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February 4, 2025

TO: The Honorable William Smith, Jr.
Chair, Judicial Proceedings Committee

FROM: Tiffany Clark
Chief, Legislative Affairs, Office of the Attorney General

RE: Senate Bill 422 – Juvenile Court - Jurisdiction– **Support in Concept**

The Office of the Attorney General (OAG) supports **Senate Bill 422** – Juvenile Court – Jurisdiction in concept.

Current Maryland permits automatic charging of juveniles for certain offenses making Maryland one of the only states with such a broad and punitive approach. Most other states either limit automatic adult charges to more serious felonies or provide more opportunities for judicial review before transferring children to adult court. This automatic approach fails to account for the unique developmental stage of adolescents and is a source of racial disparities in the State's criminal legal system.

While the OAG agrees that, under current Maryland law, far too many enumerated crimes permit prosecutors to direct file against juveniles in adult court, we do believe that permitting prosecutors to direct file for the worst of violent crimes should continue. Because Department of Juvenile Services intake decisions (i.e. whether to commit or leave a juvenile in community supervision) are not immediately reviewable, it makes sense to permit prosecutors the discretion to remove particularly violent juvenile offenders from the community. Many of these same juveniles will have significant criminal histories warranting their separation from society at large pending trial on only the most violent of crimes.

CC: Judicial Proceedings Committee Members