



OFFICE OF THE STATE'S ATTORNEY FOR BALTIMORE CITY

February 08, 2024

The Honorable Luke Clippinger, Chairman
House Judiciary Committee
6 Bladen Street, House Office Building
Annapolis, MD 21401

RE: Support of HB322 Juvenile Law – Complaints – Forwarding to State's Attorney

Dear Chairman Clippinger and Members of the Judiciary Committee:

I am writing to express my support for HB322 Juvenile Law – Complaints – Forwarding to State's Attorney. Courts and Judicial Proceedings section 3-8A-10 (c)(4)(i)(1) and (2) requires the Department of Juvenile Services ("DJS") to forward all felony level cases to the State's Attorney's office ("SAO"); however, the caveat to that requirement is if it doesn't involve a crime of violence and doesn't involve the intentional causing of, or attempt to cause, the death of or physical injury to another; in such cases, DJS is not required to forward the cases to the SAO.

Similar to adjacent jurisdictions, we are experiencing a high rate of car thefts being committed by juvenile offenders here in Baltimore City. Across our city, each day, we hear from exasperated community members demanding that more be done to hold juvenile offenders to account.

Given the current law, however, felony car thefts fall outside of those cases with a mandated forward to the SAO. This generates a lengthy, protracted charging process. DJS has up to twenty-five days to decide whether to divert/informal or forward the case to SAO. If DJS decides to divert/informal the case, it could take up to ninety days or more. If the juvenile offender is deemed unsuccessful in diversion, then the case could be forwarded to the SAO which takes an additional thirty days.

From there, the SAO is tasked with charging a case within thirty days, then an arraignment could take up to four months. In sum, car theft cases often take months to weave their way through the juvenile system. This is to the detriment of both the juvenile offender who is not held to account, nor able to receive rehabilitative services in a timely fashion, as well as to the car theft victims who experience greatly delayed justice, if at all.



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Any crime that rises to the level of a felony should be reviewed by the SAO. As it stands now, a DJS intake officer is responsible for deciding the fate of a felony level case. The intake officer is neither an attorney nor a law enforcement agent and, thereby, are highly unlikely to appreciate the nuances of the felony cases brought to their attention. This DJS review alienates the rights of victims. In felony cases for which DJS is making the final decision, this delays justice for the victims.

House Bill 322 will ensure that *all* felony level cases are forwarded to the SAO for review and charging consideration. This will dramatically improve efficiency by connecting juvenile offenders to rehabilitative services sooner while ensuring faster outcomes for victims.

I appreciate the Committee's consideration in issuing a favorable report on House Bill 322. We look forward to continued conversation regarding juvenile justice reform measures such as these which advance our shared goal of a safer community.

Sincerely,

Ivan J. Bates

Ivan J. Bates
State's Attorney for Baltimore City

By: Hassan Giordano
Chief, External Affairs