



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Testimony for SB 905
Juvenile Services – Workgroup to Develop Evidence-Based,
Research-Based, and Culturally Competent Practices
Before the Judicial Proceedings Committee
On March 3, 2021

Good afternoon Mr. Chairman, members of the Judicial Proceedings Committee,

Senate Bill 905 will create a workgroup to report on best practices for child welfare, juvenile rehabilitation, and juvenile mental health services in Maryland. In turn, the workgroup will create guidelines and identify best practices, budgetary needs, and timelines for implementing these improvements in juvenile welfare services.

The impetus for the workgroup proposed under SB 905 is the Juvenile Justice Reform Council's ("JJRC") report.¹ The JJRC spent the last year (1) researching best practices regarding the treatment of youth in the justice system and (2) forming recommendations to decrease the incidences causing youths to come into contact with the justice system.

The report indicates that the juvenile justice system can be arbitrary, disproportionately punitive, and uselessly disruptive to Maryland youth. Pre-teens need to be able to understand their rights. According to the report and other research, pre-teens "have diminished neurocognitive capacity" to understand their actions, any charges against them, or their rights and responsibilities in our adversarial justice system.² According to the report, adolescence brings changes to the limbic brain resulting in greater sensitivity to rewards, threats, novelty, and peer influence.³ In addition, the cortical region of the brain, responsible for cognitive control and self-regulation, is not fully formed until age 25.⁴

The workgroup will look into the juvenile probation system, which is the most common juvenile court outcome. In Maryland, there is no statutory limit to how long probation supervision may last, leading in some instances to indefinite supervision until the end of juvenile court jurisdiction at age 21.⁵

¹ MARYLAND JUVENILE JUSTICE REFORM COUNCIL, *Final Report* (Jan. 2021), <http://dls.maryland.gov/pubs/prod/NoPblTabMtg/CmsnJuvRefCncl/JJRC-Final-Report.pdf>.

² *Id.* at 17.

³ *Id.* at 40.

⁴ *Id.*

⁵ *Id.* at 20.

The JJRC report indicates youths need to stay connected to family and community resources. The report also shows that juvenile detention tends to increase recidivism, especially for children with little prior history. The JJRC Report explains: Even short stays in pretrial detention can increase recidivism, particularly for children with little prior history. Detention also interrupts and interferes with children and youth education and employment.⁶

Young people involved in the juvenile justice system face stigmatization and increased odds of recidivism.⁷ Recommendations from the JJRC include: creating a minimum age for juvenile court jurisdiction⁸; mandating restrictions and qualifications on juvenile detention utilization⁹; expanding opportunities for juvenile diversion programs¹⁰; and enforcing uniformity in charging youth as adults.¹¹

The workgroup created by SB 905 will pick up where the JJRC left off by codifying definitions for evidence-based, research-based, and culturally competent practices. The workgroup will work across program areas. It's processes will include the following: (1) a systemic, evidence-based assessment of the efficacy and cost-effectiveness of a program; (2) identifying methodologies with reliable evidence; (3) identifying evidence-based programs specifically effective for underserved and ethnically diverse communities; and (4) identifying methods to make assessments open to community input and feedback, especially with regard to underserved and racially and ethnically diverse communities.

The workgroup created by SB 905 will provide to the stakeholders an inventory of descriptive definitions for evidence-based, research-based, and culturally competent practices in the areas of child welfare, juvenile rehabilitation, and children's mental health services. For these reasons, I ask you to vote in favorably for SB 905.

⁶ *Id.* at 24.

⁷ *Id.* at 33.

⁸ *Id.* at 6.

⁹ *Id.* at 8–9.

¹⁰ *Id.* at 10.

¹¹ *Id.* at 11.