

My name is Cassandra Beverley Goffin. I am a resident of District 34B. I am submitting this testimony in support of HB96, the Youth Equity and Safety Act, which would make our communities safer and make our youth justice system more equitable by ensuring that all juveniles begin their cases in the juvenile court system.

Maryland sends more young people per capita to adult court based on offense type than any other state except for Alabama. A major reason is that Maryland law requires some children to be automatically prosecuted in adult court for 33 offenses — putting us out of step with other states and international human rights law. Last year, Maryland charged the same number of children as adults as Arizona, California, Colorado, Connecticut, Illinois, Kansas, Massachusetts, Minnesota, and Ohio combined. Those states make up 29% of the United States youth population — Maryland makes up less than 2%.

In Maryland, youth as young as 14 can be tried in adult court depending on what charge a police officer decides to levy against them. When young people are automatically charged in adult court, they are more likely to reoffend, sooner, with more violent crime than children who are charged in juvenile court. This practice undermines the purpose of the juvenile court system, pursues punishment rather than rehabilitation, and conflicts with what we know from developmental science. Furthermore, laws that allow youth to be tried in adult court reflect and reinforce the racial inequities that characterize the justice system in the United States.

The Justice System is Biased Against Youth of Color

Youth of color are overrepresented at every stage of the Maryland court system. Rampant racial inequities are evident in the way youth of color are disciplined in school, policed and arrested, detained, sentenced, and incarcerated. These inequities persist even after controlling for variables like offense severity and prior criminal record. Research shows that youth of color receive harsher sentences than white youth charged with similar offenses.

Youth of color are more likely to be tried as adults than white youth, even when being charged with similar crimes. In Maryland between 2017-2019, 93% of juveniles tried as adults were youth of color; 80% were Black.

"Tough on Crime" Laws Criminalize Youth and Make Us Less Safe

Research shows that "tough on crime" policy shifts during the 1980s and 1990s have negatively impacted youth, families, and communities of color. These laws were fueled by high-profile criminal cases involving youth, sensationalized coverage of system-involved youth by the media, and crusading politicians who warned that juvenile "super-predators" posed a significant threat to public safety. The general sentiment — not based on research or data — across the political spectrum was that treatment approaches and rehabilitation attempts did not work.

However, time has shown that harshly punishing youth by trying them in the adult system has failed as an effective deterrent. Studies have found higher recidivism rates among juveniles tried and sentenced in adult court than among youth charged with similar offenses in juvenile court.

We can and must treat our children better. Maryland should join the 26 other states who have passed laws to treat kids like kids and end automatic charging.

I respectfully urge the committee to return a favorable report on HB96.

Cassandra Beverley Goffin