



OUT FOR JUSTICE

Testimony in Support of Senate Bill 323 Youth Charging Reform Act

Committee Name: Judicial Proceedings

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Good afternoon, Chair Smith, Vice Chair Waldstreicher, and Members of the Committee,

My name is Neka Duckett-Randolph, and I am a proud resident of the powerhouse that is District 46. I am writing on behalf of Out For Justice, a member-led criminal justice reform organization with the mission of engaging, educating, and empowering individuals impacted by the legal system to build collective power to dismantle systemic oppression and harmful policies. We strive to humanize marginalized communities, prevent criminalization, reduce recidivism, and promote second chances and successful reintegration through advocacy, education, and supportive programming. I am writing today to urge this committee to issue a favorable report for Senate Bill 323 as amended by the Senate.

The truth is plain as day: **We are throwing kids away here in Maryland.** SB323 is a crucial first step in the right direction to change that. The idea that a child, no matter their mistake, should be forced into an adult system before anyone takes a real look at who they are and what they've been through is a harmful system in practice, not justice.

Currently, most autocharged cases are transferred down to the youth court system after waiting four to five months. Yet youths are detained while they await a judge's decision on a waiver. **During this time -- nearly a semester of high school -- they receive no education. Research shows that putting kids in adult court makes them more likely to commit a [new and worse crime](#) compared to keeping them in the youth court system. Additionally, youth who spend time in adult prisons are more likely to be physically and sexually assaulted and held in solitary confinement.** Starting all cases in the youth court and requiring prosecutors to waive the most serious cases up into adult court would result in fewer kids wasting time and taxpayer resources in pretrial facilities. **This bill would free up \$20 million annually and could be used to expand community-based services that deliver the best results for public safety.** Maryland youth charged as adults are sent to adult jails, putting the state out of compliance with federal law (the Juvenile Justice and Delinquency Prevention Act).

We know the science. The research is overwhelming. **Kids' brains are not fully developed, and their decision-making is impulsive, emotional, and influenced by their environments in ways that adults' aren't.** And yet, we still choose a justice system that ignores that reality.



A report from Human Rights for Kids found that **90% of kids in the justice system have experienced serious trauma—homelessness, violence, abuse, and losing a parent to prison.** Instead of addressing that, we put them in an adult system that further traumatizes them and increases the chances they will never recover. **Maryland can do better. Maryland must do better.**

And it's not just any kids that this happens to. We know exactly which kids this system swallows up. **Black kids. Brown kids. Foster kids. Poor kids. Kids without someone to fight for them.** I don't have to wonder why—it's the same reason the world has failed so many generations before them.

Passing this bill is a necessary first step for Maryland to start treating kids as kids and to undo the harm this law has caused. **No child should automatically be sent to adult court, no matter the charge.** Let's trust our judges and professionals to make individualized decisions. Let's put kids in systems designed to help them, not break them. We cannot, in good conscience, continue to automate a deliberate process. It's inefficient, a violation of these children and our duty to protect them, and a gross misstep in our pursuit of public safety.

The bill, as amended, adds reporting language so that Maryland can finally properly see and study the impacts that autocharging has on recidivism rates and dispel a multitude of myths that harming kids increases public safety. I strongly urge a favorable report.