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SB0744

February 9, 2024

TO: Members of the Senate Judicial Proceedings Committee

FROM: Nina Themelis, Director of Mayor's Office of Government Relations

RE: Senate Bill 744 – Juvenile Law – Reform

POSITION: Support

Chair Smith, Vice Chair Waldstreicher, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** Senate Bill (SB) 744.

SB 744 makes needed improvements to the effectiveness and efficiency of the juvenile justice system by broadening accountability for juvenile offenders of serious crimes; ensuring that children receive needed rehabilitation services; and addressing gaps between the Department of Juvenile Services (DJS), law enforcement agencies and local state's attorney's partnership and collaboration when tracking juveniles who pass through the system.

Maryland law currently prohibits children under the age of 13 from being criminally charged except in the case of violent crimes. In response to concerns about a significant amount of serious crime being committed by repeat offenders as young as elementary school-age, this legislation lowers the minimum age to 10 years old for children to be charged with nonviolent crimes involving firearm-related offenses, car theft, third-degree sexual offenses, and animal abuse.

This bill aims to improve collaboration and efficiency within the juvenile system by requiring intake officers to make judicial inquiries more quickly – within 15 business days rather than the current 25-day deadline – in order to determine whether the court has jurisdiction and, if so, whether judicial action is in the best interests of the public or the child. SB 744 also requires DJS to make intake decisions more quickly, which will help to hold the state accountable while increasing fairness for juveniles in the system in part by ensuring that they are provided with needed services within a shorter time period.

SB 744 also reforms the state's Children in Need of Supervision (CINS) referral protocols to ensure that needed services are provided when youth offenders under 13 years old commit a crime resulting in the death of a victim. Through the CINS process, law enforcement and other agencies

can fill out a form to refer youth and their families to services. Under SB 744, DJS intake officers will be required to authorize the filing of a CINS petition in any case where a child under the age of 13 commits an offense that results in a death.

The Bill also requires a Commission on Juvenile Justice Reform & Emerging Best Practices to complete several tasks including: reviewing the department's educational and diversionary programs and other services; researching culturally competent, evidence-based and research-based programs and practices relating to child welfare, juvenile rehabilitation and mental health services for children; examining and reviewing fatalities involving children under the supervision of DJS; and identifying opportunities for greater coordination between the department, state's attorneys, law enforcement agencies and local organizations that provide services to youth.

SB 744 requires law enforcement to complete written statements to be shared with DJS when they take minors into custody. Currently, each time a juvenile offender reenters the system, valuable information may be lost if law enforcement officers are not submitting timely reports.

SB 744 allows the length of juvenile probation to be extended, providing more time for juveniles to complete rehabilitative programs — up to two years in four-month increments for misdemeanors, and four years in four-month increments for felonies. It is the belief of the Baltimore City Administration that these extensions are intended to ensure that juveniles who are participating in rehabilitative programs complete those programs and that decisions to extend probation will only be made in the best interests of the child and the general public as is outlined within this legislation.

For these reasons, the BCA respectfully requests a **favorable** report on SB 744.