



DEPARTMENT OF
JUVENILE SERVICES

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Date: February 8, 2024
Bill Number/Title: HB0814 - Juvenile Law - Reform
Committee: Judiciary
DJS Position: Support with Amendments

The Department of Juvenile Services (DJS) supports the provisions in HB 814 that addresses firearm offenses and creates the Commission on Juvenile Justice Reform and Emerging Best Practices. DJS does not support provisions in HB 814 that alter laws enacted in accordance with the recommendations of the Juvenile Justice Reform Council.

The Juvenile Justice Reform Council (JJRC) was formed during the 2019 session of the Maryland General Assembly, and the council spent the next two years gathering public input, researching best practices regarding the treatment of juveniles who are subject to the criminal and juvenile justice systems, and identifying recommendations to limit or otherwise mitigate risk factors that contribute to juvenile contact with the criminal and juvenile justice systems. The JJRC was intentionally established as a multi-disciplinary stakeholder council that included members of the legislature, the judiciary, prosecutors, defense lawyers, legal experts, state and local child-serving agencies, educators, law enforcement officials, formerly justice-involved youth, and national experts. All of the Council's recommendations focused on non-violent offenses and/or technical probation violations. Nearly all of the recommendations analyzed and discussed by the JJRC received a unanimous favorable vote.

During the 2022 legislative session, the General Assembly adopted the Juvenile Justice Reform Council's recommendations to improve and modernize Maryland's overall approach to juvenile diversion, detention, commitment, supervision, and treatment by enacting provisions that:

- Allow for developmentally appropriate interventions for youth under 13 accused of non-violent offenses;
- Created a results-oriented probation model to help young people meet rehabilitative goals;
- Supported public safety while minimizing use of detention and out-of-home commitments for low-risk youth;
- Expanded opportunities for diversion services for low-risk youth; and,
- Embedded principles of racial equity into all levels of Maryland's juvenile justice system.

DJS recognizes that with large scale legislative changes, there needs to be a significant investment in implementation strategies, and consistent evaluation of outcomes to ensure reforms are achieving intended outcomes for young people and communities. DJS also recognizes that like many other places in our country, Maryland is challenged with increased access to firearms and increased incidents where youth are perpetrators and victims of violence. To this end, DJS supports provisions in HB 814 that ensure the highest level of review and access to the full range of DJS services and interventions when a youth is alleged to engage in acts that involve a firearm. DJS also supports provisions to create an independent commission focused on ensuring Maryland's juvenile justice system operates in alignment with scientific research, evidence based practices, and implements strategies to mitigate the harms of racial and ethnic disparities. It is a commission, like the JJRC and proposed in HB 814, that should review changes and modifications to juvenile law to ensure proposals are rooted in data and achieve positive outcomes for youth, families and our communities.

DJS does not support the statutory changes in HB 814 that modify or repeal provisions enacted in accordance with the Juvenile Justice Reform Council Recommendations, as these amendments to current law diminish access to developmentally appropriate interventions for youth under age 13, remove access to effective law enforcement diversion programs, and unnecessarily remove DJS's discretion to use graduated responses and other evidence based approaches to supporting youth on community supervision/probation.

For these reasons, DJS requests a favorable report on HB 814 with amendments to address firearm offenses and the creation of the Commission on Juvenile Justice Reform and Emerging Best Practices.