

Bill Number: SB 744

**Scott D. Shellenberger, State's Attorney for Baltimore County
Support**

WRITTEN TESTIMONY OF SCOTT D. SHELLENBERGER,
STATE'S ATTORNEY FOR BALTIMORE COUNTY,
IN SUPPORT OF SENATE BILL 744
JUVENILE LAW - REFORM

I write in support of Senate Bill 744 which proposes some much needed changes to the Juvenile Justice System. There is no question that the Juvenile Justice System needs improvements. One need only to click open a newspaper online or watch the evening news to see the crime that juveniles are causing. Improving the Juvenile Justice System is important for the well being of all juveniles, and all citizens in the State of Maryland.

In general, what SB 744 does is:

1. Expands the jurisdiction over a child as young as 10 for an expanded category of crimes including weapons offenses, firearms, 3rd degree sex offenses, motor vehicle offenses, and animal cruelty.
2. Shortens the period of time that the Department of Juvenile Services (DJS) has to make a determination as to whether judicial action is appropriate to 15 days. (existing law is 25 days).
3. Expands the category of offenses including multiple hand gun offenses where DJS is not required to conduct an interview as a part of their inquiry before they forward the complaint to State's Attorneys. (See 3-8A-10). This expands the category of offenses that can be sent immediately to the State's Attorney.
4. Mandates intake officers take immediate action after their inquiry. For example, file a petition or propose informal adjustment or refuse to do anything. (See 3-8A-10)
5. All felonies and hand gun offenses now must be forwarded to the SAO for review.
6. Any child under supervision that commits another offense while on supervision the complaint must be forwarded to the SAO regardless of the action recommended by DJS.
7. Requires DJS to authorize either a delinquency petition or CINS petition for any child who commits an offense that results in death under the age of 13.
8. Requires that law enforcement officers who take a child into custody to complete a written complaint or citation.
9. Expands the category of circumstances under which a child who has committed a misdemeanor may be detained.
10. Specifically allows the court and parties to consent to the waiver of a detention hearing one time. Currently those hearings must be held every 14 days.
11. Expands the definition of a non-technical violation to include two unexcused failures to appear at a treatment program.
12. Expands timeframes for the length of probation for both misdemeanors and felonies.
13. Under Criminal Procedures §2-108 law enforcement officers alleging the commission of an act by a child under the age of 13 that results in death must forward the complaint to DJS.

14. Under 9-101 and other related sections the bill establishes a supervisory board to oversee how DJS provides services and disposes of their cases.

These are some much needed changes to the Juvenile Justice System. I want the juvenile system to work and improve the lives of the juvenile, their families and society in general.

I urge a favorable report.