



**HB 134**  
**Juvenile Law – Juvenile Court Jurisdiction – Age of Child**  
**UNFAVORABLE**

Dear Chair Clippinger, Vice Chair Bartlett, and members of the Judiciary Committee:

My name is Melissa Coretz Goemann and I am a resident of Silver Spring, Maryland, and am submitting this testimony on behalf of the National Youth Justice Network (NYJN). **NYJN opposes HB 134 and asks for an Unfavorable report.** NYJN is a membership organization comprised of 60 state-based organizational members and nearly 100 Youth Justice Leadership Institute (YJLI) members and alumni in 42 states across the country, including Maryland. NYJN works towards our vision of community-based, healing-centered justice.

This Committee and the Maryland General Assembly wisely passed the Juvenile Justice Reform Act (JJRA) in 2022, establishing minimum age of juvenile court jurisdiction parameters for Maryland for the first time: 10 years old for all offenses and 13 years old for non-violent offenses. The JJRA was the product of two years of serious consideration by the Juvenile Justice Reform Council (JJRC). At the time, a 2020 report from Human Rights for Kids described **Maryland’s treatment of youth in the legal system as among the “worst in the nation.”**<sup>1</sup>

The lack of a humane and rational minimum age for prosecuting children puts them at risk of experiencing the trauma and collateral consequences associated with arrest and police involvement. Legal experts and social scientists have also voiced significant concerns regarding young children’s competency to understand and exercise their legal rights in any meaningful way.<sup>2</sup> A 2003 study found that in terms of capacities relevant to competence, approximately one-third of 11 to 13-year-olds and one-fifth of 14 to 15-year-olds were “as impaired . . . as are seriously mentally ill adults who would likely be considered incompetent to stand trial by clinicians who perform evaluations for courts.”<sup>3</sup>

The United States is an outlier throughout the world in the practice of trying young children in court. The United Nations Committee on the Rights of the Child recommended that nations set their minimum age of criminal responsibility to at least 14 years old.<sup>4</sup> We urge this Committee not to go backwards in its protection of young children by once again criminalizing 11- and 12-year-old children for all non-violent offenses. **We urge an unfavorable vote on HB 134.**

Melissa Coretz Goemann  
Senior Policy Counsel

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<sup>1</sup> 2022 State Ratings Report: The Roadmap to Change, Human Rights for Kids, p. 2. [https:// humanrightsforkids.org/national-state-ratings-report/](https://humanrightsforkids.org/national-state-ratings-report/).

<sup>2</sup> Commission on Youth Public Safety and Justice, *Final Report of the Governor’s Commission on Youth, Public Safety and Justice*, 37.

<sup>3</sup> *Ibid.*

<sup>4</sup> United Nations Convention on the Rights of the Child (CRC), Committee on the Rights of the Child, *General Comment No. 24 (2019) on Children’s Rights in the Child Justice System* (2019): 6, CRC/C/GC/24, [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/TBSearch.aspx?DocTypeID=11&Lang=en&TreatyID=5](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/TBSearch.aspx?DocTypeID=11&Lang=en&TreatyID=5)