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**Date:** 2/12/2026  
**Bill Number/Title:** SB 436 Minors Convicted as Adults - Sentencing - Transfer to Juvenile Court  
**Committee:** Judicial Proceedings Committee  
**DJS Position:** Support

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The Maryland Department of Juvenile Services (DJS) supports Senate Bill 436, which authorizes a court to transfer a youth convicted as an adult to the juvenile court for sentencing when the court determines, by clear and convincing evidence, that the individual against whom the youth was convicted previously committed a sex crime or human trafficking against the youth within three months before the offense for which the minor was convicted.

SB 436 thoughtfully expands the circumstances under which a court may transfer a youth convicted in adult court to the juvenile court at sentencing. By recognizing the profound and well-documented impact of sexual abuse and human trafficking on a young person's development, decision-making, and behavioral health, this bill creates an appropriate pathway for certain youth to access the treatment, rehabilitation, and supportive services that are central to Maryland's juvenile justice system.

Under current law, when a youth is charged and convicted in adult court, the court may transfer the child to juvenile court for disposition only in limited circumstances, specifically when all charges that excluded juvenile jurisdiction do not result in a guilty finding, and when either pretrial transfer was prohibited by statute or the court declined to transfer jurisdiction after a reverse waiver hearing.

When considering whether to transfer an eligible youth at sentencing, the court must weigh important factors, including the child's age, mental and physical condition, amenability to treatment, the nature of the offense, and public safety. SB 436 builds on this existing framework by ensuring that courts can also consider the very real dynamics of victimization and coercion that too often underlie youth involvement in serious offenses.

DJS supports statutory changes that increase access to developmentally appropriate, trauma-responsive treatment and rehabilitative interventions for justice-involved youth. Decades of research consistently demonstrate that young people and the communities to which they will return are better served when youth are diverted from the adult criminal system and instead receive services in the juvenile justice system that is designed to meet their developmental needs.

For these reasons, DJS requests a favorable report on SB 436.