

NaKayla.pdf

Uploaded by: Barbara Robinson

Position: FAV

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February 12, 2024

Senate Building

Room 2

East Miller Senate Building

Annapolis, Maryland 21401

Dear Senate Representatives,

I am writing to express my support for Senate Bill SB0002, the child in Need of Supervision-Mandatory Petition (Nykayla Strawder Memorial Act). As a mother to whom has lost a child, I believe that this bill is crucial in Baltimore City and surrounding counties.

I urge you to please support Senate Bill SB0002. Our younger citizens are both vulnerable and crucial for the future ahead. Their safety both physically and mentally should be our priority. By passing this bill, we can take a step towards ensuring that ALL children receive the support, and services they need.

Thank You.

Written Testimony.pdf

Uploaded by: Daniel Jarvis

Position: FAV

General Written Testimony: Utilize this template if you do not want to make your own response. There is power in numbers, so even if we send a hundred of the same letters, they reflect the level of support and importance of this bill. Thank you for your help and support for the life/memory of Nykayla! #JUSTICE4KAYLA

Daniel Jarvis
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February 12, 2024

The Honorable Senator Jill Carter
Room 101
House Office Building
Annapolis, Maryland 21401

Dear Senator Carter et al.,

I am writing to express my strong support for Senate Bill SB0002, also known as the Child in Need of Supervision - Mandatory Petition (NyKayla Strawder Memorial Act). As a concerned citizen and advocate for the well-being of our community's children and families, this bill is crucial in ensuring that young children and their families receive the essential services and support when faced with tragic circumstances.

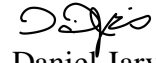
The summary of the bill highlights the importance of addressing situations where a child under the age of 13 years who is alleged to have committed an act resulting in the death of a victim. By requiring an intake officer to conduct a thorough assessment and file a petition in such cases, we can ensure that our children are not overlooked or left without the necessary intervention and support services. Additionally, mandating law enforcement officers to forward complaints to the Department of Juvenile Services ensures that these cases are processed promptly and effectively.

It is essential to recognize that when children engage in such serious incidents, there are often underlying issues that need to be addressed, including potential trauma, mental health concerns, or family dynamics. When exposed to such adverse childhood experiences without addressing the experience a child's mental model and world view is forever changed. Often resulting in further engagement with the criminal justice system. By intervening early and providing appropriate services, we can work towards preventing future harm and promoting the well-being of both the child and community.

I urge you to support Senate Bill SB0002 and prioritize the needs of our youngest and most vulnerable citizens. By passing this bill, we can take a significant step towards ensuring that all children receive the support and services they need to thrive.

Thank you for your attention to this critical issue.

Sincerely,

A handwritten signature in black ink, appearing to read 'D Jarvis', written in a cursive style.

Daniel Jarvis, Ph.D.

NiKayla Strawder Testimony.pdf

Uploaded by: Javey Adams

Position: FAV

Javey S. Adams
February 12, 2024
Baltimore, MD

NyKayla Strawder Memorial Act Testimony

You know..... I thought about all of the words I could say to make this as professional and wholesome as possible, but I'm going to be completely honest, it's rough trying to make such a traumatic and painful experience pretty....because if I'm going to make it look nice while I'm trying to get you to feel me, what good would that do?

It's so easy to say "I understand", or "I feel your pain".....or even "They're in a better place now"....But no one that has not experienced this feeling themselves and the depths of pain that you feel when you lose a loved one to the hands of man with a gun...is devastating.

For me, I've lost cousins my age... and I'm only 27.

My best friend was murdered May 1, 2020 and with that news, I literally lost my mind and ended up in a mental hospital hours later.

His family and myself amongst other friends was fortunate enough to claim justice for that incident on September 30, 2023. The process within itself was exhausting, and dreadful.

However, the detectives on our case worked diligently to solve our case.

Because of many of my experiences of heartache from losing close family and friends to Gun violence, I now passionately advocate for laws and regulations to be implemented in order to gain control over the senseless losses that we experience way too often. I feel that indigenous neighborhoods, mainly the ones submerged in poverty, get put on the back burner of the priority of safety, and our cousins, sisters, brothers, daughters, sons, fathers, mothers, you name it.....

Does NOT get the justice we truly deserve and more effort can be put in to do the very least of serving us to the fullest potential, because bringing them back will never be a thing but we can take every step there is to take to save generations to come and that's what I stand for.

SB 2 Child in Need of Supervision - Mandatory Peti

Uploaded by: Jill Carter

Position: FAV



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

**Testimony of Senator Jill P. Carter
In Favor of SB0002 Juvenile Law- Child In Need of Supervision
Mandatory Petition- NyKayla Strawder Memorial Act-
Before the Judicial Proceedings Committee
On February 13, 2024**

Mr. Chairman, Vice Chair, and Members of the Committee:

Last year this was Senate Bill 15, and it passed the senate unanimously but failed to receive a full hearing or a vote in this house judiciary committee. This year it is Senate Bill 2, and it mandates that an intake officer file a petition for a Child in Need of Supervision (CINS) if a child under the age of thirteen (13) commits an act resulting in the death of a victim.

In 2022 this body adopted the recommendation of the bipartisan Juvenile Justice Reform Council. Together we passed the most transformative juvenile justice bill in recent history, declaring that children are human beings between the stages of birth and puberty, or between the developmental period of infancy and puberty and should be treated as such. One of the most significant pieces of this legislation was a provision prohibiting criminally charging a child under the age of ten (10), aligning Maryland with promising childhood development practices.

In August 2022, a nine (9) year old child shot and killed 15 year old NyKayla Strawder at her home in Baltimore City. When her family realized that the child who caused the death of their beloved daughter would not be prosecuted or detained, they approached me seeking justice.

This bill is a product of months of discussions with thought leaders, advocates, law enforcement, and others who work directly with youth, to determine the best course of action when a tragic situation like what happen to NyKayla occurs.

The consensus is to refer the offending child to the Department of Juvenile Services through a CINS petition.

A child under a CINS petition may not be placed in detention or in a state mental health facility. A Child in Need of Supervision may be placed in shelter care (a non-secure community group or foster home).

The juvenile court will hold a hearing to decide if the facts claimed in the petition are true. An appropriate government agency presents the evidence. In Child in Need of Supervision cases, the government agency only needs to prove that it is more likely than not that the facts claimed in the petition are true. (This standard of proof is called the “preponderance of the evidence” standard and is common in civil cases.) The agency does not need to prove the facts “beyond a reasonable doubt” (the usual criminal standard that is used in juvenile delinquency cases). In a delinquency case, a child can assert the 5th Amendment right to speak or to remain silent, and this silence cannot be held against the child – but in Child in Need of Supervision cases, the 5th Amendment does not apply, and the child can be required to speak. [Md. Code, Courts & Judicial Proceedings §§3-8A-13; § 3-8A-18](#)

In some Child in Need of Supervision cases, the court may appoint an attorney or advocate to represent the child’s interest during the hearing. [Md. Code, Courts & Judicial Proceedings § 3-8A-32](#)

If the court decides that the facts in the petition are true, the court will hold a “disposition hearing” to determine what action the court should take. A Child in Need of Supervision cannot legally be placed in a facility used only for delinquent children. A Child in Need of Supervision also cannot legally be placed in a facility that treats adults. However, a Child in Need of Supervision may be placed in a facility that treats a mixture of children, including delinquent children. Restitution is not available in a Child in Need of Supervision case, but the court may issue an order controlling conduct, i.e., to order parents

to participate in counseling; violation of the order may be punishable by contempt.

Most children are not pre-disposed to harm others, this typically happens when basic needs are not addressed in their household these barriers include inadequate housing, lack of employment, drug abuse/addiction, reduced access to healthy food are just a few of the issues many children in Maryland face.

The wrap around services and programs provided by the Department of Juvenile Services through a CINS petition address all of these issues with the aim of correcting inappropriate behavior and preventing and/or deterring future criminal acts.

I respectfully request that the Committee grant a favorable report on SB 2 – The NyKayla Strawder Memorial Act-

Respectfully,

A handwritten signature in blue ink that reads "Jill P. Carter". The signature is written in a cursive, flowing style.

Jill P. Carter

Ronette Jarvis Testimony.pdf

Uploaded by: Ronette Jarvis

Position: FAV

RONETTE JARVIS
14 Leafydale Court
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February 12, 2024

**Senate Building
Room 2
East Miller Senate Building
Annapolis, Maryland 21401**

Dear Senate Representatives,

I am writing to express my support for Senate Bill SB0002, the Child in Need of Supervision - Mandatory Petition (NyKayla Strawder Memorial Act). As NyKayla's Aunt, I believe that this bill is crucial in Baltimore City and the surrounding counties of Maryland.

I urge you to support Senate Bill SB0002 and prioritize the needs of our youngest and most vulnerable citizens. By passing this bill, we can take a significant step towards ensuring that all children receive the support and services they need to thrive.

Thank you for your attention to this critical issue.

Sincerely,

RONETTE JARVIS

Ronette Jarvis

Teaira Jarvis Testimony.pdf

Uploaded by: Tierra Jarvis

Position: FAV

Teaira JARVIS
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February 12, 2024

**Senate Building
Room 2
East Miller Senate Building
Annapolis, Maryland 21401**

Dear Senate Representatives,

I am writing to express my support for Senate Bill SB0002, the Child in Need of Supervision - Mandatory Petition (NyKayla Strawder Memorial Act). As NyKayla's Big Cousin, I believe that this bill is crucial in Baltimore City and the surrounding counties of Maryland.

I urge you to support Senate Bill SB0002 and prioritize the needs of our youngest and most vulnerable citizens. By passing this bill, we can take a significant step towards ensuring that all children receive the support and services they need to thrive.

Thank you for your attention to this critical issue.

Sincerely,

Teaira Jarvis

Teaira Jarvis

Tuverla Strawder Written Testimony SB0002 for NSt

Uploaded by: Tuverla Strawder

Position: FAV

Tuverla Strawder
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February 12, 2024

The Senate
Room 101
House Office Building
Annapolis, Maryland 21401

Dear Senate Representatives,

I am writing to express my support for Senate Bill SB0002, the Child in Need of Supervision - Mandatory Petition (NyKayla Strawder Memorial Act). As NyKayla's maternal great-aunt, I believe that this bill is crucial in Baltimore City and the surrounding counties of Maryland.

I urge you to support Senate Bill SB0002 and prioritize the needs of our youngest and most vulnerable citizens. By passing this bill, we can take a significant step towards ensuring that all children receive the support and services they need to thrive.

Thank you for your attention to this critical issue.

Sincerely,

Tuverla Strawder

Tuverla Strawder

HRFK SB 2 2024 FWA.pdf

Uploaded by: Emily Virgin

Position: FWA



February 13, 2024

SB 2 - Juvenile Law - Child in Need of Supervision - Mandatory Petition (NyKayla Strawder Memorial Act)

Senate Judicial Proceedings Committee

Position: Favorable With Amendments

Human Rights for Kids respectfully requests that the Committee issue a favorable report with amendments on SB 2.

From a human rights perspective, we are concerned that the new language subjects a child under the age of 10 to a delinquency proceeding. However, we agree that in the extremely serious situations which SB 2 seeks to address, a response is needed for the child who has committed the act and the family and friends of the victim. Therefore, we suggest the following amendment that would limit the response for children under 10 to the Child in Need of Supervision process as a means of providing services to the child in an age-appropriate manner.

AMENDMENT 1 -- Page 3, beginning on Line 17:

(5) IF A COMPLAINT IS FILED THAT ALLEGES THE COMMISSION OF AN ACT BY A CHILD UNDER THE AGE OF 13 YEARS **BUT WHO HAS REACHED THE AGE OF 10** THAT RESULTS IN THE DEATH OF A VICTIM, THE INTAKE OFFICER SHALL FILE A PETITION ALLEGING THAT THE CHILD IS EITHER DELINQUENT OR IN NEED OF SUPERVISION.

(6) IF A COMPLAINT IS FILED THAT ALLEGES THE COMMISSION OF AN ACT BY A CHILD UNDER THE AGE OF 10 YEARS THAT RESULTS IN THE DEATH OF A VICTIM, THE INTAKE OFFICER SHALL FILE A PETITION ALLEGING THAT THE CHILD IS IN NEED OF SUPERVISION.

Submitted by: Emily Virgin, Director of Advocacy & Government Relations, Human Rights for Kids, evirgin@humanrightsforkids.org

SB 2_Final .pdf

Uploaded by: Karalyn Aanenson

Position: INFO

Date: February 13, 2024
Bill Number/Title: SB02 -Child in Need of Supervision - Mandatory Petition (NyKayla Strawder Memorial Act)
Committee: Judicial Proceedings Committee
DJS Position: Letter of Information

SB 2 requires a Department of Juvenile Services (DJS) intake officer to file a Child in Need of Supervision (CINS) or a delinquency petition with the Juvenile Court when a child under the age of 13 is alleged to have committed an act that results in the death of another. The bill also requires a law enforcement officer to forward a complaint to the DJS if a child under 13 is alleged to have committed an act that resulted in the death of a victim.

Current law provides authority for DJS to file a CINS¹ petition when a child is assessed to need guidance, treatment, or rehabilitation, and falls under one of these categories:

- Must legally go to school, but routinely does not;
- Regularly cannot be controlled by the child's parents, guardians, or custodians;
- Acts in a way that is dangerous to self or other; or
- Has committed an offense applicable only to children (like running away, violating curfew, or drinking alcohol.)

Anyone can request DJS to file a CINS petition. In addition to any individual, law enforcement officers, educational agencies, and other child serving agencies may file a CINS complaint directly with DJS. If a CINS complaint is filed, the DJS Intake office will conduct a meeting with the youth and their parent/guardian and discuss appropriate interventions and services to address the underlying problem. After DJS meets with the youth and parent/guardian, DJS may make the following decisions:

- Decline the CINS complaint. DJS may still refer the youth to services as appropriate;
 - If DJS declines to file a CINS complaint, the decision may be appealed to the DJS regional director.
- Resolve the complaint and refer the youth to appropriate services;
- Enter into a Pre-court Supervision Agreement where the youth and family agree to certain conditions, including participation in treatment services, without court involvement;
- File a petition with the juvenile court if there has been a failure of community-based interventions and the most appropriate service is only available through juvenile court.
- If a CINS petition is filed with the court, the court will set a date for an adjudicatory hearing to determine if the facts contained in the CINS petition are true.
 - If the court decides the facts in the petition are true, the court will hold another hearing to determine what action the court should take and whether: the child needs formal supervision by DJS or treatment in an out-of-home placement.

DJS is committed to reviewing CINS petitions and making decisions to support the best interest of the child and community safety, and to ensure stakeholders understand the process to access DJS and the courts through a CINS petition. DJS implemented quarterly lunch and learns with each county law enforcement officers to review the CINS process, discuss challenges and strengthen communication between the agencies.

¹ The CINS process is defined in **Md Code, Courts and Judicial Proceedings, 3-8A-10.**