



THE CHOICE PROGRAM AT UMBC

THE SHRIVER CENTER

**Judiciary Committee
House Bill 814 - Juvenile Law Reform**

DATE: February 8, 2024

POSITION: OPPOSE

The Choice Program at UMBC respectfully opposes House Bill 814: Juvenile Law Reform primarily on the grounds that the proposed legislation will increase the court's jurisdiction over young people, dramatically expanding detention and probation. These changes will further entangle children and young people in the youth legal system. This will inevitably result in further racial and ethnic disparities, disproportionately adversely affecting the life chances of Black and Latine Marylanders. We believe that with proper community-based support and resources, all youth have the ability to succeed.

We are concerned that fear—not facts—is guiding efforts to improve public safety. The Annie E. Casey Foundation recently commissioned Fenton and The Harris Poll to measure public perceptions of crime. They found 7 in 10 Americans think crime overall and crime committed by youth in the U.S. has increased, but this is factually incorrect.¹ Youth crime is down in most categories.² We depend on legislators to be guided by research when crafting public policies.

This moment reminds us of the 1990s when criminologists promoted theories about Black men as superpredators. These scholars later disavowed and distanced themselves from these myths, not before legislators embraced the notions and passed public policies. Punitive laws led to over-policing and mass incarceration of Black men, women, and children in addition to low-wealth and other marginalized people. Such expensive policies did not make communities safer. They are a failed strategy. The American tradition of punishment has diminished our collective imagination about alternatives to detention. Evidence has demonstrated that most young people age out of criminal behavior. Successful interventions are community-based.

¹ *Talking about Youth Probation, Diversion, and Restorative Justice*, Annie E. Casey Foundation, (2022) Fenton and The Harris Poll <https://assets.aecf.org/m/blogdoc/aecf-talkingyouthprobation-2022.pdf>

² *Crime in the United States*, FBI, (2020)

<https://www.fbi.gov/news/press-releases/fbi-releases-2020-crime-statistics>

The Choice Program has served Maryland youth who are systems-involved for more than 35 years. Presently, Choice works with young people and their families in Baltimore City as well as Baltimore, Howard, Prince George's, and Montgomery Counties. Young people often remind us that their past trauma—and worst mistakes—should not define them. Choice serves as an alternative to the school-to-prison pipeline. Our primary goal is to reduce the number of Black and Latine young people who are ensnared in the youth legal system. Our model seeks to dismantle racist structures and, instead, employs strengths-based approaches focused on positive relationships and youth agency. We hold high expectations for youth and parents as well as high levels of support. These guiding principles are essential in addressing racial inequities at an individual and systemic level.

As direct service providers with young people and their families, we know firsthand the many barriers that children and young adults must overcome to participate in rehabilitative services. This is why we are especially troubled by the provision to create a technical violation of probation for two or more unexcused absences at a treatment program ordered by the court. Transportation is one key example. Technical violations and detention will remove them from the very community-based services they were unable to access, doing further harm. This will also have a disproportionate impact on low-income youth and families who experience more challenges accessing reliable transportation than more affluent children and young adults. We believe that we are all better served when we hold young people accountable for breaking laws, not rules.

We call upon our elected officials to recognize that the youth who are demonized in our current public discourse are humans who deserve supportive services. We maintain community repair and wellbeing depends on a vision of public safety that rejects the impulse to punish with detention, confinement, and longer probation periods.

This session offers the chance to reform our youth legal system, to dismantle the school-to-prison pipeline, and to reduce racial and ethnic disparities especially for children and young adults. We urge greater investment in positive youth development.

For these reasons, The Choice Program urges an unfavorable report on HB 817