

SB 744  
Juvenile Law - Reform  
UNFAVORABLE

Dear Chair, Vice Chair, and members of the Committee,

**I am writing to oppose SB744 as introduced and amended, and ask for an unfavorable report.**

Having worked in public schools in Baltimore for years, I know the importance of investment in our children through education, recreational programs and workforce development. I also know the importance of treating children like children, even when they make mistakes. This is why I work in diversion, diverting kids from criminal prosecution, and why I lead restorative justice circles to support those harmed in reaching accountability. Unfortunately, while SB 744 was introduced amid promises of increased support and services to help kids make better choices, the details of the legislation focus almost exclusively on expanding the net of incarceration—which is known to put kids at heightened risk of personal, sexual, and emotional harm and, according to 20 years of research and experience, results in more recidivism and crime, not less.

For almost 20 years, since he was 19, my own family member has been incarcerated in a Maryland prison. I know too well what criminalization, instead of investment in community diversion from a young age, looks like, particularly for Black families in Maryland.

I oppose this bill because it ignores everything that 20 years of experience, data, and research tells us — that when it comes to public safety, what’s best for kids is best for everyone. We want the same thing — safe communities, age-appropriate accountability for kids, and accountability for the systems that serve our kids and communities.

This legislation will grow the juvenile justice system, placing further personnel and budget strains on the Department of Juvenile Services (DJS).

**On SB744 as amended, areas of concern are:**

- 1) Continuing expanded jurisdiction for 10-, 11-, and 12- year- olds: Young children do not have the brain development necessary to understand what is happening in court, or to participate in their defense in any meaningful way, or to make rational decisions about their cases, which is why nearly two-thirds of the children under 12 that used to be prosecuted in Maryland were found to be incompetent. **Please remove expanded jurisdiction for 10-, 11-, and 12- year- olds and strike p. 3, lines 12-20 and p. 8, lines 11-15.**
- 2) Expansion of pre-trial detention: During my years working in Baltimore City elementary schools, 10-12 year olds would still come to me having had accidents in their pants. These are children and they do not belong in juvenile detention. They belong with their families, even when they have caused harm. **I opposes expanding pre-trial detention and request the committee strike p. 12, lines 10-18.**
- 3) Defining “good cause” for missing court ordered treatment programs: **I oppose restarting probation for missed appointments.** Once again, for students aged 11-18 who come through the diversion program I run, they often will miss appointments, even with regular reminders. Children age 10-12 should not be held responsible for

missing appointments when their parents and transportation support are needed to get them there.

- 4) Extending probation does not set up children for success: The JJRC found, based on data and research, that juvenile probation needs to be limited, which is why the JJRC recommended the changes reflected in the current law. **I oppose extending probation periods.**

**I support the creation of an oversight commission in this legislation.** We cannot make evidence-based decisions without proper data collection and each part of this bill should be evaluated and supported by data before any potential passage.

**Unless amended to only a study and commission, I request an unfavorable vote on SB744.**

Thank you,

Magdalena Tsiongas