

Youth Equity and Safety Act (YES Act)



Everyone benefits when kids accused of breaking the law go to the juvenile justice system – and a judge decides if they should be tried as an adult.

- 26 other states have passed laws to **treat kids like kids and limit the pathways into adult courts**
- Seven states (California, Hawaii, Kansas, Kentucky, Oregon, Tennessee and Texas) **already start all cases involving their youth in their juvenile courts**

Maryland sends more youth, ages 14-17, to adult court – automatically, without input from a judge – than any other state except Alabama.

WHAT THE YES ACT DOES:

Current law in Maryland requires youth as young as 14 to be charged as adults—in adult criminal court—for up to 33 offenses. The YES Act ensures that kids under age 18, regardless of charges, begin their cases in juvenile court—where they have access to age-appropriate services and protections.

WHAT THE YES ACT DOES NOT DO:

The YES Act does NOT prevent teenagers from being tried in adult court.

Prosecutors can ask for cases to be moved from juvenile to adult court. Judges will determine the appropriate venue for the trial.

The YES Act does NOT release teens charged with serious crimes back into the community.

Juvenile Judges and Magistrates decide who is released or held before trial.

REINCARCERATION RATES ARE HIGHER FOR YOUTH IN THE ADULT SYSTEM

■ Youth transferred out of adult court and treated by DJS (3yr reincarceration rate)

■ DPSCS Under Age 25 (3yr return to custody rate)



THE CURRENT LAW IS WASTEFUL AND INEFFICIENT

In 2022, only 12% of teenagers charged as adults received a criminal conviction. But all 871 teens went through a long, expensive process waiting to find out if their case would stay in adult court. They also waited an average of 85 days longer than their peers who were charged as juveniles. This is inefficient, leads to large backlogs of cases, and wastes the time of Maryland's courts, public defenders and prosecutors.

THE YES ACT CAN REDUCE CRIME AND INCREASE SAFETY

- **Youth charged in adult court are less likely to receive rehabilitative services, which makes them more likely to reoffend than similarly situated youth charged in juvenile court.**
Research overwhelmingly shows that charging kids as adults does not improve public safety. **According to the U.S. Department of Justice** – “To best achieve reductions in recidivism, the overall number of juvenile offenders transferred to the criminal justice system should be minimized.”
- **Adult charging results in increased physical violence, sexual violence, and isolation.**
Evidence shows that youth charged as adults are at increased risk of physical and sexual assault and isolation from their families, which may contribute to future criminality. **The YES Act protects kids and preserves families.**
- Adolescent brains are not adult brains. **Charging youth as adults ignores definitive research that adolescent brains are rapidly developing and have yet to reach full maturity.** Services and treatment in juvenile facilities are evidence-based and preventative. According to the U.S. Dept. of Justice, “intensive juvenile placements are relatively more beneficial than either adult prison or mild juvenile sanctions.” **The YES Act is backed by brain science.**

THE YES ACT PROMOTES RACIAL JUSTICE

- **86% of youth charged in adult court in Maryland are Black.**
 - **Black youth are more likely to be sent to adult prison and receive longer sentences than their white counterparts for similar offenses.**
 - Implicit bias research shows that Black kids are more likely to be seen and treated as adults than white kids. **The YES Act protects Black youth from discrimination.**
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To learn more and get involved, visit mdyouthjustice.org