

Feb. 24, 2025

Testimony on HB1433—Position: Favorable with Amendments
Juvenile Court-Jurisdiction

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

FROM: Karen Caplan, Silver Spring, MD 20902

My name is Karen Caplan and I am a resident of Maryland District 18. I greatly appreciate that the committee is considering this bill, and I am writing in support if amended.

Maryland's practice of auto-charge puts us well out of the mainstream in the United States—and not in the way we generally want to think of ourselves. Only one state sends more children to adult court than we do— that state is Alabama. Twenty-six other states have passed laws that are designed to treat children like children. It is long past time for Maryland to do the same.

Ultimately, of course, this is not about comparing ourselves with others. Ending auto-charge is consistent with pretty much all of the available research and data. We know that children's and adolescent's brains are different, that they are still in the process of development. This is why we have the differentiation between adult and juvenile systems to begin with. Crucially, that adults and children are not the same is no less true when children are accused of serious crimes than it is when they are charged with more minor ones. And we also know that when we charge children as adults— so that they have to spend time in the adult system, without the services they would otherwise receive— we either expose them to physical and sexual violence or condemn them to isolation. And the end result is not decreased crime, it is actually increased recidivism.

I'm a mom of two young adults. Like pretty much anyone who has parented adolescents, I can tell you they are not adults. They make poor choices sometimes, and when they do it, what they need is guidance and help. This is true even when the poor choice is a crime. I also know that my kids, who are white and affluent, had they made such a choice (or even had they merely been *accused* of making it), would have been far less likely to have been sent into the adult system, because, in MD, a shocking 81 percent of children sent to adult court are black. This, I think, should bother all of us.

For these reasons, I am respectfully urging the committee to adopt amendments to this bill such that the legal process of *all* children begins in the juvenile court system.