



Testimony on Senate Bill 0744
to
The Maryland Senate Judicial Proceedings Committee

By Nina Salomon
Deputy Division Director, Corrections & Reentry
Council of State Governments Justice Center

February 9, 2024

Chairman Smith and members of the committee:

My name is Nina Salomon, and I am a Deputy Division Director with the Council of State Governments Justice Center, a national nonprofit, nonpartisan organization that provides data-driven and research-based advice on criminal and juvenile justice issues to policymakers across the country. Our juvenile justice program team has worked with many states and local jurisdictions across the country to help them adopt and implement research-based policies and practices that are designed to improve youth outcomes and strengthen public safety.

I am submitting this testimony in response to SB0744 to share some of what we know from the research works to reduce recidivism, improve positive youth outcomes for youth that encounter the juvenile justice system, and increase public safety. The challenges Maryland is facing right now with their juvenile justice system are consistent with what we are seeing in states around the country, and we see policymakers facing pressure to quickly address public safety concerns, suppress youth violence, and respond to high profile cases or increased media stories. While we cannot ignore the rising concerns on youth violence and crime, it is critical to keep in mind that most youth involved in the juvenile justice system are committing non-person, non-violent offenses, and it is very important to not be reactionary and look for quick fixes that can lead to more low-risk youth penetrating further into the system. Nationally, only about 8% of all juvenile arrests involved a violent crime, and the youth proportion of violent crime has been decreasing over several decades.¹

So, what do we know from the research works?

- **Diverting low-risk youth from the juvenile justice system is an effective public safety strategy**, and it also provides the system with more resources and more capacity to prioritize those youth that are committing violent offenses and are a public safety risk. Boggling down officer caseloads with low-risk youth inhibits their ability to prioritize more serious cases. And being able to divert low-risk youth pre-arrest, before any record is created, is critical, as we know from the research that a single arrest, or any interaction with the juvenile justice

¹ <https://ojjdp.ojp.gov/publications/trends-in-youth-arrests.pdf>

system, can lead to a host of negative outcomes, such as an increased likelihood for a subsequent arrest, increased behavioral health issues, lower school achievement, and increased trauma.

- States should **target their limited resources to support higher risk youth**, to ensure that they are receiving the treatment that they need to reduce their likelihood to reoffend. States should fully invest in an adolescent behavioral health service infrastructure that includes a crisis response system, invest in a continuum of community-based, research-based programs or approaches like cognitive behavioral therapy, family therapy, that are trauma informed and community-centered, services that are more treatment oriented and programs that can provide intensive services to youth for shorter durations. And investing in credible messenger, violence interrupter, restorative justice, and other grassroots initiatives that we know works to address youth violence is critical.
- **Matching youth to the most appropriate type of supervision** based on risk is essential to reducing youth's likelihood to reoffend. Research shows that juvenile probation supervision that emphasizes surveillance or compliance, rather than approaches that promote positive behavior change, have low impact on public safety. Probation supervision should be individualized, and officers need manageable caseloads to have meaningful interactions with youth and families. Extending supervision lengths increases caseloads and thus can have negative impacts on officers' abilities to work with young people and create tailored approaches to promote behavior change. And research shows that longer probation terms are no more effective than shorter terms in preventing future offending behaviors. Probation should only be as long as necessary to connect youth and families to needed supports and services.
- **States should eliminate the practice of filing technical violations of probation and parole, and address noncompliance through graduated responses.** There is little to no research indicating that detaining youth who commit technical violations is an effective sanction or deterrent. Rather, research shows that incarcerating youth, particularly those who don't have a high risk of reoffending, has a negative impact on their chances of future offending and educational achievement. Instead, systems should utilize graduated response systems to manage youth's noncompliance, working with their families, employing restorative justice practices, or increasing frequency of contacts. Graduated responses hold youth accountable for their behaviors, and are more likely to reduce recidivism than further court action. Promoting policies that sanction youth for technical violations can also exacerbate racial disparities.