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THINK JEWISHLY. ACT LOCALLY.

TESTIMONY ON HB294/SB165 - POSITION: FAVORABLE
Juvenile Court – Jurisdiction

TO: Chair Clippinger, Vice Chair Moon, and members of the Judiciary Committee

FROM: Evan Serpick, on behalf of Jews United for Justice (JUF)

My name is Evan Serpick. I am a resident of District 41 in Baltimore City. **I am submitting this testimony on behalf of Jews United for Justice in support of HB294/SB165, Juvenile Court - Jurisdiction.** JUFJ organizes 6,000 Jews and allies from across Maryland in support of local social, racial, and economic justice campaigns.

The Jewish tradition places an enormous emphasis on the protection of children. In Jewish text, children are viewed as gifts from God to be cherished and guided, even and especially when they are struggling or in distress. A traditional story tells of a scholar so deep in his religious pursuits that he doesn't hear his child cry out. The scholar's father - an even more eminent scholar - attends to the child and scolds his son: "No matter how lofty your involvements, you must never fail to hear the cry of a child."

HB294 would end the practice of automatically referring certain juvenile cases to adult court and would leave that decision in the hands of judges on a case-by-case basis. The evidence is clear: sending children to courts designed for adults is harmful for children, detrimental to public safety, and grossly inefficient. Children belong in juvenile courts, which have smaller caseloads, greater access to rehabilitation, and closer collaboration with families and schools. If this bill passes, children might still end up in adult courts, but only after a juvenile court judge listens to counsel and expert witnesses and evaluates each youth and each charge.

Multiple studies show that treating youth as adults decreases public safety by increasing recidivism and future criminal behavior. According to a CDC study, the "adult criminal justice system is associated with subsequent violence among juvenile participants when compared with violence among juveniles retained in the juvenile justice system."¹

¹ "Effects on Violence of Laws and Policies Facilitating the Transfer of Youth from the Juvenile to the Adult Justice System," MMWR, CDC. <https://www.cdc.gov/mmwr/preview/mmwrhtml/rr5609a1.htm>

While juvenile cases tie up adult courts and cause needless additional trauma, only 10% of children automatically charged as adults actually spend time in adult prison.² The vast majority of juvenile cases that get to adult court are either dismissed as nolle pros or sentenced to time served.

However, police often manipulate the existing laws by charging children with offenses, like first-degree assault, that are automatically transferred to adult courts to get them to plead to lesser offenses. As a result, many children who get into fights make deals to avoid the adult courts and end up with criminal records that negatively affect their job prospects, family lives, and housing options for years to come. The practice also disproportionately affects African Americans, since eight out of ten children automatically charged as adults in Maryland are Black.³ This bill makes sure that a judge, rather than police, decides whether a child goes to adult court.

In 2020, Maryland sent more kids to adult court than California, Pennsylvania, Massachusetts, and Arizona combined - those states have 10 times Maryland's population. In fact, Maryland sends more young people to adult court than any other state except for Alabama.⁴

All children are children and we must treat them as such. **On behalf of Jews United for Justice, I respectfully urge a favorable report on HB294 to right this wrong and move us toward a more just Maryland.**

² Witte, Brian. "Supporters of juvenile justice reform hopeful in Maryland," Baltimore Sun. <https://www.baltimoresun.com/politics/bs-md-pol-maryland-juvenile-justice-reform-20211222-zxc3wrnn6vef7iwluujiur5lpy-story.html>

³ Ibid.

⁴ "Kids Sent to Adult Court," Department of Legislative Services, General Assembly of Maryland. <http://dls.maryland.gov/pubs/prod/NoPblTabMtg/CmsnJuvRefCncl/Kids-Sent-to-Adult-Court.pdf>