



## **Montgomery County Young Democrats Testimony Before the House Judiciary Committee in Support of HB 459-Juvenile Justice Reform**

**February 10th, 2022  
Favorable**

Delegate Clippinger, Delegate Moon, members of the Committee:

Thank you for receiving our testimony. The Montgomery County Young Democrats (MCYD) urge the Committee to support HB 459, the omnibus reform package, which would reform juvenile justice and protect the human rights of children and teenagers in the juvenile justice system. This bill includes a bunch of recommendations from the Juvenile Justice Reform Coalition, which the Maryland General Assembly created in 2019 to improve practices.

Human Rights for Kids wrote that Maryland is one of the worst states in protecting the human rights of children in the juvenile justice system. For example, there is currently no minimum age for being arrested in Maryland and children as young as six have been arrested in past years. And of the kids under the age of 13 arrested in Maryland in 2020, 75% of them were Black or Hispanic. Additionally, all juvenile probation in Maryland is infinite with no mandatory limits, even though longer probation periods mean youth are more likely to have technical violations and get further enmeshed in the criminal justice system.

There are other flaws in our institutions. Children and teenagers who are new to Maryland's juvenile justice system often lack access to diversion. Diversion includes help such as drug abuse rehabilitation, mental health treatment, mentoring programs and job training, and mediation and community service instead of fines and prison. Most Maryland children incarcerated are there for misdemeanor offenses. Black youths make up 35% of the population of people ages 10-17 in Maryland, but they account for 77% of the youth incarcerated!

The system is currently not working-putting youth in prison has extremely harmful effects on them and their families and communities. Jailing youth for low-level offenses instead of reforming them separates them from their families, often puts them in danger, and increases their chances of recidivism. Instead of becoming upstanding citizens, they wind up trapped in

prison or on probation. Moreover, keeping youth in prison is quite expensive and doesn't permanently solve the underlying problems.

Fortunately the Maryland Legislature has the opportunity to reform our juvenile justice institutions. HB 459 would raise the minimum age for juveniles to be subject to court jurisdiction to thirteen years old, which is more in line with their competency to stand trial. The proposal also limits the initial sentence of youth probation in most instances to a maximum of one year but includes applicable extensions, in order to promote youth being reformed instead of being locked up. HB 459 also removes barriers to diversion so children and teenagers can benefit from restorative justice instead of misguided "tough on crime" policies (and this also saves Maryland a lot of money, both in the form of reduced court cases and fewer people winding up in prison).

Finally, the bill would forbid incarceration for juveniles who have been charged with only a misdemeanor or technical violation of probation. Putting kids in prison solves very little compared to community-based programming that teaches them what they did wrong and reforms them. Even people who commit serious crimes should be reformed if possible. All these changes will help young people, ensure that fewer of them spend their lives in prison, and benefit Maryland taxpayers, citizens, and communities.

Delegate Clippinger, we thank you for sponsoring HB 459 and urge the Committee to issue a favorable report on juvenile justice reform. Please contact us at [mocoyoungdems@gmail.com](mailto:mocoyoungdems@gmail.com) or [michaeldelong94@gmail.com](mailto:michaeldelong94@gmail.com) if you have questions.

Sincerely,

The Montgomery County Young Democrats