

## **WRITTEN TESTIMONY REGARDING HOUSE BILL 409 (UNFAVORABLE)**

Madam Chair, members of the committee, my name is Haven Shoemaker, State's Attorney for Carroll County and this testimony is submitted in opposition to House Bill 409, Juvenile Court – Jurisdiction in its current form. Not every crime committed by a juvenile is appropriate to be centered around the rehabilitation of the juvenile. The most violent of criminal offenses committed by juveniles require a more balanced approach that includes considering the rights of the victim and the safety of the community.

Numerous mechanisms are included in the current process to protect juveniles:

- Age requirements for initial charging.
- Juveniles may request a transfer hearing to be remanded to the juvenile system.
- Juveniles have a bail review in front of a judge on the next day of court to determine if they're eligible to return to the community.
- Even after conviction, the juvenile may request a review to determine if the case should be remanded to the juvenile system.

There is a misconceived perception that a large number of juveniles charged as adults are of a very young age. However, between 2013 and 2020, an average of 975 juveniles were charged with automatic adult offenses. Of those 975, 95% were 16 to 17 years of age and 61% were 17 years of age. (INFORMATION COURTESY OF THE JUVENILE JUSTICE REFORM COUNCIL)

Lately there has been a movement to close and eliminate juvenile detention facilities and many of these facilities needed to be closed. However, no juvenile facilities have been developed to replace the ones that were closed. Eliminating adult jurisdiction will cause violent juvenile offenders, who may be more appropriate for an adult detention facility, to be housed in already overburdened, overcrowded juvenile facilities with other juveniles who will be in danger.

I urge an unfavorable report to House Bill 409 in its current form or request that the matter be tabled for further discussion to see if an agreement can be worked out to allow certain violent crimes to remain as automatic adult jurisdiction for juveniles.

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