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Testimony before the Judiciary Committee

In SUPPORT of House Bill 0495- Juvenile Law – Informal Adjustment

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February 20, 2019**

Thank you for the opportunity to provide testimony on House Bill 0495- Juvenile Law – Informal Adjustment. Advocates for Children and Youth (ACY) SUPPORTS this bill.

Informal adjustment allows a young people to be diverted from the system and an opportunity at true rehabilitation. Instead of prosecution by a juvenile State's Attorney, youth must fulfill the terms of their adjustment period.

Currently, intake officers have discretion to determine if a youth is a good candidate for informal adjustment if the intake officer believes that the young person meets certain requirements. The officer would then forward the young person's to a case manager at the Department of Juvenile Services (DJS), and together DJS, the youth, and their family determine a case plan for the young person. When the conditions of this case plan are fulfilled, DJS does not forward the case to the State's Attorney's office, and the young person does not have any kind of juvenile record. SB 401 / HB 495 would expand this restorative practice by giving the judge the discretion to informally adjust the case.

An additional opportunity for informal adjustment will keep young people out of the system by giving them an opportunity to get it right and will decrease recidivism. Studies show that one contact in the juvenile justice system is more likely to multiply into additional contacts; researchers theorize that this is because of real or perceived lack of access to resources following any system-involvement, and because young people subconsciously conform to social expectations, which after contact with the justice system, becomes expectations of "criminality." By diverting more youth from the formal processes of the juvenile justice system, we can prevent system involvement through early involvement and ensure youth do not suffer the collateral consequences of a formal juvenile record.



Using this restorative approach holds youth accountable and allows them to repair the harm. Further, an additional opportunity for informal adjustment allows young people to remain with their families, in their communities, and enrolled in school. All of which has positive benefits for the youth, community, and public safety. Youth who are separated from their schools, families, and communities, even for a short period of time, fall quickly behind in school and are more likely to drop out and engage in criminal behavior. We must produce rehabilitated young people that can become emotionally and economically self-sufficient members of our communities.

We urge this committee to issue a favorable report on House Bill 0495