



HB 1433: Juvenile Court – Jurisdiction

Position: Favorable with Amendments

February 26, 2025

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

My name is Melissa Coretz Goemann, a resident of Silver Spring, Maryland, and Senior Policy Counsel for the National Youth Justice Network (NYJN). On behalf of NYJN, we **urge the committee to issue a Favorable with Amendments report on HB 1433**. NYJN is a membership organization comprised of 73 state-based organizational members and nearly 100 Youth Justice Leadership Institute (YJLI) members and alumni in 42 states across the country, including Maryland. NYJN works towards our vision of anti-racist, community-based, healing-centered justice.

HB 1433 would take Maryland a big step forward in ending the practice of automatically charging youth as adults – a process that now occurs without the thoughtful deliberation of a judge. This bill would end automatic charging for all fourteen and fifteen-year-olds and limit the offenses that sixteen and seventeen-year-olds can be charged with. This will help to ensure that the decision as to whether to charge a young person as an adult is given the serious consideration by a juvenile court judge that this significant, life-altering decision requires. The negative impacts of treating youth as adults are substantial and often life-long, affecting individual youth, their families, and communities.¹

Our goal should be to rehabilitate these young people so that they can lead healthy, productive lives – that is the humane thing to do and is also the best route to protecting public safety.² Keeping large numbers of our youth in adult court and adult facilities runs counter to this goal.

Poor conditions for youth in adult facilities

In 2023, multiple problems for youth housed at the Baltimore County Detention Center (an adult facility) surfaced including “rodent-infested cells that sometimes flood with sewage water.”³ In January, 2024, Baltimore County agreed to move minors “when space allows” to the Youth Detention Center in Baltimore City, run by the adult correctional system (Maryland Department of Public Safety and Correctional Services (DPSCS)).⁴ However, by last August, the detention center was already

¹ See, e.g., Campaign for Youth Justice, “The Consequences Aren’t Minor: The Impact of Trying Youth as Adults and Strategies for Reform” (March 2007), https://www.njcn.org/uploads/digital-library/CFYJNR_ConsequencesMinor.pdf.

² Research shows that adult system processing and incarceration increases recidivism among teens. “Effects on Violence of Laws and Policies Facilitating the Transfer of Juveniles from the Juvenile to the Adult Justice System: A Report on Recommendations of the Task Force on Community Preventive Services” (Centers for Disease Control and Prevention, April 2007): 6-8, www.cdc.gov/mmwr/pdf/rr/rr5609.pdf.

³ Cassidy Jenson, “Youth at Baltimore County jail kept in cells for 23 hours a day in poor conditions, state public defender says,” *Baltimore Sun*, March 10, 2023, <https://www.baltimoresun.com/2023/03/10/youth-at-baltimore-county-jail-kept-in-cells-for-23-hours-a-day-in-poor-conditions-state-public-defender-says/>.

⁴ Cassidy Jenson, “Baltimore County Agrees to Move Youth Detainees to City Juvenile Jail When Space Permits,” *Baltimore Sun*, Jan. 9, 2024, <https://www.baltimoresun.com/2024/01/09/baltimore-county-agrees-to-move-youth-detainees-to-city-juvenile-jail-when-space-permits/>.



overcrowded.⁵ This has led to issues including teens sleeping on cots in the gym and an inability of the one facility psychologist to see all the youth that need care.

Insufficient mental health treatment for youth in adult facilities

It is well known that many young people in the justice system have mental health challenges. The Department of Juvenile Services offers a number of programs to help these youth, including dialectical behavioral therapy and family systems therapy, offered both in their residential facilities and in the community.⁶ By contrast, mental health treatment in Maryland's adult facilities is generally "self-directed," by giving young people a workbook to do, rather than an actual therapist.⁷ If a teen can get into the Patuxent Youth Program (run by DPSCS), at best they will get once a week group therapy but not individual therapy. The Patuxent psychiatrist stated that their staff members are not trained to work with teens and they cannot treat youth as successfully there as they could be in the juvenile system. As he further stated, "Having a youth receive services at the Department of Juvenile Services is always more beneficial than anything they would receive in the adult system."⁸ Research has shown that therapy reduces the likelihood of reoffending.⁹

Conclusion

The bottom line is that youth can only receive developmentally appropriate and humane treatment, which has the best chance of turning their lives around and thereby best protecting public safety, in a system and facilities created for youth – the juvenile justice system. By passing this bill, many young people that currently start in adult court and then get moved down to juvenile court, will not have to endure the poor conditions for youth in adult facilities because they will start the process in juvenile court and facilities. Even if a motion is filed to move a young person to adult court, the process in juvenile court is much quicker so they will not be in detention for nearly as long a time.

We urge this committee to amend HB 1433 to fully end the automatic charging of young people who are aged seventeen and younger as adults in Maryland and vote in favor of such legislation.

Respectfully Submitted,
Melissa Coretz Goemann, Senior Policy Counsel

⁵ Rachel Baye, "Detention Center for Maryland Teens Charged as Adults Overcapacity for Months," *WYPR*, August 7, 2024, <https://www.wypr.org/wypr-news/2024-08-07/detention-center-for-maryland-teens-charged-as-adults-overcapacity-for-months>.

⁶ Rachal Baye, Jennifer Lu, and Claire Keenan-Kurgan, "Judges Use 'Arbitrary,' 'Horrendous' Reasons to Keep Teens in Adult Court," *WYPR*, March 20, 2024, <https://www.wypr.org/wypr-news/2024-03-20/judges-use-arbitrary-horrendous-reasons-to-keep-teens-in-adult-court>.

⁷ *Ibid.*

⁸ *Ibid.*

⁹ *Ibid.*