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Judiciary Committee

Subcommittees

Chair, Family and Juvenile Law

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THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

March 2, 2023

**Written Testimony in Support**

of

**HB 749 Juvenile Court-Concurrent Jurisdiction-Juvenile Offenses on Military Installations**

This legislation would clarify that state and local authorities may assert jurisdiction over juveniles on military installations in areas of exclusive federal legislative jurisdiction. HB 749 gives juveniles who commit offenses on the federally exclusive property of military installations the same opportunities as those who commit them anywhere else in the State of Maryland.

Juvenile delinquent acts committed on military installations in areas with exclusive federal legislative jurisdiction may be referred to a federal court system designed for adults. The problem is that these courts lack the resources to help juvenile offenders, often denying families and juveniles the resources and programs needed.

HB 749 would allow offenses committed by juveniles to be transferred to state court and allow them to take advantage of diversionary programs and other services offered through the State. Studies show that addressing juvenile matters through diversionary programs and community-based supports produces better outcomes and reduces the likelihood that juveniles will end up in the juvenile justice system now or in the future. Providing more options for rehabilitation increases the likelihood that one of these options will be successful. That likelihood is even higher when the rehabilitation programs are tailored to the juvenile's community.

Under this legislation the federal government may seek retrocession at all Maryland military installations. When retrocession has not occurred, this legislation creates a procedural mechanism for the State to assume concurrent jurisdiction when the federal government waives it. That is the process already in place throughout the State. Still, there is no underlying statutory authority to support this referral process. HB 749 provides this authority and allows Maryland courts to accept the transfer of jurisdiction back from the federal government.

Similar legislation has been enacted and signed into law in Arizona, Connecticut, New Hampshire, and North Carolina in the last twelve months.

HB 749 will ensure that juveniles on military installations receive the same justice, fairness and protections under the law that they would when living off base in civilian communities.

**For these reasons, I urge a favorable report on House Bill 749.**

Sincerely,

Delegate Charlotte Crutchfield