



Senate Bill 0323 Juvenile Court - Jurisdiction (Youth Charging Reform Act)
House Judiciary Committee
March 31, 2026
Position: Favorable

The Choice Program at UMBC respectfully urges a **favorable report on Chairperson Smith's bill SB 323: Youth Charging Reform Act**, legislation that would end Maryland's harmful practice of automatically charging children as adults for some crimes.

We are here because Maryland still has a law rooted in fear: fear of Black youth, fear of poverty, and fear of communities that have been over-policed and under-served for generations. Auto-charging children as adults is not race-neutral. It never has been. This policy has always fallen hardest on Black and Brown children—pulled into adult courtrooms before they are old enough to vote, drive, or fully understand their rights. That is not justice. That is structural racism, enforced by the state. When we say end auto-charging, we are saying: end a system that criminalizes Black childhood. As recommended by the Commission on Juvenile Justice Reform and Emerging and Best Practices, it is time to end auto-charging.

The Choice Program at UMBC has served more than 27,000 Maryland youth who are systems-involved since 1988. Today, we work with young people and their families in Baltimore City, Anne Arundel, Baltimore, Harford, Howard, Prince George's, and Montgomery Counties. Choice serves as a proven alternative to the school-to-prison pipeline. Our primary goal is to reduce the number of Black and Brown young people ensnared in the youth legal system. Our model explicitly seeks to dismantle racist structures by using strengths-based approaches grounded in positive youth development. We hold high expectations for youth and families—and we pair those expectations with high levels of support. Our young people remind us every day that they should not be defined by their worst mistake. These principles are essential to addressing racial inequities at both the individual and systemic levels.

For more than a century, the United States has recognized that children are categorically different from adults. Overwhelming evidence confirms that youth and communities are better served when children remain in the youth legal system. Research shows that children prosecuted in adult court face far greater physical, emotional, and psychological risks. They are more likely to be placed in solitary confinement “for protection,” a practice associated with suicidal ideation and severe psychiatric distress. They are also routinely denied access to education and therapeutic services while detained in adult jails.

As the Maryland Equitable Justice Collaborative has documented, the racial disparities are stark. In Maryland, more than 90% of children charged in adult court are youth of color, and 77% are Black. Black children are more likely than white children to be prosecuted as adults and to receive longer sentences for similar offenses, in part because Black children are more likely to be perceived and treated as adults rather than as children.

Maryland's overreliance on adult court is extreme. Our state sends more young people per capita to adult court based on offense type than any state except Alabama. We can be better than Alabama! According to a 2024 report from Human Rights for Kids, Maryland ranks fourth highest in the nation for the number of people convicted as adults for offenses committed as children. This is driven by laws that require some 14- and 15-year-olds—and most 16- and 17-year-olds—to be automatically charged as adults for 33 offenses, placing Maryland out of step with developmental science, public safety research, and international human rights standards.

“Tough on crime” policies from the 1980s and 1990s have failed. These policies were fueled by racialized fear and myths that cast young Black men as “super-predators.” Research consistently shows that children tried and sentenced in adult court are more likely to reoffend, more quickly, and with more serious offenses than similarly situated youth handled in the youth legal system. Auto-charging undermines rehabilitation, weakens community safety, and perpetuates racial inequities.

This system is also costly and inefficient. Each year, hundreds of children are automatically sent to adult court, only for judges to determine in approximately 87% of cases that those cases should be dismissed, transferred back to juvenile court, or resolved with probation. This unnecessary process costs Maryland taxpayers more than \$20 million annually. These resources that could instead be invested in programs like ours that offer rehabilitative services that work.

SB 323 is a better path forward. This bill restores discretion, allowing cases to begin in the youth legal system where judges can determine whether adult prosecution is truly warranted. It moves Maryland away from punishment rooted in moral panic and toward safety grounded in evidence, dignity, and care.

Community repair and well-being depend on a vision of safety that rejects the impulse to punish children harshly. This legislative session presents an opportunity to affirm the importance of rehabilitation and to reduce racial and ethnic disparities, particularly for children and young adults. And, Choice looks forward to returning in the coming years to finish the job. We are committed to working for the day when Maryland aligns with California, Hawaii, Kansas, Missouri, Oregon, and Texas, states that have ended the practice entirely and severely restricted these practices.

For the sake of Maryland's children, families, and communities, we respectfully urge this Committee to issue a **favorable report on SB 323** and finally end the practice of automatically charging children as adults.

For more information contact:

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