



Juvenile Law – Juvenile Justice Reform – Juvenile Court Jurisdiction
Position: **UNFAVORABLE**

My name is Nadine Finigan-Carr, PhD and I am the Executive Director of The University of Maryland, Baltimore (UMB) Center for Violence Prevention. **The UMB Center for Violence Prevention opposes SB 792 and asks for an Unfavorable report.** The center is a collaborative effort of UMB and the R Adams Cowley Shock Trauma Center and seeks to intervene, reduce, and respond to violence in Baltimore City and the state of Maryland by bringing together the expertise of the University of Maryland Schools of Medicine, Law and Social Work.

Under Maryland law, the definition of arrest encompasses a wide spectrum of circumstances. SB 792 lacks clarity in delineating what constitutes an arrest, presenting significant concerns regarding potential adverse racial and equity implications. This aspect of the bill stands out as particularly troubling, as it has the potential to disproportionately affect children and youth who may not have been formally booked, lack a history of adjudication, and, notably, may not have engaged in any wrongdoing. This provision alone has the serious potential to increase racial disparities for Black and Latino children and unfairly increase the number of children processed through the juvenile justice system. In hyper-segregated communities in Maryland, such as those in Baltimore City and Prince George’s County, children and youth of color are disproportionately subjected to *abatement by arrest* whereby police utilize arrests to address primarily incidents that are not criminal in nature and involve non-serious offenses like loitering and disorderly conduct. Expanding the jurisdiction of the juvenile court to include a child of at least 10 or 11 (depending on the amendment) who has committed “any crime, if the child has been arrested on two prior occasions,” would criminalize youth who have been arrested for non-criminal activity.

SB 792 seeks to dismantle several provisions of the Juvenile Justice Reform Act of 2018 (JJRA) and disregards decades of research and data on the most effective methods for ensuring accountability, enhancing safety, and positively altering the life trajectories of adolescent children and youth. Additionally, to compound the regression of previously enacted reforms, SB 792 overlooks critical findings outlined in the 2022 Final Report issued by the Maryland Juvenile Justice Reform Council (JJRC). In fact, existing data shows since the JJRA was passed there have been measurable improvements, including a four-fold increase in the number of youth referred for Children in Need of Services (CINS) supports and a drop in recidivism among children under age 13 from 32.1 percent (June 2021 – March 2022) to 11.1 percent (June 2022 – March 2023)¹.

If enacted, this bill will once again jeopardize Maryland's standing as a state committed to providing fair and racially equitable treatment to children and youth within the juvenile justice system. Consistent findings from research underscore the effectiveness of community-based programs in producing positive outcomes for children. These outcomes include a decrease in recidivism rates, enhancements in educational achievement, improvements in behavioral well-being, and the reinforcement of familial support networks. The strengthening of connections with families and other support systems play pivotal roles in facilitating healing and facilitating sustainable behavioral modifications to address youth violence and address community safety concerns.

For these reasons and more, The UMB Center for Violence Prevention opposes SB 792 and urges the committee to issue an unfavorable report.

¹ Maryland Youth Justice Coalition, “What’s Best for Kids is Best for Everyone” (January 2024): 1, [42b2a9_db7a00a63fe74865a401276619ec705b.pdf \(mdyouthjustice.org\)](https://www.mdjuvenilejustice.org/42b2a9_db7a00a63fe74865a401276619ec705b.pdf)