



MARYLAND LEGISLATIVE LATINO CAUCUS

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TO: Delegate Luke Clippinger, Chair
Delegate David Moon, Vice Chair
Judiciary Committee Members
FROM: Maryland Legislative Latino Caucus
DATE: February 28th, 2023
RE: HB0096 Juvenile Court - Jurisdiction (Youth Equity & Safety Act)

The MLLC supports HB0096 Juvenile Court - Jurisdiction (Youth Equity & Safety Act), 2023

The MLLC is a bipartisan group of Senators and Delegates committed to supporting legislation that improves the lives of Latinos throughout our state. The MLLC is a crucial voice in the development of public policy that uplifts the Latino community and benefits the state of Maryland. Thank you for allowing us the opportunity to express our support of HB0096.

Maryland has the second-highest rate of transferring youth to adult courts: 157.6 for every 100,000 charged.¹ According to data from the Governor's Office of Crime Prevention, Youth, and Victim Services between July 1, 2021 and June 30, 2022, 632 Maryland children were charged with crimes that automatically landed them in adult court.² Although processes involving the prohibition of children contracting, working, smoking, drinking or voting, and marrying protect children because they are considered "not ready to do that yet," only in one area of the law does Maryland posit that because a child is accused of something, because there is a mere allegation against them, the state should wipe out all evidence that an individual is a child and put them on trial as an adult.³

Implicit bias research shows that minority kids are more likely to be seen and treated as adults than white kids.⁴ For example, Black boys as young as ten years old may not be viewed in the same light of childhood innocence as their white peers, but are instead more likely to be mistaken as older, be perceived as guilty, and face police violence if accused of a crime.⁵ According to the Sentencing Project, even though African American juvenile youth are about 16 percent of the youth population, 37 percent of their cases are moved to criminal court and 58 percent of African American youth are sent to adult prisons.⁶ Additionally, Black and Hispanic students represent more than 70 percent of those involved in school-related arrests or referrals to law enforcement.⁷ Overall, approximately 18,000 Latino youth are held in jail or other forms of

¹ [Gaskill, H. \(2021, July 21\). *Amid juvenile justice reform push, commission examines Maryland's high rate of trying young people as adults.* Maryland Matters.](#)

² [Baye, R. \(2023, February 17\). *Maryland tries hundreds of juvenile defendants as adults. One Annapolis bill tries to change that.* WYPR.](#)

³ *Ibid.*

⁴ [American Psychological Association. \(2014\). *Black boys viewed as older, less innocent than whites, research finds.* American Psychological Association.](#)

⁵ *Ibid.*

⁶ [Kerby, S. \(2022, October 28\). *The top 10 most startling facts about people of color and criminal justice in the United States.* Center for American Progress.](#)

⁷ *Ibid.*

incarceration on any given day in the United States.⁸ Latino youth are 40% more likely to be waived to adult court than White youth, are admitted to adult jails at 1.4 times the rate of White youth, and one-fourth (24%) of incarcerated Latino youth are held in an adult prison or jail, where they face high risks of suicide and sexual abuse, significant educational disconnection, and a high likelihood of recidivism.⁹ With the increasing number of Latino youth in the country, we can only project this number to have increased since the time these calculations were done.

Experts agree that Latino youth strongly benefit from culturally competent services in the juvenile justice system, and anecdotal evidence suggests that culturally competent community-based prevention and alternatives to detention services benefit Latino youth.¹⁰ Therefore, the YES Act protects minority youth from discrimination and aids in dismantling the school-to-prison pipeline. This bill alters the jurisdiction of the juvenile court by repealing provisions specifying that the juvenile court does not have jurisdiction over a child alleged to have committed certain acts that, if committed by an adult, would constitute a crime of violence.

For these reasons, the Maryland Legislative Latino Caucus respectfully requests a favorable report on HB0096.

⁸ [Saavedra, J. D. \(2010\). \(rep.\). *Just the Facts: A Snapshot of Incarcerated Hispanic Youth*. National Council of La Raza.](#)

⁹ [Arya, N., Villarruel, F., Villanueva, C., & Augarten, I. \(2009\). \(rep.\). *America's Invisible Children: Latino Youth and the Failure of Justice*. The National Council of La Raza.](#)

¹⁰ *Ibid.*