

Letter of Support for Senate Bill 0094 - City of B

Uploaded by: City Council Bowie

Position: FAV



City of Bowie

15901 Fred Robinson Way
Bowie, Maryland 20716

February 2, 2024

Judicial Proceedings Committee
Maryland State Senate
c/o Senator William C. Smith, Jr.
2 East Miller Senate Office Building
11 Bladen Street
Annapolis, MD 21401

Subject: Letter of Support for Senate Bill 0094 - Juvenile Law – Intake and Probation

Dear Senator Smith,

I am writing on behalf of the City Council of the City of Bowie to express our support for Senate Bill 0094, a crucial piece of legislation aimed at improving the handling and reporting of juvenile cases involving the use of firearms. The bill proposes to alter provisions of law related to the juvenile intake process, requiring certain complaints and case files to be forwarded to the State's Attorney under specific circumstances, particularly when a crime involves the use of a firearm.

The safety and well-being of our community, especially our youth, are paramount concerns for the City of Bowie. Senate Bill 0094 addresses a critical aspect of juvenile justice by enhancing the reporting mechanisms for cases involving the use of firearms. By ensuring that such cases are promptly forwarded to the State's Attorney, the legislation contributes to a more robust and effective response to crimes that pose a serious threat to public safety.

The inclusion of provisions specifically related to crimes involving the use of firearms reflects a proactive approach to addressing the unique challenges associated with juvenile firearm offenses. Timely and thorough reporting in these cases is essential for both accountability and intervention to prevent further harm.

As representatives of the City of Bowie, we believe that Senate Bill 0094 aligns with our commitment to public safety and the well-being of our community. We urge the members of the Judicial Proceedings Committee to support this legislation, recognizing its potential to enhance the juvenile justice system and contribute to the overall safety of our city and the state of Maryland.

Thank you for your attention to this important matter, and we appreciate your continued efforts to address issues that impact the safety and security of our community.

Sincerely,

A handwritten signature in blue ink, appearing to read "Timothy J. Adams". The signature is fluid and cursive, with a long horizontal stroke at the end.

Bowie City Council
Timothy J. Adams
Mayor

sb94.pdf

Uploaded by: Linda Miller

Position: FAV

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Matthew J. Fader
Chief Justice

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: Senate Judicial Proceedings Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 94
Juvenile Law – Intake and Probation
DATE: January 10, 2024
(2/13)
POSITION: Support

The Maryland Judiciary supports Senate Bill 94. This bill would amend juvenile law concerning intake and the length of probation.

The Judiciary believes that, in certain instances, lengthening the time for probation could permit the juvenile court to better serve the youths who come before the court. In particular, the 6-month period for misdemeanors makes it difficult for youth to actually enter into and complete needed services before probation is over, due to both limited available services statewide and lengthy waiting lists. Lengthening the time for probation could provide a more robust array of needed services.

The Judiciary notes that probation must end at age 21, the uppermost age for juvenile court jurisdiction, for all youth. As such, the language of subsection (e)(3)(ii) is unclear whether it is establishing an additional six years maximum for probation under certain circumstances.

cc. Hon. Ron Watson
Judicial Council
Legislative Committee
Kelley O'Connor

MCPA-MSA_SB 52, SB 94, SB 120, SB 326_Juvenile Cri

Uploaded by: Natasha Mehu

Position: FAV



Maryland Chiefs of Police Association

Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable William Smith Jr., Chair and
Members of the Senate Judicial Proceedings Committee

FROM: Darren Popkin, Executive Director, MCPA-MSA Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee
Natasha Mehu, Representative, MCPA-MSA Joint Legislative Committee

DATE: February 13, 2024

RE: **SB 52 Juvenile Justice Restoration Act of 2024**
SB 94 Juvenile Law – Juvenile Law – Intake and Probation
SB 120 Juvenile Law – Custodial Interrogation – Parental Consultation
**SB 326 Juvenile Law – Questioning a Juvenile – Crime of Violence or Crime
Involving a Firearm**

POSITION: **SUPPORT**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) offer this statement in **SUPPORT** of a handful of bills that have been introduced to fix the state's broken juvenile justice system.

This past year the state has seen a spike in juvenile crimes that have left communities in fear and officials frustrated. Throughout the interim, meetings and briefings were held in local communities and Annapolis in an attempt to sort out the issues and propose solutions. Law enforcement has either participated in or closely followed these discussions. It became apparent that there was not one failing. There are gaps in the system, broken lines of communication and coordination, and a lack of necessary resources and services. The solutions must strike a balance between ensuring that juveniles receive the support and services they need and face the appropriate level of accountability for their actions.

This statement is in support of bills that have been introduced to address those problems and strike that balance. These include adjusting the age and crimes for which youth are subject to the jurisdiction of the juvenile courts. Reinforcing parent and guardian's role in the interrogation process. Expanding juvenile probation terms and conditions. Providing more resources, treatment, and services to juveniles in need. Improving communication, data sharing, and coordination between the Department of Juvenile Services, the state's attorneys' offices, and law enforcement agencies. From start to finish, the processes and procedures for handling juveniles involved in crime must be improved. These proposals are all a step in the right direction.

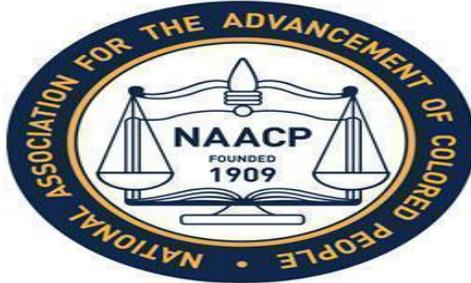
The solution for the rise in juvenile crime is not one-size-fits-all. It will involve closing gaps, improving communication and collaboration, and increasing resources and services. All stakeholders must play their part to fix the system. For these reasons, MCPA and MSA urge a **FAVORABLE** report on **SB 52, SB 94, SB 120, and SB 326**.

532 Baltimore Boulevard, Suite 308
Westminster, Maryland 21157
667-314-3216 / 667-314-3236

SB 0094 Favorable vote.pdf

Uploaded by: Ryan Coleman

Position: FAV



Randallstown

P.O. Box 731 Randallstown, MD 21133

Feb 12, 2024
Immediate Release

Contact: Ryan Coleman, President
randallstownnaacp@gmail.com

Randallstown NAACP supports SB 0094-Juvenile Law - Intake and Probation

Randallstown MD-DJS is broken. The system does not rehabilitate youth but unleashes violent juveniles on the black community. The intake process at DJS is broken and must be fixed. The State's Attorney office must have final say on cases and how to protect the general public. Increasing probation ensures that juveniles are given the time and resources not to recommit crimes.

SB 0094 closes the gaps in the DJS system while keeping Marylanders safe. **The Randallstown NAACP requests a favorable vote on SB 0094.**

SB94-Unfav OPD.pdf

Uploaded by: Alycia Capozello

Position: UNF



BILL: Senate Bill 94 - Juvenile Law – Intake and Probation
FROM: Maryland Office of the Public Defender
POSITION: Unfavorable
DATE: February 12, 2024

“I think the best we can do is give our young people a chance to make the best decisions possible by providing them with the information and the tools and the support they need.”

Wes Moore, *The Other Wes Moore: One Name, Two Fates*

Leaders in the Maryland General Assembly have consistently expressed their commitment to providing rehabilitative supports to children in crisis and at risk as soon as practicable, and yet this bill does the opposite. It erects unnecessary barriers for timely interventions, it narrows the eligibility of proven diversion programs to the youth who could most benefit from them, and it exacerbates racial disparities between children who get to access non-carceral and non-punitive options to address their harmful behavior and the Black and brown children who are denied those opportunities. To prevent the rollback of diversion opportunities for children who will benefit and succeed from them, the Maryland Office of the Public Defender respectfully requests that the Committee issue an unfavorable report on House Bill 814.

Diversion works incredibly well at reducing recidivism and providing immediate implementation of services for kids and families who need them most. According to the Department of Juvenile Services 2023 Data Resource Guide, 92.4 % of children whose cases were diverted in FY 2021 had no new sustained offense within a year, and approximately 80% of young people who participate in diversion services successfully complete them. However, rather than expanding on these undeniably successful programs and empowering intake officers to connect children with services from the outset, HB 814 severely undermines these efforts.

HB 814 reinforces a bureaucratic hurdle that requires that DJS forward all complaints of non-violent felonies to the State’s Attorney for approval of informal adjustment. It also adds an additional barrier to diversion by requiring DJS forward all complaints, no matter how minor, to the State’s Attorney if the child is under DJS supervision. This effectively vests the State’s Attorney with all decision-making authority regarding diversion options for these cases—agencies that have little to no information regarding the child’s background or needs, and no proactive services to offer of their own. Ironically, it also means that fewer children will receive actual services or supervision: in FY19, 46% of all juvenile cases forwarded to the State’s Attorney for petitioning of formal charges did not result in court ordered probationary or commitment services, mostly due to dismissal, nolle pros, or stet of the cases. As a result, the window of opportunity to intervene and redirect their path towards positive outcomes narrows, increasing

the likelihood of further entrenchment in delinquent behavior or involvement with the justice system.

Finally and fundamentally, HB 814 exacerbates the wide racial gulf in which children we deem “worthy” of receiving non-punitive and rehabilitative support, and those we deem only suited to formal (and long-lasting) embedding in the criminal justice system. According to DJS, youth of color were well over twice as likely to have their cases referred to DJS, 50% more likely to have their cases petitioned with formal charges, and over 30% less likely to have their cases referred to diversion. Black youth were the least likely to receive diversion for low-level offenses. This less-discussed but still robust pipeline unquestionably contributes to the stark racial disparities throughout the criminal justice system.

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue an unfavorable report on HB 814.

Submitted by: Maryland Office of the Public Defender, Government Relations Division.

Authored by: Michelle Kim, Assistant Public Defender: MichelleM.Kim@maryland.gov

SB0120_BarbaraSchaffer_UNFAV.pdf

Uploaded by: Barbara Schaffer

Position: UNF

Date of Hearing: February 13, 2024

Barbara Schaffer
Rockville, MD 20850

TESTIMONY ON SB0120-UNFAVORABLE
Juvenile Law - Custodial Interrogation - Parental Consultation

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Barbara Schaffer

OPENING: My name is Barbara Schaffer. I am a resident of District 17. I am submitting this testimony against SB0120, Juvenile Law - Custodial Interrogation - Parental Consultation.

I am a concerned citizen about justice for Maryland's children. Along with adults, children deserve a life with dignity, respect, and safety.

SB120 targets the Child Interrogation Protection Act, a crucial piece of legislation to protect the rights of children. I want to urge the committee to resist any additional efforts to roll back youth justice reforms, like SB120 would do.

Children must be given the opportunity to speak to a lawyer prior to a custodial interrogation by law enforcement – SB120's stipulation that a child can consult with their parent, guardian, or custodian instead of an attorney before a law enforcement officer may conduct a custodial interrogation is simply insufficient.

ion of a child without the child's consultation with an attorney is simply insufficient.

I respectfully urge this committee to return an unfavorable report on SB0120.

SB 94 – Juvenile Court - Intake and Probation .pdf

Uploaded by: Ralph Watkins

Position: UNF



TESTIMONY TO THE SENATE JUDICIAL PROCEEDINGS COMMITTEE

SB 94 – Juvenile Court - Intake and Probation

POSITION: Oppose

BY: Linda Kohn, President

Date: February 13, 2024

The League of Women Voters of Maryland supports the use of specialized judges, counseling services, and coordination of programs and services provided by the state agencies in the administration of juvenile cases. These programs and services must be geared to working with the families of the juveniles involved in order to be effective. Juveniles are in a critical stage of development, with still-developing decision-making abilities and impulse control. An effective justice system will recognize their greater potential for rehabilitation, offering opportunities for support and intervention to address the root causes of delinquent behavior. Juvenile court procedures should align with these principles to promote the best interests of Maryland's youth. Such an approach would be more effective in protecting the future prospects of young offenders.

Our principal concern with SB 94 is its elimination of provisions allowing for an individualized assessment of each offender. This promotes the tailoring of programs to assist young offenders to get on a path to responsible adulthood. This will have a disproportionate impact on vulnerable youth, particularly those from marginalized communities. Requiring the forwarding of more cases to the State's Attorney without consideration of rehabilitation and diversion options may fail to address the root causes of juvenile delinquency.

The proposed increase in the maximum length of probation is also troubling as it seems inconsistent with the rapid development of decision-making skills in juveniles. This may encourage sentencing with longer terms of probation, entangling youth in the justice system for unnecessarily extended periods.

It is also essential to assess the potential impact of the proposed changes on racial disparities within the juvenile justice system. Ensuring that these changes do not disproportionately affect youth of color should be a priority.

We urge you to issue an unfavorable report on SB 94.