



TO: The Honorable Luke Clippinger, Chair
Members, House Judiciary Committee
The Honorable Charlotte Crutchfield

FROM: Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman
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DATE: February 10, 2022

RE: **SUPPORT** – House Bill 294 – *Juvenile Court – Jurisdiction*

The Maryland Chapter of the American Academy of Pediatrics (MDAAP) is a statewide association representing more than 1,100 pediatricians and allied pediatric and adolescent healthcare practitioners in the State and is a strong and established advocate promoting the health and safety of all the children we serve. On behalf of MDAAP, we submit this letter of **support** for House Bill 294.

House Bill 294 proposes to reform Maryland's law as it relates to the jurisdiction of the juvenile court. While the Juvenile Court generally handles cases involving youth who are under the age of 18, there are multiple ways a young person under the age of 18 may be subjected to initial jurisdiction in the adult criminal court. Currently, Maryland law requires young people who are 14 and older and charged with a crime that carries a sentence of life imprisonment if committed by an adult, to be charged directly in the adult court. In addition, young people who are 16 and older and charged with one of 33 crimes are also required to be automatically charged as an adult. In both instances, young people directly charged in the adult criminal justice system are tried and sentenced in that system unless their case is transferred back to the juvenile justice system.

Years of research on brain development has demonstrated that the frontal lobes, which are the seat of reasoned judgment and higher order cognitive decision making, develop late and continue to develop in late adolescence into early adulthood, rendering the adolescent brain consequentially distinct from the adult brain. Charging juveniles in adult court fails to recognize that they are physiologically disadvantaged to adjust their behavior to the mandate of the law in comparison to adults. The juvenile court system, given its established responsibility to promote the best interests of children while helping them to adjust their behavior, is better suited to adjudicate youth cases than adult criminal courts. Evidence shows that youth and public safety outcomes suffer when children are charged in the adult courts.

Passage of House Bill 294 will ensure that all cases involving juveniles will be required to begin in juvenile court. While some youth's cases may ultimately be moved to adult court, the burden will fall on the State to establish why juvenile adjudication would be inappropriate. A favorable report is requested.

For more information call:

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