Testimony before the Judicial Proceedings Committee
In OPPOSITION of

Senate Bill 198- Criminal Gang Offenses – Penalties, Procedure, and Elements

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Thank you for the opportunity to provide testimony on Senate Bill 198—Criminal Gang Offenses – Penalties, Procedure, and Elements. Advocates for Children and Youth (ACY) opposes this bill. ACY cannot support this bill for the following reasons; 1. youth are extremely vulnerable to gang pressure and; 2. the statistics on youth crime are not skyrocketing.

Youth join gangs because of peer-pressure and the desire to be accepted. In fact, memberships in these groups are associated with small decreases in depression and increases in popularity over time.¹ In the US, approximately 10% to 19% of youth between the ages of 12 and 16 are likely to join a local street gang in high-risk areas.² However, a substantial proportion of those who join a gang drop out relatively quickly (within a year or so).³ Given how vulnerable youth are to peer-pressure and the growing science indicating how quickly most youth drop out of gangs, it is appropriate for the juvenile court to have jurisdiction over a child alleged to have committed any crime; gang-related or otherwise. ACY does not believe that any child should be tried as an adult.

The last year has definitely seen a shift in crime patterns, understandably raising concerns about crime from residents in Baltimore City and across the state. But, the data doesn’t show that juvenile crime is the problem. Maryland is already doing a better job reducing juvenile crime than most states - there’s no reason to further target juveniles. The Maryland Department of Juvenile services notes that juvenile complaints have declined 57.9% since 2008 in Maryland reaching an all-time low in 2017.⁴ According to the Council on

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³ Id.
State Governments Justice Center, juvenile incarceration rates have dropped 61% on average across the United States and 67% in the state of Maryland since 1997. In Baltimore, youth arrests have declined in many categories. Juvenile arrests for second-degree assault are down 5% from last year. Juvenile arrest for assault and robbery are down 7% from last year. Juvenile arrests for heroin distribution are down 24% from last year. In a year of record homicides in Baltimore, juvenile arrest for homicides stayed the same with no change from the previous year. Of the 344 murders in the city, only 5 juveniles were arrested and charged with murder in 2018. That means of the 344 murders, juveniles were arrested and charged in less than 1.5% of Baltimore city’s murder cases.

We urge this Committee to issue an unfavorable report on Senate Bill 198

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