

CHARLOTTE A. CRUTCHFIELD, ESQ.
Legislative District 19
Montgomery County

Judiciary Committee

Subcommittees

Chair, Family and Juvenile Law

Public Safety



Annapolis Office
The Maryland House of Delegates
6 Bladen Street, Room 403
Annapolis, Maryland 21401
410-841-3485 · 301-858-3485
800-492-7122 Ext. 3485
Charlotte.Crutchfield@house.state.md.us

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

March 2, 2023

Testimony in Support

of

**House Bill 96 – Juvenile Court-Jurisdiction
Youth Equity and Safety Act (The YES Act)**

The YES Act is a direct response to a recommendation, overwhelmingly voted (13-3) by the members of the Juvenile Justice Reform Council (JJRC), to end the automatic charging of youth in adult court. The JJRC was convened by the General Assembly in 2018. One of the goals of the JJRC was to “research the best practices for the treatment of juveniles who are subject to the criminal and juvenile justice systems.”

Currently, certain youth are automatically charged in criminal court:

- youth 16 and older who are charged with crimes of violence;
- youth 14 and older who are charged with a crime punishable by life imprisonment; and
- youth charged with a felony who have been previously convicted as an adult of a felony.

The YES Act would repeal these exceptions to the juvenile court’s jurisdiction. Instead of presumptively sending those cases to criminal court and requiring defense attorneys to petition the cases back down to juvenile court, the process would be reversed. Youth would have their cases start in juvenile court, thereby allowing a judge to take an informed look at the totality of circumstances in the case, weigh the constitutionally required factors and determine if the case belongs in adult or juvenile court.

The YES Act will not prevent the prosecution of youth in adult court. The juvenile court would retain full discretion over decisions to waive a youth’s case to adult court.

For these reasons, I urge a favorable report on HB 96 (The YES Act).

Sincerely,

Delegate Charlotte Crutchfield