

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Matthew J. Fader
Chief Justice

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 704
Children Charged As Adults – Confinement
DATE: February 15, 2023
(2/22)
POSITION: Support

The Maryland Judiciary supports Senate Bill 704. This bill amends Criminal Procedure Title 4, Subtitle 2 related to the confinement of a child who is charged as an adult.

This bill is intended to put Maryland into compliance with the Juvenile Justice and Delinquency Prevention Act, § 11133(a)(11). Failure to comply with that language may have financial consequences for the state in terms of funding received through the act. Holding a child in a juvenile facility is appropriate unless the enumerated factors, determined by the court, show that placement is not in the interest of justice.

Additionally, this bill provides for a clear and seamless holding of the child in a juvenile facility, unless released, regardless of the status of any motion to transfer jurisdiction and until such time as there is a decision in the criminal case or the child turns age 18 years.

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