criminal Justice Reform
Unitarian Universalist Legislative Ministry of Maryland.

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The Unitarian Universalist Legislative Ministry of Maryland supports HB 459 as an important reform of our juvenile justice system that will limit the practice of automatically charging children as adults for many crimes. Other states have changed similar policies, and it is time for Maryland to do the same.

Charging a child with a crime and processing him or her through the adult criminal justice system is a significant decision with potentially devastating consequences for the child, the family, the community, and society as a whole. That decision should be made with great care and should never be automatic when the child does not have a history of delinquency or commits a nonviolent offense or misdemeanor.

HB 459 retains the practice of automatically charging children in adult court for the most serious and violent crimes, but it requires a more considered approach to others and creating opportunities for informal adjustment before a child is charged. Before we expose child offenders to the traumatic, harsh conditions of adult prosecution, we have an obligation to use forms of administrative diversion that could attempt to resolve the harms of the offense itself and deter future unlawful acts.

These changes are especially needed in light of the disproportionate impact of current policies on communities of color: 80% of those automatically charged as adults are Black, yet only about 10% of the juveniles charged as adults are ultimately convicted.¹ Automatic transfer to adult court doesn’t usually result in convictions, it keeps Black children in detention and takes them out of consideration for any services that could provide rehabilitation or treatment and prevent future unlawful conduct.

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<https://www.baltimoresun.com/politics/bs-md-pol-maryland-juvenile-justice-reform-20211222-zxc3wrnn6vef7iwluiyjur5lpy-story.html>

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This bill aligns with many of our Unitarian Universalist principles by honoring the inherent worth and dignity of these young people. It presents various ways to help them better prepare themselves for their future. Our juvenile policies should incorporate compassion, equity and justice, and HB 459 is a major step in that direction. It is designed to collectively consider the age of the juvenile, the current personal circumstances that impact the juvenile's development and behavior, the type of offense, the type of punishment and which kind of treatment is best to help this particular young person grow into fulfilling their full potential on a path that will result in our young people becoming healthy, and accountable young adult citizens.

Such a robust task requires a large variety of programs, specialists, community involvement and other means to make this possible. Alternatives range from home detention, parole, local juvenile detention centers, and/or community-based interventions (e.g. drug treatment, personal management groups, mentoring).

HB 459 calls for the involvement of the Departments of Human and Juvenile Services and when appropriate, health, mental health, and educational services will be a part of the planning for a child's case.

Looking forward towards improved programming, we also applaud the creation of a Commission on Juvenile Justice Reform and Emerging and Best Practices to research and evaluate the cost effectiveness of "culturally competent, evidence-based, and promising practices" relating to child welfare, juvenile rehabilitation, mental health services, and prevention and intervention services. It also requires "giving special attention to organizations located in or serving historically underserved communities, identifying strategies to enable community-based organizations that provide services for juveniles to evaluate and validate services and programming provided by those organizations."

We ask for a favorable report on HB 459 in hopes of offering these deserving young people a better chance of becoming healthy accountable young adults.

Respectfully submitted,

Karen Clark

Lead, Criminal Justice Advocacy Team