

## **Written Testimony in Support of House Bill 1433**

### **Juvenile Court - Jurisdiction**

Presented to the House Judiciary Committee  
By: S. Todd Yeary, Esq.

## **INTRODUCTION**

Chairman Clippinger, Vice-Chair Bartlett, and members of the Committee, thank you for the opportunity to provide testimony in support of House Bill 1433.

### **I. The Need for Reform**

Maryland currently sends criminal charges against children aged 14-17 to adult court automatically more than any other state except Alabama. This practice disproportionately impacts youth of color, especially Black youth, who make up 31% of Maryland's population but 81% of all children charged as adults<sup>2</sup>. Such stark racial disparities demand immediate action.

### **II. Benefits of HB1433**

House Bill 1433 would make several crucial changes to improve outcomes for youth and enhance public safety:

1. *Expanded Juvenile Court Jurisdiction*: The bill repeals provisions that automatically exclude certain cases from juvenile court jurisdiction. This ensures all youth cases begin in juvenile court, where judges can make individualized determinations.
2. *Elimination of Inefficient Processes*: Currently, 871 teens automatically charged as adults face lengthy transfer hearings, with average wait times 103 days longer than juvenile system cases. HB1433 would streamline this process.
3. *Reduced Recidivism*: Research consistently shows youth tried in the adult system have higher reincarceration rates. Keeping cases in juvenile court, with its focus on rehabilitation, will improve long-term outcomes.
4. *Cost Savings and Resource Reallocation*: Ending automatic charging of children as adults would free up an estimated \$12.3 million for the Department of Juvenile Services in FY 2026. This could be invested in community resources and evidence-based prevention programs.

### **III. Racial Equity Implications**

HB1433 would have significant positive impacts on racial equity in Maryland's juvenile justice system:

1. *Disproportionate Impact*: Youth of color, especially Black youth, are overrepresented in both juvenile and adult courts for crimes of violence charges. In fiscal 2023, 81% of youth charged as adults for crimes of violence were youth of color.

2. *Reduced Disparities*: The bill would substantially reduce the number of cases heard in the circuit court involving juveniles charged as adults. This would significantly reduce the likelihood of harsher punitive outcomes for youth of color.
3. *Access to Services*: Juveniles under the jurisdiction of the juvenile court will likely have more access to coordinated resources, individualized treatment, and a continuum of care not available in the adult system.
4. *Addressing Systemic Inequities*: While the bill's provisions would not directly affect charge inequities between racial groups, it will significantly impact youth of color whose cases are currently heard in the circuit court but would instead be adjudicated by the juvenile court under the new provisions.

#### **IV. Alignment with Best Practices**

HB1433 would bring Maryland in line with other states that have enacted similar reforms to ensure children are treated as children in the justice system. Some of these states include:

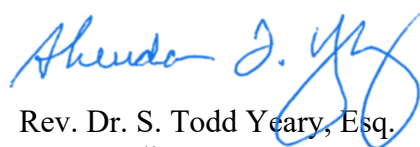
- *Kentucky*: Requires prosecutors to offer diversion to first-time misdemeanor offenders.
- *Utah*: Established diversion standards and limited school-based court referrals in 2017.
- *Colorado, Hawaii, Indiana, Kansas, Kentucky, Utah, and West Virginia*: Have broadened state laws as part of larger youth justice reform legislation.

#### **V. Conclusion**

House Bill 1433 represents a critical step toward a more just, effective, and equitable juvenile justice system in Maryland. By expanding juvenile court jurisdiction and eliminating inefficient automatic charging practices, this legislation will improve outcomes for youth, enhance public safety, and better utilize state resources. Most importantly, it will address significant racial disparities in our current system, providing more equitable treatment and opportunities for rehabilitation to all youth, regardless of race or ethnicity.

I urge the Committee to issue a favorable report on House Bill 1433. Thank you for your consideration.

Respectfully,



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