

HB0441_RichardKaplowitz_FAV

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TESTIMONY ON HB#0441 - POSITION: FAVORABLE
Minors Convicted as Adults - Sentencing - Transfer to Juvenile Court

TO: Chair Clippinger, Vice Chair Bartlett, and members of the Judiciary Committee

FROM: Richard Keith Kaplowitz

My name is Richard Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of/ HB#/0441, Minors Convicted as Adults - Sentencing - Transfer to Juvenile Court

With 6% of its overall prison population incarcerated for crimes they committed as minors, Maryland trailed only Louisiana, Wisconsin and South Carolina, according to [the report](#), “Disposable Children: The Prevalence of Child Abuse and Trauma Among Children Prosecuted and Incarcerated as Adults in Maryland.”¹

In recognition of this problem and the injustice of forcing treatment of minors, who may lack the critical thinking skills that could have changed their misconduct, into adult prisons, this bill seeks to establish a presumption that the sentencing of a minor convicted as an adult should be transferred to the juvenile court, under certain circumstances, and authorizing the court to do so. It rejects the “one size fits all” view of youth criminal activity in favor of treating each case as distinct with its own set of facts. In this way the punishment for the conduct and the goal of rehabilitation of a juvenile offender becomes primary for the court. The bill will make this change to our justice system by requiring the juvenile court to make a juvenile determination under certain circumstances.

“Maryland is faced with a simple choice. On the one hand the state can look the other way, continuing to incarcerate children who act out behaviorally due to abuse, neglect, and community violence, or it can seek to address the root of the problem by showing these children something many of them have never had before – love,” the report said.¹

I respectfully urge this committee to return a favorable report on HB0441.

¹ <https://marylandmatters.org/2024/11/20/report-calls-for-reforms-in-marylands-handling-of-youth-tried-and-imprisoned-as-adults/>