

House Bill 459 Juvenile Justice Reform
Judiciary Committee
February 10, 2022
Position: SUPPORT

The Mental Health Association of Maryland is a nonprofit education and advocacy organization that brings together consumers, families, clinicians, advocates, and concerned citizens for unified action in all aspects of mental health, mental illness, and substance use. We appreciate this opportunity to present testimony in support of House Bill 459.

HB 459 implements a range of reforms aimed at diverting young Marylanders from the youth justice system. Mental health disorders are prevalent among children in the juvenile justice system. A recent meta-analysis suggested that at some juvenile justice contact points, as many as 70 percent of youths have a diagnosable mental illness.¹ While there appears to be a prevalence of unmet mental health need in the juvenile justice system, the relationship between mental health and the system's involvement is complicated.

Youth involved in the juvenile justice system frequently exhibit elevated rates of substance use and mental health disorders. Many of the studies examining this issue have found that over two-thirds of juvenile justice-involved youth have a mental health diagnosis or need. Over 20% have a mental health disorder that could be diagnosed as severe.² Common diagnoses include behavior disorders, conduct disorders, oppositional defiant disorders, antisocial behaviors, mood disorders, substance use disorders, anxiety disorders, and attention-deficit/hyperactivity disorder.

In addition to youth with mental health needs, we also find that youth of color are overrepresented in the juvenile justice system. For example, in 2013, while the national arrest rate for white youth was 26.0 arrests per 1,000 persons in the population, the arrest rate for African American youth was 63.6 per 1,000, nearly 2.5 times higher.³ Several large-scale efforts have synthesized and analyzed individual research studies' body on racial disparities in the juvenile justice system. Most of these studies examine whether disparities still exist after legal and extralegal factors are taken into account.

While the rate at which mental health and behavioral health resources are used in juvenile justice settings is low in general, it is even more deficient for African American and other minority youth. **For these reasons, MHAMD supports HB 459 and urges a favorable report.**

¹ Young, D., Yancey, C., Betsinger, S., & Farrell, J. (2011, January). Disproportionate Minority Contact in the Maryland Juvenile Justice System. Retrieved February 23, 2021, from <https://goccp.maryland.gov/wp-content/uploads/juvenile-dmc-201101.pdf>

² Ibid.

³ Robles-Ramamurthy, B., & Watson, C. (2019, February 13). Examining racial disparities in juvenile justice. Retrieved February 23, 2021, from <http://jaapl.org/content/early/2019/02/13/JAAPL.003828-19>