



**JAMIE L. DYKES**  
STATE'S ATTORNEY

**DATE:** February 10, 2026

**BILL NUMBER:** SB 0323/HB 0409

**POSITION:** Unfavorable

Limiting direct file would increase the risk to public safety and substantially impair prosecutors' and the courts' ability to address serious juvenile crime. The Department of Juvenile Services (DJS) is already a strained system, lacking sufficient safeguards, supervision capacity, and outcome-based accountability to ensure meaningful rehabilitation for the high-needs youth it serves.

At the outset, I must address the repeated assertion that 85% of juveniles charged as adults are transferred back to juvenile court. That statistic does not reflect the experience in Wicomico County.

Our data demonstrate that direct file is used responsibly and reserved for the most serious conduct and/or for recidivist offenders:

- **2023:** Eight juveniles were charged in adult court. One was transferred (12.5%), with the consent of the State. One case was dismissed due to lack of victim cooperation.
- **2024:** Seventeen juveniles were charged as adults. Five were transferred (29.4%), four with the State's consent. One of those five was later indicted on additional charges and prosecuted in adult court.
- **2025:** Fourteen juveniles were charged as adults. Five were transferred (35.7%), all with the State's consent. One case was dismissed for lack of victim cooperation; one was placed on the STET docket as part of a global resolution.

By contrast, cases originally filed in juvenile court that were later waived to adult court were exceedingly rare:

- 3.6% in 2023
- 2.9% in 2024
- 4.7% in 2025

These figures confirm that direct file is not overused. It is a measured tool, reserved for the most serious and violent cases and/or for repeat offenders undeterred by DJS treatment. Eliminating or limiting this

**OFFICE OF THE STATE'S ATTORNEY FOR WICOMICO COUNTY**

309 EAST MAIN STREET, P.O. BOX 1006, SALISBURY, MARYLAND 21803 TEL: 410-548-4880 FAX: 410-860-2425

[www.wicomicostatessattorney.com](http://www.wicomicostatessattorney.com)

prosecutorial tool will unnecessarily inhibit the ability of law enforcement and State's Attorneys to guard the public safety.

## **Escalating Youth Violence and Systemic Failure**

Since 2023, Wicomico County has experienced a significant rise in gang-related youth violence involving drug distribution, car theft, illegal firearms, and murder. Gang membership is largely juvenile.

On April 16, 2023, a gang-related shooting resulted in the murder of a 16-year-old and the wounding of a 21-year-old outside a restaurant. The perpetrators, ages 15 and 16, have both been convicted of murder as adults.

Six weeks later, in a continuation of that conflict, we experienced our first mass shooting, a 15-year-old was killed and seven (7) others were wounded at a July 4 gathering. The perpetrators, 15, 16, and 27, have all been convicted.

Critically:

- The 15-year-old defendant in the July 4 murder was AWOL from a DJS placement.
- The 16-year-old defendant in the July 4 incident was one of the two involved in the earlier April 16 homicide.
- Each juvenile charged as an adult had extensive prior juvenile contacts:
  - Six (6) prior contacts for the 16-year-old involved in both shootings
  - Thirteen (13) prior contacts for the 15-year-old in the April homicide
  - Ten (10) prior contacts for the 15-year-old in the July homicide

These cases reflect escalating violence despite repeated juvenile system intervention.

Additional recent cases reinforce these concerns:

- A juvenile who cut off his ankle monitor and absconded from DJS supervision was later charged with murder and illegal firearm possession after shooting a victim in the face while AWOL. He has ten (10) prior juvenile contacts.
- Another juvenile failed to appear for a waiver hearing after being charged with burglary. While an arrest writ was outstanding, he turned eighteen and committed another burglary as an adult. Both cases now proceed in adult court.

These are not isolated lapses. They reflect structural deficiencies in DJS supervision, enforcement authority, and capacity.

State's Attorneys across Maryland can provide similar examples of violent offenses committed by juveniles who were under supervision but not effectively managed or rehabilitated.

The harm is not limited to the homicide victims themselves. Families of victims are devastated. Communities are destabilized. And young offenders, after repeated unsuccessful intervention, learn the lesson that criminal behavior carries no consequence for them and, ultimately, leads them to face more severe adult consequences that earlier, more effective intervention might have prevented.

### **OFFICE OF THE STATE'S ATTORNEY FOR WICOMICO COUNTY**

309 EAST MAIN STREET, P.O. BOX 1006, SALISBURY, MARYLAND 21803 TEL: 410-548-4880 FAX: 410-860-2425

[www.wicomicostatessattorney.com](http://www.wicomicostatessattorney.com)

Rehabilitation must be effective.

Currently, DJS often measures inputs, such as hours of services provided, rather than meaningful outcomes. Tracking time spent, including the completion of schoolwork packets with little or no structured adult engagement, is not the same as delivering intensive therapeutic intervention that reduces violent behavior, improves compliance, and enhances public safety.

Our children, both those within the juvenile system and those in the broader community, are not better served when supervision fails and performance is measured by activity instead of results. Across this State, prosecutors see the consequences firsthand. Whatever aggregate statistics may suggest, the on-the-ground reality in our communities demonstrates that too many youth are not being effectively redirected before serious harm occurs.

For certain serious and repeat violent offenders, the Youthful Offender Program at Patuxent Institution provides more structured supervision and rehabilitative intensity than DJS is currently able to deliver.

Patuxent Institution, operated by the Maryland Department of Public Safety and Correctional Services, houses a specialized Youthful Offender Program serving individuals generally between 18 and 25 years of age convicted of serious crimes. Unlike traditional incarceration, Patuxent provides:

- Cognitive-behavioral treatment
- Educational and vocational programming
- Substance abuse treatment
- Mental health services
- Individualized case planning
- Structured, compliance-driven supervision

Importantly, Patuxent has the authority to impose meaningful structure, enforce accountability, and retain custody when individuals present ongoing risk. It offers containment and therapeutic intensity that DJS placements, particularly for juveniles who repeatedly abscond or escalate, cannot provide.

For the most serious repeat offenders, these tools are more robust and more capable of interrupting the trajectory toward continued violence.

The juvenile justice system, as currently structured and resourced, is not equipped to adequately protect public safety in cases involving serious, violent offenders. Eliminating or significantly limiting direct file, particularly by removing most firearm offenses from eligibility, would further restrict the ability of law enforcement and prosecutors to respond effectively to the most dangerous conduct.

The risk will not be theoretical. It will be borne by victims, their families and communities.

Before enacting further limitations, I urge a realistic assessment of DJS's operational capacity and measurable outcomes, including review of the Ombudsman's report. I also urge you to consider the concerns raised by the Maryland Judicial Council Legislative Committee memo filed relative to SB0323 on January 28, 2026. With so many clear warnings from independent entities, it is difficult to understand the rush to legislate a solution that DJS is so ill-equipped to manage and sustain.

Public safety policy must be grounded in verified performance.

**OFFICE OF THE STATE'S ATTORNEY FOR WICOMICO COUNTY**

309 EAST MAIN STREET, P.O. BOX 1006, SALISBURY, MARYLAND 21803 TEL: 410-548-4880 FAX: 410-860-2425

[www.wicomicostatessattorney.com](http://www.wicomicostatessattorney.com)

Attached are screenshots obtained during Wicomico County's 2023 homicide investigations reflecting the gang-related activity at issue. These images illustrate both the nature of the conduct and the level of firepower involved.

For these reasons, this Office respectfully urges an unfavorable report on SB 0323 / HB 0409.



**OFFICE OF THE STATE'S ATTORNEY FOR WICOMICO COUNTY**

309 EAST MAIN STREET, P.O. BOX 1006, SALISBURY, MARYLAND 21803 TEL: 410-548-4880 FAX: 410-860-2425

[www.wicomicostatelaw.com](http://www.wicomicostatelaw.com)