

Dear Members of the Judiciary Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with Out For Justice. I am a resident of District 44A. **I am testifying in support of HB409, the Youth Charging Reform Act.**



**Showing Up for Racial Justice**

HB409 would end the practice of charging 14- and 15-year old children as adults, and ensure that only 16- and 17-year-olds accused of the most serious crimes, such as rape and murder, are charged in adult court.

Unfortunately, after more than a century of progress in juvenile justice, in the 1990s Maryland reversed course and began to pass laws purporting to be “tougher” on youth crime, including requiring many charges against minors to be prosecuted in adult court by default.<sup>1</sup> Maryland, once progressive in its view of youth crime, is now a national outlier in its practice of automatically charging young people as if they were adults. Per capita, we send more young people to adult court based on offense type than every other state but Alabama.<sup>2</sup> Additionally, the current system disproportionately affects Black youth, as nearly 80% of Maryland youth charged in adult court are Black.<sup>3</sup>

The practice of charging children as adults is inhumane. It is also economically wasteful, as the vast majority of these cases are either transferred to juvenile court or dismissed.<sup>4</sup> Finally, it does not even do what it is intended to do, since statistics indicate that automatic charging of youth as adults does not decrease youth crime generally or reduce recidivism by the youth so charged.<sup>5</sup> By significantly decreasing the automatic charging of youth as adults, we can bring Maryland more into line with modern juvenile justice standards, redirect resources to treating rather than simply imprisoning young offenders, and ultimately improve the safety of our communities by preventing re-offending. It is for these reasons that I am encouraging you to vote **in support of HB409, the Youth Charging Reform Act.**

Thank you for your time, service, and consideration.

Sincerely,  
Daryl Yoder  
309 Glenmore Ave., Catonsville, MD 21228

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<sup>1</sup> Jason R. Tashea, & Al Passarella, *Youth Charged as Adults: The Use and Outcomes of Transfer in Baltimore City*, 14 U. Md. L.J. Race Relig. Gender & Class 273 (2015). <https://digitalcommons.law.umaryland.edu/rrgc/vol14/iss2/4>

<sup>2</sup> The Sentencing Project, National Trends in Charging Children, Presentation to the JJRC (July 20, 2021). <http://dls.maryland.gov/pubs/prod/NoPblTabMtg/CmsnJuvRefCncl/Sentencing-Project-National-Trends-inCharging-Children.pdf>

<sup>3</sup> Juvenile Justice Reform Council Supplemental Report, [http://dls.maryland.gov/pubs/prod/NoPblTabMtg/CmsnJuvRefCncl/JJRC-Report-Final\\_2021SupplementalReport.pdf](http://dls.maryland.gov/pubs/prod/NoPblTabMtg/CmsnJuvRefCncl/JJRC-Report-Final_2021SupplementalReport.pdf)

<sup>4</sup> In 2017-19, 48% of juveniles charged as adults in Baltimore City were returned to juvenile court, and 33% were dismissed or otherwise closed without a verdict. In MDEC counties the figures were 41% and 36% respectively. Juvenile Justice Reform Council Supplemental Report p 33.

<sup>5</sup> Lila Kazemian, *Pathways to Desistance From Crime Among Juveniles and Adults: Applications to Criminal Justice Policy and Practice*, Nov. 2021 (internal citations removed), <https://www.ojp.gov/pdffiles1/nij/301503.pdf>