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POSITION IN FAVOR OF HOUSE BILL 459

I have been involved in juvenile justice issues over the past decade, both as a trial judge on the Circuit Court for Montgomery County and as a member of the DJS State Advisory Board. Having reached mandatory retirement in 2020, I am now Of Counsel to the Rockville law firm of RaquinMercer LLC. For the reasons stated below, I urge the Committee to issue a favorable report on House Bill 459.

During my nine years on the bench (three of which were spent sitting full time in the juvenile rotation), I saw first-hand the deficiencies in the juvenile justice system. Sadly, Maryland is one of the worst states at protecting the human rights of children, ranking at the bottom with Alabama and Tennessee. Commendably, the General Assembly created the Juvenile Justice Reform Council in 2019, a diverse, inter-branch, bipartisan group of stakeholders. This group researched best practices and made recommendations for long overdue changes in four areas.

First, the bill establishes a minimum age for being arrested in Maryland by setting a minimum juvenile court jurisdiction age of 13. Second, the bill places developmentally appropriate time limitations on probation. Third, the bill removes barriers to diversion by requiring informal adjustment of misdemeanors and non-violent felonies for all first-time offenders. Finally, the bill bans incarceration of youths for low-level offenses.

All of these reforms will help ensure that as many children as possible are treated with community-based services that benefit them and lead to better public safety outcomes. There is also the opportunity to reduce the pervasive racial disparities that persist in Maryland.

I urge this committee to issue a favorable report on House Bill 459.

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