



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Favorable: HB 441 – Minors Convicted as Adults – Sentencing – Transfer to Juvenile Court

Hearing on 2/06/2025 at 1:00pm

To: Chair Clippinger, Vice Chair Bartlett and my Fellow Members of the Judiciary Committee

The purpose of HB 441 – Minors Convicted as Adults – Sentencing – Transfer to Juvenile Court is to establish a process for transferring cases from adult court to juvenile court for the sentencing of minors who are victims of sex crimes and trafficking.

This bill specifically addresses those minors who commit offenses against their abusers but have been convicted as adults. It recognizes the significant impact that traumatic experiences can have on children within our criminal justice system.

Similar legislation has been introduced over the past three years: SB601 and HB445 of 2024, HB170 of 2023, and SB759 and HB754 of 2022.

Under current law, the juvenile court lacks jurisdiction over minors of a certain age who commit specific crimes that are classified as adult offenses, such as felonies or life-imprisonable offenses; these cases are tried in adult criminal court.

HB 441 allows the court to transfer the sentencing of a minor, charged as an adult, back to juvenile court if the court finds clear and convincing evidence that the individual against whom the minor committed a crime previously committed a sex crime or trafficking crime against that minor.

The court has the discretion to transfer the case to juvenile court for sentencing.

By granting the court this discretion, we acknowledge the complex dynamics surrounding certain behaviors and the importance of considering each case's unique circumstances.

In conclusion, I respectfully request a favorable report for HB 441 – Minors Convicted as Adults – Sentencing – Transfer to Juvenile Court. This legislation represents a crucial step in breaking the cycle of revictimizing young people within our legal system. Thank you for your time and consideration.