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Lt. Governor

Larry Hogan
Governor

Sam Abed
Secretary

DATE: 2/10/2022
BILL NUMBER: HB 459 – Juvenile Justice Reform
DJS POSTITION: Support

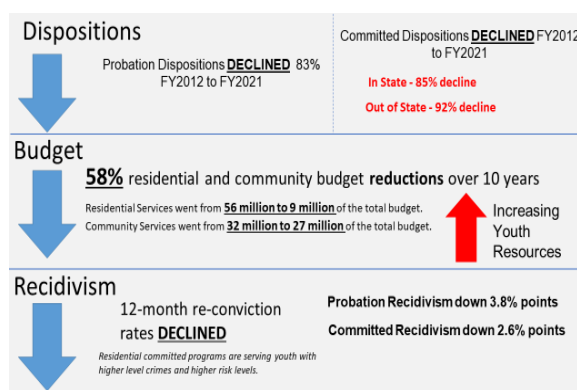
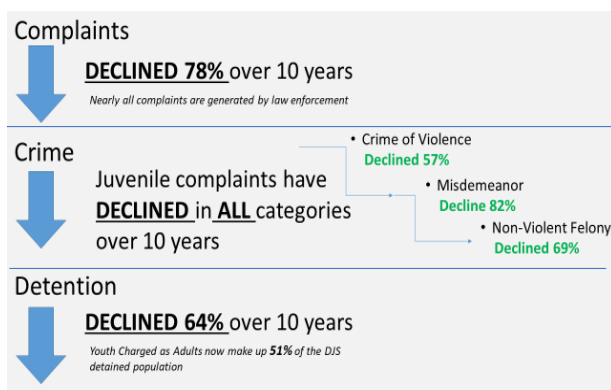
The Department of Juvenile Services (DJS or department) supports HB 459.

HB 459 brings the consensus-driven reforms recommended by the bipartisan Juvenile Justice Reform Council into law.

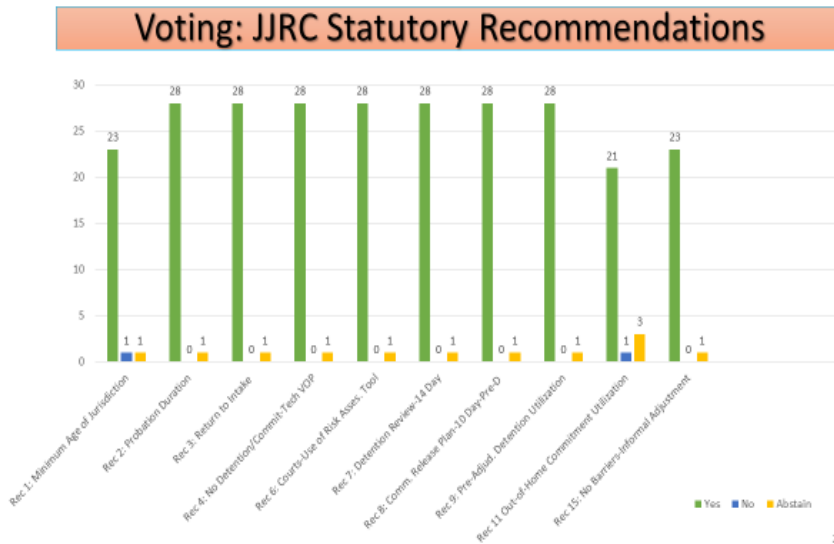
The JJRC was formed during the 2019 session of the Maryland General Assembly by SB 856 / HB 606. The JJRC spent two years gathering public input, researching best practices regarding the treatment of juveniles who are subject to the criminal and juvenile justice systems, and identifying recommendations to limit or otherwise mitigate risk factors that contribute to juvenile contact with the criminal and juvenile justice systems. With technical assistance from the Vera Institute for Justice, the Council analyzed national data and decided upon a set of almost-unanimous recommendations for Maryland.

I. The Department of Juvenile Services is able and ready to implement all of the JJRC’s recommendations in HB 459.

Over the last 10 years, Maryland has seen a significant decline in both the number of youth entering the juvenile justice system and a reduced use of juvenile incarceration. The DJS committed population has declined over 85% and the number of youth in detention is down by 64%. Simultaneously, the DJS residential and community budgets have been reduced by 58% over the last 10 years (FY12 – FY21). Money saved by reducing the number of young people in expensive out-of-home settings has allowed the Department to shift our spending and invest more money into an array of over 800 community-based programs. These investments into prevention and early intervention are not only efficient, but have contributed to the 78% decline in complaints.



II. The JJRC Recommendations are Consensus-Based with Broad Support



All statutory recommendations coming from the first JJRC received unanimous favorable vote except: the minimum age of jurisdiction recommendation (1 vote in opposition) and limiting out-of-home commitments for misdemeanor offenders (1 vote in opposition). The JJRC member representing the judiciary abstained from all votes on statutory recommendations.

JJRC members included members of the legislature, the judiciary, prosecutors, defense lawyers, legal experts, state and local child-serving agencies, educators, law enforcement officials, formerly justice-involved youth, and national experts. Nearly all of the recommendations analyzed and discussed by the JJRC received a unanimous favorable vote.

III. HB 459 would codify the JJRC’s recommendations to improve and modernize Maryland’s overall approach to juvenile diversion, detention, commitment, supervision, and treatment by:

- Allowing for developmentally appropriate interventions for youth under 13;
- Creating a results-oriented probation model to help young people meet rehabilitative goals;
- Maintaining public safety while minimizing use of detention and out-of-home commitments for low-risk youth;
- Expanding opportunities for diversion services for low-risk youth;
- Embedding principles of racial equity into all levels of Maryland’s juvenile justice system; and
- Maintaining monitoring and legislative oversight of proposed changes.

The Department of Juvenile Services has considered each of the statutory changes proposed in HB 459 and can implement each reform using existing resources while maintaining public safety.

For these reasons, DJS urges a favorable report for HB 459.

