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SB0422: Juvenile Court – Jurisdiction

Position: Favorable with Amendments

Dear Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee,

My name is Michael Massey and I am a resident of District 18 and this testimony represents my individual views. I am submitting this testimony urging the Judicial Proceedings Committee to issue a **favorable with amendments report on Senate Bill 422**. While this legislation seeks to address components of our state's unacceptable system of automatically charging kids as adults, it does not go far enough and should be amended to end this practice entirely. Ending automatic charging for all children leads to better community safety, and better long-term outcomes for the children who are brought into the legal system.

I am a father of a 10 year old and I want her to live in a safe place that cares for its citizens. Charging kids as adults does not make Maryland safer and sends the message that we don't care about all of our children.

Auto-charging is costly and ineffective

I am also a Professor of Social Work at Catholic University and do extensive research on the school to prison pipeline. The research is clear—**charging kids as adults is costly and it doesn't work**. Kids who are tried and sentenced in the adult system are more likely to recidivate than those that enter the juvenile system (see This excellent study by [Kurlycheck et al., 2022](#); Also see [The Sentencing Project, 2022](#); [UCLA School of Law, 2010](#)). That make us less safe! We also know that Youth of color are more likely to be tried as adults than white youth, even when being charged with similar crimes. In Maryland between 2017-2019, 93% of juveniles tried as adults were youth of color; more than 80% were Black. That is not acceptable.

Auto-charging does not serve victims, it creates more of them

In reviewing this issue in Maryland, I have seen that some proponents of auto-charging claim that auto-charging serves the victims of crime. But any close examination suggests that these claims are either seeing the issue from a very narrow perspective or totally disingenuous. First, victims are not a monolith. The evidence suggests that a large number of victims of juvenile crime do not favor harsher punishments (see [Alliance for Safety and Justice, 2022](#); [Victim Support, 2012](#)). Rather, they want effective rehabilitation processes and bigger investments in education and economic opportunity. Second, and maybe more importantly, auto-charging **creates more victims!** Since kids who spend time in the adult system are more likely to commit more crime, auto-charging puts more Marylanders at risk in the short and long term. Additionally, the research is overwhelming that youth in adult prisons are denied mental health and educational resources, are more likely to be victims of physical and sexual abuse, experience higher levels of trauma, and are at increased risk for early death (see [Human Impact Partners, 2017](#)). A [recent JAMA study](#) by Siver et al. (2023) found that incarceration in an adult

correctional facility before the age of 18 years was associated with a 33% increase in the risk of mortality between 18 and 39 years of age. In essence, auto-charging is its own cycle of victimhood.

Maryland can do better

Senate Bill 422 starts the process of reversing the current costly, cruel, and ineffective policy. With amendments to make it stronger, Maryland has an opportunity to remove itself from the [shameful list of states](#) that see many of its children as disposable and makes us less safe in the process. **I respectfully urge this committee to return a favorable with amendments report on SB 422** and finally have Maryland join the 6 other states who have passed laws to treat kids like kids and completely end automatic charging.