



*Advocates for Children and Youth improves the lives and experiences of Maryland's children and youth by advancing policies and programs across multiple issue areas that tackle racial disparities and improve outcomes to ensure that every child has the opportunity to thrive. [www.acy.org](http://www.acy.org)*

## **Testimony before the Judicial Proceedings Committee**

### **In OPPOSITION of Senate Bill 0197- Juvenile Law - Jurisdiction - Attempted Carjacking and Attempted Armed Carjacking**

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February 7, 2019**

Thank you for the opportunity to provide testimony on Senate Bill 0197- Juvenile Law - Jurisdiction - Attempted Carjacking and Attempted Armed Carjacking. Advocates for Children and Youth (ACY) opposes this bill.

Scientific research shows key developmental differences between youth and adults that impact youth's decision making, impulse control, and susceptibility to peer pressure. While these differences do not excuse youth from responsibility for their actions, the U.S. Supreme Court has repeatedly recognized that youth are less blameworthy than adults and more capable of change and rehabilitation.

Advocates and criminal justice experts agree that youth who go through the juvenile justice system are less likely to commit crimes when released than youth who go through the adult system. Punishing children the same way we punish adults does not advance public safety. Incarcerating children with adults also denies them access to many essential programs and services, including basic and special education, as well as mental health treatment and counseling services, impeding their chances for healthy development.

From arrest to cell, the experience of being prosecuted as an adult does violence to the life of a child. Youth are held in adult correctional facilities where they share rooms with adults, putting them at high risk for both sexual abuse and violence. Additionally corrections officers often place children in adult facilities in solitary confinement in an attempt to separate children from the adult population. This prolonged isolation compounds emotional trauma. Juveniles in adult facilities are 36 times more likely to take their own lives compared to their counterparts in juvenile facilities.



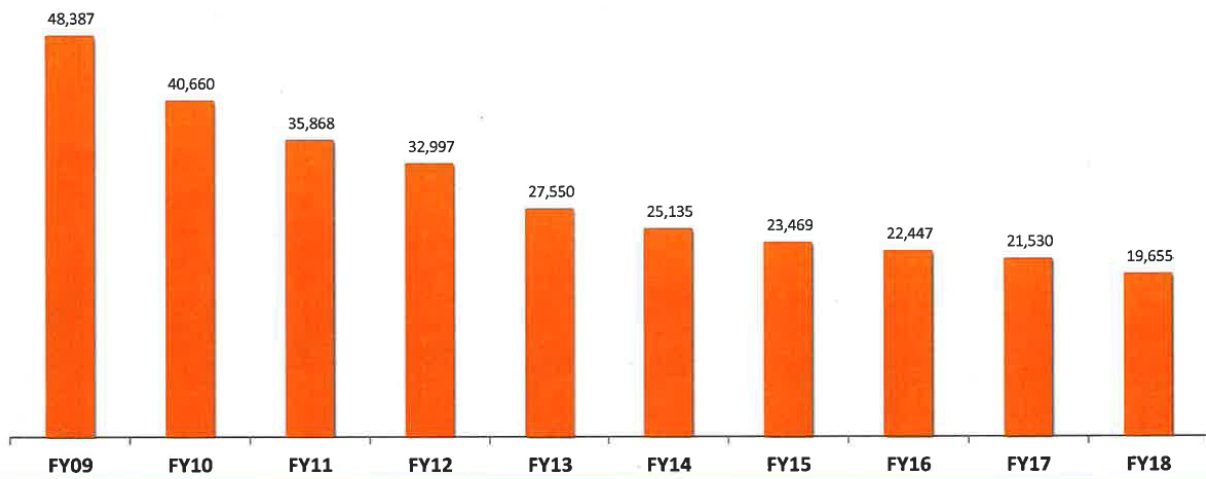
A child who spent time in the adult system may lose their right to vote. They are often stuck with unsealed criminal records which prevent them from getting work or student loans, prevent them from living in public housing, or prevent their families from housing subsidies. Further, Children held in adult facilities are 34% more likely to be arrested again for committing more crimes. This only serves to make our communities – particularly Black and Latino communities – less safe.

The Department of Juvenile Services recently briefed this committee on the overall decline of youth offenders and youth crime. DJS shared that rehabilitation is working. As Maryland experiences a 10 year low in youth crime, now is not the time to adopt regressive policies that will make the state less safe. Instead we should be extending evidence based strategies such as Restorative Justice Programs that have been proven more effective for juvenile offenders. Restorative justice is an approach that aims to repair the harm caused by a crime instead of simply punishing the perpetrator. By holding the offender accountable in a more meaningful way, repairing the harm caused by the offender, achieving a sense of healing for the victim and the community youth offenders are able to re integrate back into the community. Restorative justice practices may not substitute for incarceration for violent crimes but are part of a multifaceted response that not only promote healing but also reduce offender recidivism. Further, victims and their families are more satisfied with these programs than they are with traditional approaches to juvenile justice and criminal justice.

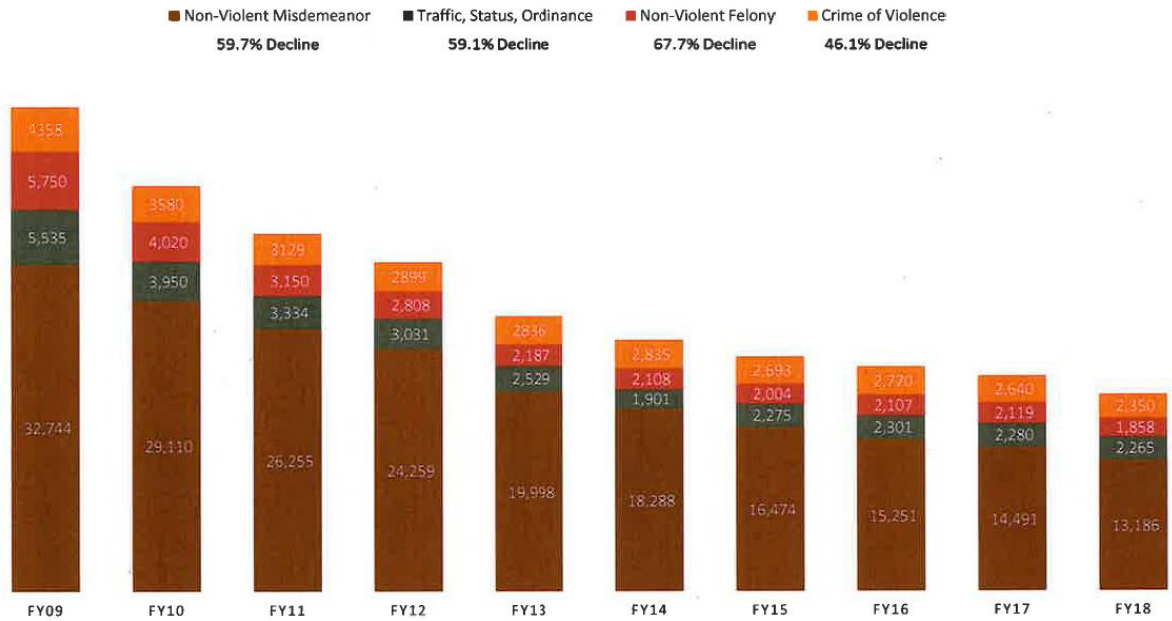
**We urge this committee to issue an unfavorable report on SB 0197.**

## Maryland Juvenile Complaints Have Declined Significantly

- Statewide complaints referred to DJS Intake declined 59.4% over ten years.



## Maryland Juvenile Complaints Have Declined In All Categories Between FY2009 and FY2018



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