



ARCHDIOCESE OF BALTIMORE † ARCHDIOCESE OF WASHINGTON † DIOCESE OF WILMINGTON

March 3, 2021

**SB 853
Juvenile Law - Juvenile Justice Reform**

House Judiciary Committee

Position: Support

The Maryland Catholic Conference offers this testimony in SUPPORT of Senate Bill 853. The Catholic Conference represents the public policy interests of the three (arch)dioceses serving Maryland, including the Archdioceses of Baltimore and Washington and the Diocese of Wilmington, which together encompass over one million Marylanders.

Senate Bill 853 is the fruit of the comprehensive work of the Juvenile Justice Reform Council, formed through 2019 House Bill 606, which was supported by the Conference. Senate Bill 853 makes sweeping changes to several aspects of Maryland's juvenile justice system, including the following: 1.) raising the minimum age for criminal charging to thirteen, 2.) providing limitations on probation for juvenile offenders, including a limitation on technical violations, 3.) limitations on out-of-home placements, 4.) promoting the use of alternative remedies and rehabilitations through informal adjustment, 5.) establishing a Commission on Juvenile Justice Reform, and 6.) requiring the development of model policies for youth diversion.

In 2016, the General Assembly undertook a monumental bipartisan effort in adult criminal justice reform through the "Justice Reinvestment Act", supported by the Conference. It is now time for Maryland, through the reforms proposed by a bipartisan, multidisciplinary group of stakeholders, to do the same in the area of juvenile justice through Senate Bill 853.

In the pastoral statement *Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Criminal Justice* (2000), the United States Conference of Catholic Bishops stated, "We call upon government to redirect the vast amount of public resources away from building more and more prisons and toward better and more effective programs aimed at crime prevention, rehabilitation, education efforts, substance abuse treatment, and programs of probation, parole and reintegration." Additionally, the United States Conference of Catholic Bishops has further stated that "society must never respond to children who have committed crimes as though they are somehow equal to adults fully formed in conscience and fully aware of their actions." Moreover, it is well-settled, in many secular, judicial and faith-based circles, that holding youth to the same standards of accountability as a fully-formed adult is plainly unjust. In *Miller v. Alabama*, 132 S. Ct. 2455 (2012), the United States Supreme Court specifically noted that youthful offenders possessed "diminished capacity" and the inability to fully appreciate the risks and consequences of their actions.

In recent years, the MCC has supported various juvenile justice reform proposals. Whether it was increased educational services for incarcerated youths, limitations automatically charging youth as adults, eradicating without parole for juvenile offenders, or ensuring that youth are not housed with adult inmates, all of these efforts were grounded in Church teaching. The Church thus remains a strong advocate for restorative justice, particularly within the juvenile system. We therefore urge a favorable report on Senate Bill 853.