



Maryland Defenders Union
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February 8, 2022

RE: FAVORABLE, HB 294

Chair Luke Clippinger
Judiciary Committee
Maryland House of Delegates

Dear Chair Clippinger, Vice Chair Moon and Members of the Judiciary Committee:

The Maryland Defenders Union writes in strong support of HB 294 to end the automatic charging of children in Maryland's adult Circuit Court. As core staff, social workers and attorneys at the Office of the Public Defender, we work directly with children charged as adults and know firsthand all of the problems our current charging process creates. These "Transfer" hearings traumatize the children charged, their families and all of those involved in the cases, including the victims. Also, these hearings are a tremendous waste of resources for our Courts and related agencies.

Most importantly, I urge your support for this bill because children should be treated as children. Through personal and parenting experience, many of us have witnessed what experts from the American Psychiatric Association and numerous other brain science experts have concluded in their various studies – Children brains are not fully developed. Therefore, children lack the decision making ability that their adult counterparts possess.

Also, having a conviction on their record as children can negatively impact them forever. Unfortunately, many of our clients have been unable to secure employment, housing and other basic needs based on criminal convictions. Charging all children in juvenile court would allow more children the opportunity to have a second chance at turning their lives around with treatment and services.

Finally, I ask you to pass this bill to promote racial justice, fairness and equity. As with so many other aspects of our court system, automatic charging has resulted in the disproportionate charging of children of color. In my courthouse, according to recent data from the Department of Juvenile Services, 95% of children facing adult charges are children of color.

Again, I ask you for your support for this important bill to promote justice in our state. Thank you for your consideration.

Sincerely,

Marci Tarrant Johnson
President, Maryland Defenders Union