



TESTIMONY IN SUPPORT OF HB 459 BEFORE THE MARYLAND HOUSE JUDICIARY COMMITTEE

February 10, 2022

Dear Chairman Clippinger and Members of the Maryland House Judiciary Committee:

Human Rights for Kids respectfully submits this testimony for the official record to express our support for HB 459. We are grateful to you, Chairman Clippinger, for your leadership in introducing this bill and appreciate the Maryland Legislature’s willingness to address these important human rights issues concerning Maryland’s children.

Over the years too little attention has been paid to the most vulnerable casualties of mass incarceration in America — children. From the point of entry and arrest to sentencing and incarceration our treatment of children in the justice system is long overdue for re-examination and reform.

Human Rights for Kids is a Washington, D.C.-based non-profit organization dedicated to the promotion and protection of the human rights of children. We work to inform the way the nation understands Adverse Childhood Experiences (ACEs) from a human rights perspective, to better educate the public and policymaker's understanding of the relationship between early childhood trauma and negative life outcomes. We use an integrated, multi-faceted approach which consists of research & public education, coalition building & grassroots mobilization, and policy advocacy & strategic litigation to advance critical human rights on behalf of children in the United States.

Human Rights for Kids supports HB 459 because, among other things, it will increase the minimum age for children to be adjudicated delinquent in Maryland. The continuing practice of criminalizing young children in Maryland is a human rights abuse. Specifically, Article 40 of the UN Convention on the Rights of the Child states that lawmakers must create “a minimum age below which children shall be presumed not to have the capacity to infringe the penal law.” Setting a minimum age under 10 when young children lack the capacity to develop criminal intent is a human rights abuse.

Adverse Childhood Experiences

In the vast majority of cases, children who come into conflict with the law are contending with early childhood trauma and unmitigated adverse childhood experiences (ACEs), including psychological, physical, or sexual abuse; witnessing domestic violence; living with family members who are substance abusers, suffer from mental illness or are suicidal, or are formerly incarcerated. Studies

We would ask this Committee and the General Assembly to treat children like children and begin the process of ending the school-to-prison pipeline.

Redemption for Maryland

Nelson Mandela once said, *“There is no keener revelation of a society’s soul than the way in which it treats its children.”* What does it say about our soul then if we allow very young children to be arrested and adjudicated in the juvenile justice system when they are too young to even develop criminal culpability?

Historically, Maryland’s policies established the state as one of the worst human rights abusers in the nation when it comes to children in the justice system. But with the passage of HB 459, Maryland can find redemption by recognizing that kids are different and should be treated differently in the justice system.

For these reasons, we strongly urge this committee to vote favorably upon HB 459 and end the human rights abuse of adjudicating young children in the juvenile justice system. Thank you for your consideration.



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CEO & Founder
Human Rights for Kids