

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Mary Ellen Barbera
Chief Judge

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: Senate Judicial Proceedings Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 222
Juveniles Charged as Adults – Study and Confinement
DATE: January 11, 2021
(1/14)
POSITION: Support

The Maryland Judiciary supports Senate Bill 222. This bill addresses the pretrial confinement of children (individuals under age 18) charged as adults.

This bill would implement federal law by putting in statute language required by the 2018 reauthorization of the Juvenile Justice and Delinquency Prevention Act (JJDP). The 21st Century Department of Justice Appropriations Authorization Act, Pub. L. No. 107-273, 116 Stat. 1758. As codified at 34 USC § 11133(a)(11)(B), the law requires that by December 21, 2021, unless found by a court to be in the interest of justice (following a hearing, a written determination, and consideration of certain specific factors), juveniles who are being charged and tried as adults (1) may not have sight or sound contact with adults and (2) may not be detained in a jail or lockup for adults (except as provided under the jail removal requirement). When the court finds such detention to be in the interest of justice, additional requirements must be met.

cc. Hon. William C. Smith, Jr.
Judicial Council
Legislative Committee
Kelley O'Connor