

TESTIMONY IN SUPPORT OF HB 409

JUVENILE COURT – JURISDICTION (Youth Charging Reform Act)

Judiciary Committee

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I am a retired Maryland State employee who worked to constructively change conditions in the juvenile justice system from 2007 until 2025, and I fully support House Bill 409. A legislative fix is essential to put a stop to the chronic glut of young people charged as adults and held in juvenile services' detention centers and in other jails for long periods. Children and young people, poor and without political clout, are easy to forget about when targeted and denied their right to a proper hearing in court before being locked up for months or even a year or more.

Some people blame the youth themselves who fail to thrive after being cycled through this process. A few states' attorneys blame the Department of Juvenile Services, while some even argue that the adult correctional system would better serve young people. I hope you see that argument as both ridiculous and tragic. While it is true DJS offers flawed services, corrections offers no substantial services for young people.

While some prosecutors may believe it too politically risky to not recommend secure detention for young people as soon as they level charges against them, it would be more just not to do so. The Maryland justice system currently incentivizes young people who are locked up on an automatic charge to accept a plea bargain to end what can be an indefinite period in a youth or adult jail.

You can change all this. You can make the system work better for everyone. You can refuse to accept the status quo that allows people to be condemned to an adult or juvenile jail without any meaningful chance to exercise their due process rights. After this bill passes into law, young people accused of the most serious of crimes will still be automatically prosecuted in adult criminal court. So too will other young people because judges will hear prosecutors' arguments and accede to those arguments. But there will be no more mass locking up of young people and throwing away the key before they have a meaningful opportunity to be heard in court.

I wholeheartedly support House Bill 409 and urge this justice-informed committee to give this important bill a favorable report. I am sure the members of the General Assembly will overwhelmingly support this modest but vital proposal.