

Written Testimony in Support of SB0422 Juvenile Court – Jurisdiction

From: Mary Dadone, District 30B
31 January 2025

Dear Chairman Will Smith and Members of the Committee,

I am writing to express my strong support for SB-422.

The de facto policy of routinely trying, convicting, and sentencing children as adults is fundamentally flawed and has had devastating effects on many families, particularly within African American communities. It is also a waste of resources given the low conviction rate in adult court. It is, in effect, the modern incarnation of the abuses documented in the documentary Thirteenth: in effect, it is a practice of routine removal from society of Black and Brown children juvenile suspects and immediately placing them in the processes and facilities of the adult criminal justice system. It reflects an attitude of seeing these children and dangerous criminal who must be removed from society for the safety of society, with little to absolutely no regard for the emotional, physical, psychological, and spiritual safety of those children.

Is this who we are? Must we look on even children as dangerous threats, disproportionately if they are Black or Brown, rather than as young persons with difficulties? The bias to see the behavior and the bodies of Black and Brown children as older, more aggressive, more poorly self-controlled, more dangerous than they actually are is well document. Remember Michael Brown – a large Black young man who may or may not have shoplifted – shot dead by a policeman who, at best, read every aspect of Mr. Brown’s body and movements as criminal and life threatening. Reading the offenses of Black and Brown children as more heinous and their persons as more dangerous arises from the same place of fear and disregard for the fullness of their humanity.

We have systems for dealing with juvenile offenders both pre-trial and post-conviction, assuming they are convicted. These systems place safeguards around the children to mitigate the trauma and disruption of the arrest, detention, and court experiences. These safeguards are there because these suspects are children. What in the world merits routinely leaping over these safeguards. Are we that afraid that scared, that indifferent to unnecessary harm, that demanding of retribution for anyone who might fall into the criminal catchment nets? Surely we can do better than this. Surely we are better than this. This was never appropriate, and it is long beyond time for Maryland to correct this injustice.

The punitive mindset that promotes the notion of “adult crime, adult time” has led to serious consequences, most notably the loss of judicial discretion. This law has become a blunt

instrument that disregards the unique circumstances of youth. Many states have recognized the harms of this practice and successfully rescinded it out of compassion for the individuals and families affected. It is time for Maryland to follow suit.

While we acknowledge the necessity of accountability for young people, we must also recognize that many lack positive influences and resources. Compassion should guide us in allowing judges the discretion to determine the appropriate venue for young offenders, whether juvenile or adult court, on a case-by-case basis.

I urge you to support SB-422 to end the harmful practice of charging children as adults in Maryland.

Thank you for your consideration.

Most sincerely,

Mary Dadone