



DEPARTMENT OF
JUVENILE SERVICES

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Date: February 8, 2024
Bill Number/Title: HB0319 - Juvenile Justice Restoration Act of 2024
Committee: Judiciary
DJS Position: Oppose

The Department of Juvenile Services (DJS) opposes the provisions in HB 319 that alter juvenile court jurisdiction.

The Juvenile Justice Reform Council (JJRC) was formed during the 2019 session of the Maryland General Assembly, and the council spent the next two years gathering public input, researching best practices regarding the treatment of juveniles who are subject to the criminal and juvenile justice systems, and identifying recommendations to limit or otherwise mitigate risk factors that contribute to juvenile contact with the criminal and juvenile justice systems.

Prior to the adoption of the JJRC recommendations in 2022, the state of Maryland did not have a minimum age of juvenile court jurisdiction. The JJRC, recognizing the established evidence regarding brain development and the diminished neurocognitive capacity of adolescents, recommended the minimum age of 13 after review of relevant state data and national best practices. Moreover, the JJRC considered research that proves contact with the justice system disrupts adolescent social development, exacerbates mental and physical health problems, and increases the likelihood of long-term incarceration into adulthood.

Additionally, the JJRC recommended a limited exception to the minimum age requirement that establishes juvenile court jurisdiction for youth at least 10 years old if the youth is alleged to have committed a crime of violence. This narrow exception was forwarded to ensure there was a pathway to juvenile court for the most violent offenses.

DJS forwarded strategies to efficiently implement the new jurisdictional limits and monitored outcomes since the JJRC became effective on June 1, 2022:

- Training and outreach to all juvenile justice stakeholders, including quarterly law enforcement, on how to file Child in Need of Supervision(CINS) complaints for youth under 13.
- The number of youth under 13 served by the department through CINS from 26 in FY 2022 to 187 in FY 2023.
- Rearrests for CINS cases have declined for youth under 13 by more than half from 34% in FY 2022 to 13% in FY 2023

DJS urges the committee to refer substantive changes or modifications to the recommendations of the Juvenile Justice Reform Council to the DJS State Advisory Board or other stakeholder commission to ensure changes are rooted in data, consider relevant research and best practices, and do not exacerbate racial and ethnic disparities.

For these reasons, DJS requests an unfavorable report on HB 314.

