

February 28, 2023

Re: Testimony in Support of HB 0096
Youth Equity and Safety Act

Dear Members of the Judiciary Committee:

I am a registered voter who resides in District #41. I am a returning citizen and parole advocate working for a non-profit providing parole and reentry services. After being adjudicated in the criminal justice system at the age of fifteen, I served over four consecutive decades in prison. So, I know firsthand the intricacies of adjudicating children as adults based solely on the nature of their offenses.

The existing law allows for children over the age of thirteen to be automatically charged as adults based solely on the allegation of having committed a violent offense. This infers that the legislature believes the commission of a crime by a child somehow transforms him/her into an adult. However, developments in psychology and brain science confirm that children under the age of eighteen are not as mentally or emotionally developed as adults. Furthermore, the legislature acknowledges the immaturity of children by prohibiting them from registering to vote, enlisting in the military, entering binding contracts without parental consent, and purchasing tobacco, alcohol, or firearms until the age of eighteen.

While I am not opposed to some juvenile offenders being subject to the adult system, I believe that the decision should be made in the Juvenile Justice System. The U.S. Supreme Court and the Maryland Court of Appeals recognize the difficulty expert psychologists have differentiating between juvenile offenders whose crimes reflect transient immaturity and the rare juvenile whose crime reflects irreparable corruption. So, how can the police, state's attorneys, and judges be entrusted to charge and adjudicate our children as adults without any adolescent clinical background?

This practice has resulted in great disparity in the charging and sentencing of children of color, particularly in urban areas. Also, the criminal justice system does not afford the protection and rehabilitation afforded by the juvenile justice system. It is not designed to! So, adjudicating weak, impressionable, misguided children as adults condemns them to a hapless fate.

Kids entering the adult system like me do not fare well. Several of my friends, who only smoked weed, huffed glue, and drank beer, would later overdose and die from cocaine, heroin, fentanyl. Some were forced into gang life and became full-fledged members. A number have caught jailhouse charges increasing their stay. I know one who was murdered as he slept, two who committed suicide, several who were subjected to sexual abuse, and many who have become habitual offenders.

As the practice of automatically charging children as adults has not deterred crime among Maryland's youth, I question whether the existing law is a necessary injustice. In my humble opinion, it is less difficult to teach children how to become good, productive adults than to try to repair broken adults. Therefore, I support the Youth Equity and Safety Act and urge this honorable committee to vote favorably for House Bill 0096.

Truly yours,

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