

March 22, 2024
David M. Friedman
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TESTIMONY ON SB0744 - POSITION: UNFAVORABLE
Juvenile Law - Reform

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

FROM: David M. Friedman

My name is David Friedman. I am a resident of District 14 in Colesville/Cloverly. I am submitting this testimony against SB0744, Juvenile Law - Reform as it currently stands.

I am an active member of Oseh Shalom, a Jewish Reconstructionist congregation located in Laurel, MD. Jewish tradition emphasizes that the Divine encompasses both justice and mercy and that all of us deserve a life with dignity, respect and safety. Although the current version of SB0744 before the House Judiciary Committee includes amendments, the bill as written still overall seeks to return Maryland to failed policies and disproved theories, responding to fear stoked by conservative media outlets rather than over 20 years of research and data on the most effective ways to hold kids accountable, provide them the support they need, and improve safety.

SB0744 rolls back key provisions of the Juvenile Justice Reform Act (JJRA) enacted in 2022 without any evidence-based reasons for doing so. Many of the new provisions in SB0744 are in turn not evidenced-based. For example, there is no data to support that expanding pre-trial detention, as SB0744 calls for, improves safety or outcomes for children. Similarly, the creation of longer probation periods just pulls kids deeper into the system that makes them more likely to reoffend. Saying that expansion of probation is needed because services aren't available on a timely basis is not solving the right problem. Instead of providing more services to kids who are waiting for them, this legislation punishes children for not obtaining those unobtainable services.

The two positive aspects of SB0744 are the creation of the Commission on Juvenile Reform and Emerging and Best Practices and calls for improving and expanding data collection and reporting by state's attorneys, law enforcement, diversion services, and all of Maryland's child-serving agencies. Rather than moving forward with rollback of provisions in the 2022 act, I encourage legislators to recommend that the Commission be tasked with reviewing SB0744 provisions such as changes to the probation system, lowering the age of jurisdiction, and expanding detention eligibility, and then recommend what changes are appropriate to the General Assembly prior to the next session. Such an approach would be superior to the misguided rush

to judgment that SB0744 represents. The impact of SB0744 as it currently stands will be to incarcerate more children, especially Black and brown children who are statistically moved into Maryland's juvenile justice system more than other children. I believe that communities do not want Maryland's resources focused on filling detention facilities when proactive efforts to address the underlying causes of these behaviors are more effective. A bill more serious about enhancing public safety in Maryland would allow the new Commission to build on progress made since enactment of JJRA and promote safety over punishment.

I recognize the intent of leadership to hold our public safety system accountable, but the proposed legislation places most of the burden on punishing kids in the system rather than investing in programming and services that are proven to change behavior. **I respectfully urge this committee to return an unfavorable report on SB0744 unless it is amended to focus solely on the creation of the Commission and study of the need for new provisions.**