HB0362
END INDEFINITE PROBATION

Background
Children have a unique sense of fundamental fairness. Currently in Maryland, probation for youth involved in the justice system can last for an indefinite period of time only to expire at a child’s 21st birthday. In a recent report by Council of State Governments and Georgetown University’s Center for Juvenile Justice Reform, it states that an average term of probation is for 6 to 12 months. However, in Maryland is out of step with national average as the data shows the average term of probation lasts 437 days. To suggest to a young person that the probationary period is indefinite and that there is nothing specific that can be done to accomplish the goal of completing probation, directly contradicts this sense of fairness.

This perspective is correct: the purpose of probation is to meet a child’s rehabilitative and service needs, hold a child accountable for his/her action and promote public safety. However, probation often consists of a long list of standard conditions that do not necessarily apply to a child or his/her rehabilitative needs.

Solution
- Limit probation terms and use the incentive of shortening probation terms as a reward for positive behavior to improve outcomes and reduce costs with no harm to public safety.

Impact
The nearly 452,000 youth in Maryland who are 12+ years of age but have not yet celebrated their 18th birthday will never again be subject to indefinite terms of probation that currently hinder both rehabilitation and public safety.

Collaborating Partners
Maryland Youth Justice Coalition (MYJC)