



TESTIMONY IN SUPPORT OF SB 215

Juvenile Court – Jurisdiction

Senate Judicial Proceedings Committee

February 8, 2017

Member Agencies:

Advocates for Children and Youth

Baltimore Jewish Council

CASA of Maryland Inc.

Catholic Charities

Episcopal Community Services

Family League of Baltimore

Fuel Fund of Maryland

HealthCare Access Maryland

Health Care for the Homeless

Homeless Persons
Representation Project

Interfaith Works

Jewish Community Relations Council
of Greater Washington

Job Opportunities Task Force

League of Women Voters of Maryland

Maryland CASH Campaign

Maryland Catholic Conference

Maryland Center on Economic Policy

Maryland Community Action
Partnership

Maryland Consumer Rights Coalition

Maryland Family Network

Maryland Hunger Solutions

Maryland Interfaith
Legislative Committee

National Council on Alcoholism &
Drug Dependence – Maryland Chapter

Public Justice Center

St. Vincent de Paul of Baltimore

Welfare Advocates

Maryland Alliance for the Poor

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The Maryland Alliance for the Poor (MAP) **supports** SB 215, which removes automatic adult court jurisdiction for youth between the ages of 14-17 who are accused of one of 33 offenses. All youth will start their case in the juvenile justice system. However, current law allows for the state's attorney to file a motion where a juvenile court judge may move a youth's case from the juvenile to the adult system.

MAP has chosen to speak on this issue because research shows that youth experiencing poverty are at greater risk of contact with the juvenile justice system.

The majority of youth automatically charged as adults are never convicted of a crime or prosecuted in the adult system. According to a report produced by Maryland's Department of Juvenile Services looking at six years of data, 60 percent of youth automatically sent to adult justice system either had their case dismissed or sent back to the juvenile system, meaning that automatic charging is excessively inclusive, and damages children who do not belong in the adult system.

Youth charged as adults face a lifetime of collateral consequences. Youth tried in the adult criminal justice system generally leave with an adult criminal record, even if they are not convicted. This creates significant obstacles to youth's successful reentry into the community. Adult criminal records will limit their access to housing, employment and student loans. In contrast, youth treated in the juvenile system don't have a public criminal record that continues to impact them for the rest of their lives.

This bill still allows for appropriate adult court intervention. Maryland law already allows youth to be moved from the juvenile system to the adult system if the child is under 15 and is accused of first degree murder, first degree rape or first degree sexual offense, *or* if a child is 15 or over and is accused of any crime. Prior to an adjudication hearing, a state's attorney may file a motion to ask the court to move the youth's case from the juvenile system to the adult. The state must prove the youth cannot be rehabilitated in the juvenile system, but the judge has to assume that child committed the alleged crime.

The Department of Juvenile Services is prepared to manage the population of children the bill contemplates. DJS already has custody of many youth charged as adults who are awaiting transfer hearings. In FY 2015, DJS had 211 youth return to their system, one third were committed and sent to an out of home placement, one third received probation, and one third had their case dismissed.

MAP appreciates your consideration, and for the foregoing reasons urges a **favorable** report on SB 215.

Maryland Alliance for the Poor (MAP) is a coalition of service providers, faith communities, and advocacy organizations advancing statewide public policies and programs necessary to alleviate the burdens faced by Marylanders living in or near poverty, and to address the underlying systemic causes of poverty.