



ARCHDIOCESE OF BALTIMORE † ARCHDIOCESE OF WASHINGTON † DIOCESE OF WILMINGTON

February 11, 2020

**SB 314
Juveniles Charged as Adults - Confidentiality of Records
House Judicial Proceedings Committee**

Position: Support

The Maryland Catholic Conference offers this testimony in SUPPORT of Senate Bill 314. The Catholic Conference represents the public-policy interests of the three (arch)diocese serving Maryland, including the Archdioceses of Baltimore and Washington and the Diocese of Wilmington, which together encompass over one million Marylanders.

Senate Bill 314 applies confidentiality provisions to juvenile records pending a transfer determination from adult criminal court to juvenile court. The records to be shielded include all police and court records concerning the child from the time of arrest until a determination has been made regarding a motion for transfer to juvenile court.

This legislation removes barriers to a second chance for system-involved youth. The Church maintains that systems of justice must focus on rehabilitation and post-release barriers to things such as the ability to obtain gainful employment should be limited. The Conference is particularly concerned with ensuring that juveniles charged as adults are not treated “as though they are somehow equal to adults fully formed in conscience and fully aware of their actions.” (*Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Criminal Justice, USCCB, 2000*).

These tenets are particularly true regarding system-involved youth whose circumstances warrant a “waiver down” from the adult system to the juvenile system. Most notably in “waiver-down” instances, it is imperative that our system of justice safeguard future unintended consequences, such as records that could be used against system-involved youth seeking second chances later in life. This balance is especially important, considering that some seventy percent of youth held in adult jails have their cases dismissed entirely or remanded to the juvenile system. Only about ten percent of youth charged as adults are actually convicted as adults resulting in incarceration in the adult prison system. Thus this bill would provide warranted protections to the vast majority of such youth.

Senate Bill 314 is a reasonable measure to guard against destructive records that could forever memorialize past mistakes. This bill fosters future rehabilitation and redemption and, therefore, we urge your support and favorable report of Senate Bill 314.