

Committee: Judiciary
Testimony: HB1433 – Juvenile Court – Jurisdiction
Submitting Susan Tafler
Position: FAVORABLE WITH AMENDMENTS
Hearing Date: February 26, 2025

Dear Chair Luke Clippinger, Vice Chair Sandy Bartlett, and members of the Judiciary Committee,

My name is Susan Tafler and I am a resident of Odenton, District 21. I am submitting this testimony urging the Judiciary Committee to issue a favorable with amendments report on House Bill 1433. 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. Passing an amended HB1433 would allow all kids who are accused of crimes to receive support and rehabilitation, reducing violent crime and recidivism while treating them more fairly and humanely. It would also reduce the amount of time that these children wait for their cases to be heard and would prevent them from being incarcerated in adult jails. An amended 1433 simply changes where juvenile cases start and would still allow cases to be waived up to adult court after judicial review

The Jewish values that I have grown up with have long recognized the differing capacities of children and adults. *Yetzer harah*, the "evil inclination," is seen as a drive toward pleasure that can be tempered by *yetzer hatov*, the "good inclination" or moral sense that leads to benefits toward oneself and society. The ability to "tame" the basic instincts, *yetzer harah*, with higher level reasoning, *yetzer hatov*, grows stronger as we mature, warranting different treatment of children and adults.

I taught high school biology for a good number of years, and I think I know what teenagers are like. In my classroom I certainly had my share of kids who were immature, impulsive, and disruptive and a few who have gotten themselves into trouble in the larger community. I could understand that adolescent brains are not adult brains! I did feel confident that given support and steady guidance those young troublemakers could eventually mature and settle down to turn into pretty good adults. In 2013, Massachusetts (which is where I had taught many years earlier) raised the age to 17 to keep in the juvenile system children accused of criminal behavior. Since then, Massachusetts has seen a 51% reduction in juvenile crime – outperforming national reductions in both property and violent crime – and found that older adolescents processed in juvenile system had a 34% lower recidivism rate than those in the adult system.

That is why I have been appalled at the practice in Maryland of automatically charging youth as adults for 33 different offenses, which sends children as young as 14 to adult detention facilities with fewer rehabilitative resources and less access to education than in the juvenile system. Autocharging especially harms Black youth, who are disproportionately targeted by police and our justice system. In fact, 81% of kids charged in adult court in Maryland are Black. Not only is this practice damaging to the children facing prosecution, it does not further the safety of the communities they live in. When it comes to public safety, what is best for kids is best for everyone.

I respectfully urge this committee to return a favorable with amendments report on HB1433.