



1411 K Street N.W.
Suite 900
Washington, D.C. 20005
202.525.5717

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Testimony from:

Logan Seacrest, Resident Fellow, Criminal Justice and Civil Liberties, R Street Institute

In SUPPORT of Senate Bill 323, the “Youth Charging Reform Act”

March 31, 2026

House Judiciary Committee

Chairwoman Bartlett and members of the committee,

My name is Logan Seacrest, and I am a resident fellow of Criminal Justice and Civil Liberties at the R Street Institute, a nonprofit, nonpartisan public policy research organization. Our mission is to engage in policy research and outreach to promote free markets and limited, effective government. This is why SB 323, the Youth Charging Reform Act, is of special interest to us.

Maryland remains an outlier in how it treats young people in the legal system. In 2025, Maryland automatically charged more than 1,000 children as if they were adults, without judge or prosecutor input, more than any other state except for Alabama.¹ This practice does not improve public safety. In fact, most of these cases are eventually transferred back to juvenile court or dismissed, never resulting in an adult criminal conviction.²

Despite not having much impact on legal outcomes, charging children as adults carries significant financial and human costs. From 2023-24, the detention rate for Maryland children in adult facilities rose 27% to 119.59 per 100,000, more than eight times the standard set in the federal Juvenile Justice

¹ Elizabeth Calvin and Emily Virgin. "Maryland Should Do Better by Children Accused of Crimes," March 12, 2025. <https://www.hrw.org/news/2025/03/12/maryland-should-do-better-children-accused-crimes>.

² Juvenile Justice Reform Council, "Final Report," Maryland Department of Legislative Services, January 2021. <http://dls.maryland.gov/pubs/prod/NoPblTabMtg/CmsnJuvRefCncl/JJRC-Final-Report.pdf>; see also Commission on Juvenile Justice Reform and Emerging and Best Practices, "Maryland's JJDPA Compliance Crisis: Children in Adult Detention," October 2025. <https://gocpp.maryland.gov/wp-content/uploads/Marylands-JJDPA-Compliance-Crisis-Children-in-Adult-Detention-COMMISSION-APPROVED-.docx.pdf>.

and Delinquency Prevention Act (JJDP). The same year, Maryland had 1,600 times JJDP violations, more than any other state, prompting the federal government to exclude Maryland's data from national averages, because the state has become such an outlier.³ These violations have put \$350,000 in federal grant funding at risk over the next two years.⁴

In addition to jeopardizing funding, Maryland's practice of charging youth as adults continues to put fiscal strain on the Department of Juvenile Services (DJS) and Office of Public Defender. In 2024, youth charged as adults awaiting transfer comprised 60 percent of the DJS' average daily detention population. These youth spent an average of 98 more days in custody than comparable youth charged as juveniles, at a cost of \$1,174 per child, per day.⁵ Maryland taxpayers bear the burden of this wasteful, inefficient system that sets youth on a lifelong path of justice system involvement.⁶

The Youth Charging Reform Act promotes limited, effective government by ensuring most juvenile cases begin in a system that provide accountability while delivering age-appropriate rehabilitation services. Children charged as adults have higher rates of recidivism and are more likely to commit violent crimes later in life, compared to those in the juvenile system.⁷ Furthermore, exposing young people to adult jails increases the risk of physical violence, sexual assault, and isolation, factors that contribute to future criminality.⁸ By reducing the number of cases that start in the wrong court, SB 323 will cut down on pre-trial detention, transfer hearings, and waivers, saving the state millions of dollars per year.⁹ These savings will provide Maryland with the opportunity to invest in a more effective interventions.

Importantly, this legislation does not end or prohibit the prosecution of youth as adults. It still requires cases involving 16- and 17-year-olds charged with serious offenses—including murder and carjacking—to begin in adult court. Prosecutors also retain the ability to petition for the transfer of serious cases and judges will continue to have the discretion to decide who is detained or released. This bill simply replaces an automatic process that limits judicial discretion, with a deliberate one that prioritizes results.

³ Maryland's JJDP Compliance Crisis: Children in Adult Detention, October 2025.

⁴ Ibid.

⁵ Maryland Department of Juvenile Services, "Youth Charged as Adults Pending Transfer Demographics by Detention Facility, FY 2024," 2024. https://djs.maryland.gov/Documents/DRG/Data_Resource_Guide_FY2024.pdf

⁶ Maryland's JJDP Compliance Crisis: Children in Adult Detention, October 2025.

⁷ Robert Hahn et al. "Effects on Violence of Laws and Policies Facilitating the Transfer of Juveniles from the Juvenile Justice System to the Adult Justice System: A Report on Recommendations of the Task Force on Community Preventive Services." Center for Disease Control MMWR Recommendations and Reports, 56: RR-9, November 30, 2007, pp. 1-11, <https://www.cdc.gov/mmwr/pdf/rr/rr5609.pdf>;

⁸ National Prison Rape Elimination Commission, "Report of the National Prison Rape Elimination Commission National PREA Resource Center, June, 2009, <https://www.prearesourcecenter.org/resource/national-prison-rape-elimination-commission-report>.

⁹ Maryland Department of Legislative Services, "Fiscal and Policy Note: House Bill 422, Juvenile Court - Jurisdiction," Maryland General Assembly, 2025. https://mgaleg.maryland.gov/2026RS/fnotes/bil_0009/hb0409.pdf

Youth charged with serious offenses need to be held accountable. However, accountability should not come at the expense of effective public safety or fiscal responsibility. By passing the Youth Charging Reform Act, Maryland will improve long-term outcomes for Maryland's youth, reduce an extravagant misuse of government resources, and bring the state in alignment with national best practices and the latest scientific evidence on juvenile justice.

I respectfully ask that the committee issue a favorable report for SB 323.

Logan Seacrest
Resident Fellow
Criminal Justice and Civil Liberties
R Street Institute
lseacrest@rstreet.org