

**Written Testimony in Support of
HB 409, Juvenile Court – Jurisdiction (Youth Charging Reform Act)**

**by Lydia C. Watts, Esq., MPH, Executive Director, the Rebuild, Overcome, and Rise
(ROAR) Center at University of Maryland, Baltimore**

**Hearing date: February 12, 2026 before the
House Judiciary Committee**

My name is Lydia Watts. I am the Executive Director of the Rebuild, Overcome, and Rise (ROAR) Center at the University of Maryland, Baltimore. I submit this written testimony **in support of HB 409, the Youth Charging Reform Act**. The views expressed herein are my own, offered in my professional capacity, and do not represent the views of the University of Maryland, Baltimore.

ROAR provides comprehensive, wrap-around services to victims of crime in Baltimore City. Since beginning operations in June 2019, ROAR has served more than 900 individuals—each a survivor of crime, including homicide, non-fatal shootings, sexual assault, intimate partner violence, and other serious harms. I have been a licensed attorney in the District of Columbia, Maryland, and Massachusetts for nearly 30 years, and for the vast majority of that time I have represented survivors of violence in both civil and criminal matters.

There is no question that being the victim of a crime is deeply destabilizing and traumatic. However, automatically charging young people as adults is not an effective or evidence-based response to that trauma. Decades of rigorous research demonstrate that young people who cause serious harm have, in most cases, experienced significant victimization and trauma themselves—trauma that is routinely unaddressed by our education, health care, and community systems. It is that unmet need for intervention and healing that requires our attention and resources, not reflexive reliance on adult prosecution under the guise of “greater accountability.”

Contrary to frequently repeated tropes, most crime victims are not calling for harsher sentences or increased incarceration. Instead, they are seeking meaningful support for themselves—and often, support for the individuals who harmed them—rather than additional punishment¹. This is in part because incarceration rarely addresses the ongoing needs of survivors. It is also because many victims, particularly victims of color, are acutely aware of the devastating effects that overcriminalization and mass incarceration have had on their families and communities, producing deeper harm rather than safety.

¹ Crime Survivors Speak, The First-Ever National Survey of Victims’ Views on Safety and Justice, Alliance for Safety and Justice. <https://allianceforsafetyandjustice.org/wp-content/uploads/documents/Crime%20Survivors%20Speak%20Report.pdf>

The high rate of youth involvement in harm in Baltimore City—and in similarly situated cities across the country—is inseparable from the impacts of intergenerational trauma, structural racism, decades of disinvestment driven by redlining and segregation, and chronic underinvestment in children and families. Survivors often turn to programs like ROAR rather than the criminal legal system because they want stability, safety, and healing. They want safe and affordable housing in neighborhoods free from constant violence. They want jobs that pay living wages, reliable transportation, and schools where their children are safe and well-educated. And they want the opportunity to heal from trauma and reclaim a sense of peace and agency in their lives.

From my nearly three decades of experience working with survivors of crime, the overwhelming majority—non-scientifically, I would estimate well over 90 percent—do not favor a traditional criminal justice response to their victimization. Instead, survivors consistently express the following needs²:

- Safe and affordable housing, particularly when victimization occurs in or near the home or in neighborhoods experiencing high rates of violence or overdoses;
- Accessible, long-term, culturally responsive counseling, including group-based services;
- Timely, non-judgmental assistance navigating complex systems such as public benefits, health and mental health care, housing, juvenile justice, and foster care;
- Legal assistance to mitigate the impact of victimization on housing, employment, education, immigration status, financial stability, safety, and personal dignity;
- Autonomy and meaningful choice in how their experience is addressed;
- Greater investment in diverse service options, particularly those rooted in communities and unaffiliated with formal justice system processes³; and
- Access to employment support, transitional housing, and other long-term stabilizing resources⁴.

Absent meaningful investment in these supports and in the communities where survivors live, trauma often persists for years—sometimes for a lifetime—despite survivors’ extraordinary efforts to cope and move forward.

Opposition to reforms such as those proposed in HB 409 often invokes the claim that “victims are not being considered.” I strongly disagree. The rigid and misleading dichotomy between “victims” and “perpetrators” undermines effective policy making. Most victims of crime come

² Warnken, Heather and Lauritsen, Janet, [Who Experiences Violent Victimization and Who Accesses Services?](https://ncvc.dspacedirect.org/bitstream/item/1270/CVR%20Article_Who%20Experiences%20Violent%20Victimization%20and%20Who%20Accesses%20Services.pdf?sequence=1), Center for Victim Research, Findings from the National Crime Victimization Survey for Expanding Our Reach, April 2019. https://ncvc.dspacedirect.org/bitstream/item/1270/CVR%20Article_Who%20Experiences%20Violent%20Victimization%20and%20Who%20Accesses%20Services.pdf?sequence=1; and Crime Survivors Speak, [The First-Ever National Survey of Victims’ Views on Safety and Justice](https://allianceforsafetyandjustice.org/wp-content/uploads/documents/Crime%20Survivors%20Speak%20Report.pdf), Alliance for Safety and Justice. <https://allianceforsafetyandjustice.org/wp-content/uploads/documents/Crime%20Survivors%20Speak%20Report.pdf>. See page 27, Box 3: “Invest in evidence-based services that protect crime survivors and stop the cycle of victimization.”

³ Warnken, Heather, [Untold Stories of California Crime Victims, Research and Recommendations on Repeat Victimization and Rebuilding Lives](#), April 2014 (page 19).

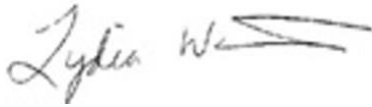
⁴ Same report in footnote 3 (page 25).

from the same neighborhoods and social conditions as the young people who caused them harm, and many have firsthand knowledge of the failures of punitive, “tough on crime” approaches. Victims support reform not because they oppose accountability, but because they want accountability that is proportional, developmentally appropriate, and conducive to public safety.

Automatically charging young people as adults undermines public safety by deepening inequities, increasing disenfranchisement, and perpetuating cycles of harm. HB 409 moves Maryland toward a more just, evidence-based approach—one that recognizes both the needs of survivors and the developmental realities of youth.

For these reasons, I respectfully urge the Senate Judicial Proceedings Committee to issue a favorable report on HB 409.

Sincerely,

A handwritten signature in cursive script that reads "Lydia Watts". The signature is written in dark ink and is positioned to the left of a horizontal line that extends to the right.

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Additional Information about Race and the Criminal Justice System That Would be Exacerbated by the Passage of SB 604

Dating back to 1993, Kimberle Crenshaw wrote: “Women of color [in work cited, the author is referring to survivors of intimate partner violence] are often reluctant to call the police, a hesitancy likely due to a general unwillingness among people of color to subject their private lives to the scrutiny and control of a police force that is frequently hostile. There is also a more generalized community ethic against public intervention, the product of a desire to create a private world free from the diverse assaults on the public lives of racially subordinated people.”⁵ “[F]or some people subjected to abuse, the criminal justice system – indeed, any state system – is not a safe and comfortable place within which to seek justice. People of color, who are already overrepresented in the criminal justice system, may have concerns about approaching the state for assistance, fearing that the state will intervene punitively against their partners or against them.”⁶ And their fears are often warranted. Sometimes calling the police results in homelessness for victims of intimate partner violence,⁷ or in their own arrest. These same fears are present – perhaps even heightened – for survivors of gun and other forms of community violence.

Black men are over-represented among those accused of and convicted of violent crime though there is no evidence to suggest that men of color are more prone to violence than white men,⁸ though the media certainly portrays otherwise.⁹ The perception of men – particularly young men – of color as inherently more violent has inexorably and negatively shaped lives, communities, history, and political landscapes.¹⁰ Not only are young men of color disproportionately

⁵ Kimberle Crenshaw, *Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color*, 43 STAN. L. REV. 1241, 1257 (1993).

⁶ Leigh Goodmark, “Law and Justice are Not Always the Same”: *Creating Community-Based Justice Forums for People Subjected to Intimate Partner Abuse*, Florida State University Law Review Vol. 42:707, 720 (year?).

⁷ There have been many housing authorities across the country who were exposed in the early 2000s for evicting domestic violence victims for violating the policy that no illegal activity could take place on public housing property, and since she called the police for help, the housing authority was alerted that a crime had occurred – an assault against the victim who is now getting evicted as a result. This practice is still occurring today on privately owned properties. See Jenny Kutner, “Domestic Violence Victims can be Evicted for Calling the Police”, July 14, 2016, <https://mic.com/articles/148484/domestic-violence-victims-can-be-evicted-for-calling-police-here-s-why#.oJfYfDbSK>.

⁸ Kim Farbota, *Black Crime Rates: What Happens When Numbers Aren't Neutral*, January 19, 2016, http://www.huffingtonpost.com/kim-farbota/black-crime-rates-your-st_b_8078586.html.

⁹ In *Tough Guise: Violence, Media and the Crisis in Masculinity*, Jackson Katz and Jeremy Earp argue that the media provide an important perspective on social attitudes – and that while the media are not the cause of violent behavior in men and boys, they do portray male violence as a normal expression of masculinity. Earp, Jeremy and Jackson Katz. *Tough Guise: Violence, Media & the Crisis in Masculinity* (study guide). Media Education Foundation, 1999. In 1999, Children Now, a California-based organization that examines the impact of media on children and youth, released a report entitled *Boys to Men: Media Messages About Masculinity*. The report observes that... non-white male characters are more likely to experience personal problems and are more likely to use physical aggression or violence to solve those problems. *Boys to Men: Media Messages About Masculinity*. Children Now, 1999. <http://mediasmarts.ca/gender-representation/men-and-masculinity/how-media-define-masculinity>, last visited 8.23.16.

¹⁰ “This far-reaching form of stereotyping and oppression—what Toni Morrison and others call the “white gaze”—has shaped individual lives and collective histories within communities of color.” David J. Knight, *Beyond the Stereotypical Image of Young Men of Color*, The Atlantic, January 5, 2015. <http://www.theatlantic.com/education/archive/2015/01/beyond-the-stereotypical-image-of-young-men-of-color/384194/>

represented among those accused of using violence, but also of being victims of violence.¹¹ Yet, their needs as victims of crime, and the commensurate trauma that often comes with victimization, are largely ignored, thereby exacerbating the devastating impact of the continued assault of structural racism.

Since men of color are *perceived* as more prone to be violent, it is likely that they will adopt behaviors to support that perception or assumption. Michelle Alexander in The New Jim Crow poses the question, “Are we willing to demonize a population, declare a war against them, and then stand back and heap shame and contempt upon them for failing to behave like model citizens while under attack?”¹² She goes on to say “[t]here is nothing abnormal or surprising about a severely stigmatized group embracing their stigma... Indeed, the act of embracing one’s stigma ...is a political act – an act of resistance and defiance in a society that seeks to demean a group based on an inalterable trait... [E]mbracing the stigma of criminality is an act of rebellion – an attempt to carve out a positive identity in a society that offers them little more than scorn, contempt, and constant surveillance.”¹³ The “dance” - or “minstrel show” as Alexander calls it¹⁴ - of men of color acting “ghetto”, violent, posturing to gain some sense of respect and control, plays perfectly into stereotypes and implicit racism that men of color are in fact more violent.

It is important to note, that rates of incarceration have skyrocketed for women during this same time period, at even greater and more astonishing rates.¹⁵ “There are 14 times more women in jail in this country today than there were in the 1970s... [And] women typically become incarcerated after experiencing gender-based trauma throughout their lives. About eight in ten [incarcerated women] have experienced domestic partner abuse. A large majority has survived sexual violence.”¹⁶ Again, women of color are disproportionately represented among the incarcerated. Many of these women are in jail or prison because a violent partner forced them into illegal activity, most typically assisting in some portion of a drug exchange, but also in sex work.¹⁷ Other times, women may engage in illegal activity to survive in an environment that does not support poor mothers well, if at all. Over the past 20 years, public benefits have been dramatically cut, affordable housing stock has plummeted, and childcare costs and other costs of living have soared. Livable wages are almost non-existent for those working in certain sectors of

¹¹ Danielle Sered, *Young Men of Color and the Other Side of Harm*, Vera Institute of Justice, December 2014.

<http://archive.vera.org/sites/default/files/resources/downloads/young-men-color-disparities-responses-violence.pdf>

¹² Michelle Alexander, The New Jim Crow: Mass Incarceration in the Age of Colorblindness (2010), p. 170.

¹³ Id at p. 171.

¹⁴ Alexander writes about how the media portrays men of color as caricatures of “racial stereotypes and images associated with the era of mass incarceration – an era in which black people are criminalized and portrayed as out-of-control, shameless, violent, over-sexed and generally underserving.” Id at pg. 173.

¹⁵ Coker & Macquoid, *Opposing Hyper-Incarceration*, *supra* note 15 at 588 (2015).

¹⁶ Micelle Chen, *Why Are There So Many Women in Jail? The number of women in jails has skyrocketed over the past four decades*, <https://www.thenation.com/article/why-are-there-so-many-women-in-jail/>, August 22, 2016.

¹⁷ “Survivors who were forced into criminal activity by abusive partners could also be eligible for alternative sentencing under the legislation [Domestic Violence Survivors Justice Act, passed in May 2016 in New York state]. Advocates stress that abusers often use violence to coerce survivors into committing crimes like robbery or drug trafficking.” Melissa Jeltsen, *Should Domestic Violence Victims go to Prison for Killing Their Abusers?*, May 26, 2016, http://www.huffingtonpost.com/entry/domestic-violence-prison-legislation_us_573deaa3e4b0ace7b8e94236.

our economy. Working in illegal economies may literally feel like the only choice to financially support oneself and a family.¹⁸

All of this is true also for those selling and buying street-drugs through the State of Maryland. To criminalize those caught in this matrix of racism and poverty will only compound the harm.

¹⁸ “Particularly for women, their interactions with the justice system are often the result of survival efforts,” said Liz Swavola of the Vera Institute of Justice, one of the report’s principal authors. “They are predominantly women of color, and they are overwhelmingly poor.” Rebecca McCray, *There are More Women in U.S. Jails Than Ever Before*, August 17, 2016, <http://www.takepart.com/article/2016/08/16/women-jails?cmpid=tp-twtr>. “Women often become involved with the justice system as a result of efforts to cope with life challenges such as poverty, unemployment, and significant physical or behavioral health struggles.” Vera Institute of Justice, *Overlooked: Women and Jails in an Era of Reform*, August 2016.