

TESTIMONY in favor of HB 459
Juvenile Law - Juvenile Justice Reform

TO: Chair Clippinger, Vice Chair Atterbeary, and members of the Judiciary
FROM: Samantha Blau, on behalf of Baltimore Action Legal Team

My name is Samantha Blau and I am the Policy Director of Baltimore Action Legal Team (BALT). I submit this testimony in favor of House Bill 459.

Baltimore Action Legal Team works from a community lawyering model, meaning that instead of using the law for an individual client, we work on behalf of the needs and requests of our community. Over the course of our work operating a bail fund, private home detention fund, education campaigns for the Baltimore Consent Decree, and executing litigation to protect community members from the harms of pretrial injustice, we have seen how the juvenile legal system operates. The juvenile legal system, and the legal system that allows juveniles to be charged as adults, is a major contributing factor to Maryland having the most disproportionately Black prison population in the country.

Most people have never witnessed a bail hearing, and even less have witnessed a bail hearing where children are being charged in adult court. Many of our clients for whom we have covered the costs of their court-ordered pretrial private home detention are children who are charged in adult court. I would like to share with the committee some things a person learns watching children be treated as adults in the court system. The first is that kids don't get an education when they are in the adult system, many kids who request a bail review ask the judge if they can go back to school. The second is that Baltimore has a high rate of pediatric asthma, double the rate of the national average¹ in fact. So many of the children in Baltimore bail reviews are seeking medical help for their asthma and the jail is unable to accommodate them. The third thing you learn watching bail reviews for children is that many of the kids who are caught up in the justice system have been failed by every other system our society has to offer them. Children who have gone to public schools are facing hunger, physical and psychological abuse from caregivers, and untreated mental health issues. Getting their case waived down to juvenile court is sometimes the very first time a state actor has intervened to give them the services that they need.

Our children are functioning members of our society. They are students, members of faith organizations, neighbors, employees, and customers. They are also children. They are developing, they are growing, they are the potential of what our society might be. Whether you look at kids as people already contributing to society or as the future of our peoplehood, the result is the same. Maryland children are important resources and we shouldn't be giving up on them by disappearing them to rot in the adult prison system.

On behalf of BALT, I urge a favorable report on HB 459.

¹ <https://abell.org/publications/pediatric-asthma>