



TONI HOLNESS  
PUBLIC POLICY  
ASSOCIATE

**Testimony for the House Judiciary Committee  
February 27, 2015**

**HB 618  
Juveniles – Transfer Determinations – Confinement in Juvenile Facilities**

**SUPPORT**

The ACLU of Maryland supports HB 618. This bill provides that children be held in secure juvenile facilities during the pendency of transfer decisions unless the child is released on bail, recognizance, or other pretrial conditions; there is no capacity in a juvenile facility; or the child was charged with an offense beyond the jurisdiction of the juvenile court during the child's detention in a juvenile facility.

It is both cruel and detrimental to public safety to house youth in adult facilities instead of juvenile facilities. This is especially true in Maryland, where most of these youth are eventually sent back to the juvenile system or have their cases dismissed outright. In a recent study of Baltimore City youth, the Just Kids Partnership found that 68% of the youth charged as adults were sent back to the juvenile system or had their cases dismissed.<sup>1</sup> Yet many of these youth—who will soon return to their communities or to youth facilities—are held pre-trial in adult jails for months. It makes little sense to house them in unsafe conditions where, rather than getting the rehabilitative services they need, they are victimized and exposed to more serious criminal behavior.

In recognition of the many harms associated with housing youth in adult facilities, other states have changed their laws. Both Pennsylvania and Virginia have recently made comparable changes. It's time for Maryland to pass this legislation.

For the foregoing reasons, the ACLU of Maryland urges a favorable report on HB 618.

AMERICAN CIVIL  
LIBERTIES UNION  
OF MARYLAND

MAIN OFFICE  
& MAILING ADDRESS  
3600 CLIPPER MILL ROAD  
SUITE 350  
BALTIMORE, MD 21211  
T/410-889-8555  
or 240-274-5295  
F/410-366-7838

FIELD OFFICE  
6930 CARROLL AVENUE  
TAKOMA PARK, MD 20912  
T/240-274-5295

WWW.ACLU-MD.ORG

COLEMAN BAZELON  
PRESIDENT

SUSAN GOERING  
EXECUTIVE DIRECTOR

C. CHRISTOPHER BROWN  
GENERAL COUNSEL

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<sup>1</sup> *Just Kids: Baltimore's Youth in the Adult Criminal Justice System*,  
<http://justkidsmaryland.org/uploads/file/JustKidsRptOct2010small.pdf> (October 2010).