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TESTIMONY ON HBI433 - POSITION: FAVORABLE WITH AMENDMENTS
Juvenile Court – Jurisdiction

TO: Chair Atterbeary & Co-Chair Wilkens & Members of the Ways and Means Committee

FROM: Carol Stern

My name is Carol Stern, and I am testifying in favor of HBI433 with amendments as a resident of Montgomery County's District 16 and a member of Adat Shalom Reconstructionist Congregation in Bethesda.

The Jewish text that shapes my religious and moral conviction that juveniles must never be automatically charged as adults is the directive issued in Deuteronomy 16:20, **"Tzedek, tzedek tirdof - Justice, justice shall you pursue."** The Jewish sages explain that the word tzedek is repeated not only for emphasis but to teach us that in our pursuit of justice, our means must be as just as our ends. When we are working to reform our criminal justice system, we must demand that it operates in accordance with these deeply held Jewish beliefs.

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. 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. Research 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.

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."

As a mother of two children and a grandmother of three, I cannot imagine allowing my children or grandchildren to automatically be charged as adults.. This is not the kind of justice that our State of Maryland should allow for anyone. SB442 does eliminate automatic charging for children aged 14, and 15, and reduces the list of charges for 16 and 17 year olds and this is a good start, but it does not go far enough. This bill should be amended to end automatic charging for all offenses and for all children 17 and younger. This amendment simply changes where juvenile cases start, and would still allow cases to be waived up to adult court after judicial review.

I respectfully urge a favorable report on HBI433 with amendments.