



Testimony to the Judiciary Committee

HB 294 - Juvenile Court - Jurisdiction

Position- Support

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The League of Women Voters is a nonpartisan organization that works to influence public policy through education and advocacy. The League supports social policies that promote the health and safety of all Americans, including children, and advocates against systemic racism in the justice system. We are concerned that Maryland's juvenile justice system does not adequately protect the rights of children and children of color are disproportionately impacted.

Maryland law requires children as young as 14 to be automatically charged in adult court for 33 offenses. The Human Rights for Kids National State Rating Report (2020) ranks Maryland worst in the country for protecting the legal rights of children. Twenty six other states have passed laws to protect children and end automatic charging.

HB 294 mandates that defendants under the age of 18 enter the justice system through the juvenile courts. While it does not preclude the possibility of a minor being tried in an adult court, it shifts the burden of proving why a case should be "waived up" to the state. This process protects vulnerable young people from unnecessary violence and mental anguish, as well as saving considerable time and expenses for the court system.

Ending automatic charging of children in adult courts also results in less crime and is widely supported. Research shows that charging children in adult courts leads to higher recidivism and more violent crime. The Maryland Juvenile Justice Reform Council voted overwhelmingly to end automatically charging children in adult court. A broad number of groups, ranging from the American Psychiatric Association to the National Sheriffs' Association, have policy statements in support of judicial hearings over automatic transfer.

Additionally, ending automatic charging is a racial justice issue. 81% of children charged in adult court in Maryland are Black. They are more likely to be sent to adult prison and receive longer sentences than white children. The disparity in automatic charging is not due to increased offenses by Black children, but issues with law enforcement and the courts.

The LWVMD, representing 1500+ concerned citizens throughout Maryland, strongly urges a favorable report.