

Support SB 853 – Juvenile Justice Reform Council

MARYLAND ALLIANCE FOR JUSTICE REFORM

Working to end unnecessary incarceration and build strong, safe communities



TO: Chair Will Smith and Senate Judicial Proceedings Committee
FROM: Phil Caroom, MAJR Executive Committee
DATE: March 3, 2021

Maryland Alliance for Justice Reform (MAJR - www.ma4jr.org) strongly supports SB 853 which effectively will use the Justice Reinvestment model to transform our State's juvenile justice system, to reduce its overuse of confinement, and to make better use of restorative techniques.

I offer these remarks as a recently retired Juvenile administrative judge and based on more than 30 years in the system also as a prosecutor, defense attorney, and Juvenile Court master.

The age of children brought into the juvenile courts, occasionally, has been very inappropriate. On a few occasions, I had children as young as 6 years-old brought into my courtroom on juvenile charges. Such cases clearly represented failures of parenting, not children in need of State sanctions. More appropriate response involve referral of such parents to behavioral management.

The overrepresentation of children became much worse when special police officers were introduced into schools. The result: children who disrupted classes in commonplace ways, stole an item of property, possessed an improper contraband, and occasionally committed minor assaults would end up in my courtroom, rather than having these classic school misbehaviors dealt with by the principal and the parents. This system could better revert to its traditional mode, or could be improved with "restorative circles" now adopted in many Maryland schools.

Can juvenile personnel tell the difference between children whose parents are overly dramatic and stressed that "turn their children in" and other children with severe behavioral problems? The careful use of needs and "risk scoring instruments" could eliminate bias and still offer (non-delinquency) support to parents who need this. The bill also draws a bright line between minor offenses and serious, life-threatening offenses by juveniles.

When detention or commitments, as a last resort, are found necessary, the bill provides for quicker reviews to limit the continuation or extension of such periods. This also is appropriate to avoid the occasional phenomenon of children just passing time in custody until the next deadline arrives when DJS returns to its placement / reentry efforts.

The greater use of citations also should not pose a problem for Juvenile Courts. Currently, citations already are used for many juvenile matters.

The cost to implement the Juvenile Justice Reform Act, initially, may be higher than current costs. But, ultimately, there are reasons to believe that, in the long run, Maryland taxpayers will save with reduced detentions, reduced commitments, and reductions in the school-to-prison pipeline as more restorative practices lessen the number of young offenders entering the adult corrections system.

MAJR, again, strongly urges support for HB 1187 / SB 853 – the Juvenile Justice Reform Act to implement these long overdue public policy changes.

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PLEASE NOTE: Phil Caroom files this testimony for MAJR and not for the Md. Judiciary.