



Strengthen SB 323: Save More Kids from the Harsh Adult System

The Problem

Under Maryland law, some 14- and 15-year-olds, and most 16- and 17-year-olds, are automatically charged as adults for 33 offenses – putting Maryland out of step with other states and international human rights standards. Maryland sends more children per capita to adult court based on offense type than any other state except Alabama.

SB 323/HB 409 was introduced to address this harmful practice by eliminating automatic charging for 14- and 15-year-olds and reducing the list of charges for 16- and 17-year-olds. Initially, SB 323 removed 17 charges for which children can automatically be charged as adults. However, the Senate Judicial Proceedings Committee watered the bill down and it now only removes 7 charges, leaving the majority of charges to continue to subject children to automatic adult prosecution.

As a result, hundreds of Black and Brown children—many whose cases will ultimately be dismissed or transferred—will remain in the adult system for months or years.

- Children charged as adults wait 125+ days in detention; some wait up to 2 years for trial.
- In juvenile court, cases must be heard within 30 days.
- 85% of children automatically sent to adult court ultimately have their cases dropped or returned to juvenile court – costing the state over \$20 million annually.
- Kids are often advised to accept a plea in juvenile court rather than risk arguing for transfer in adult court and losing.
- The length of a case frequently shapes decisions, with many youth opting for the quickest path home—even if it results in a more severe adult sentence.

Research shows that prosecuting children as adults:

- Increases exposure to greater physical, sexual, emotional, and psychological harm.
- Reduces access to rehabilitative services, which makes them more likely to reoffend.
- Increases recidivism.

The Fix

SB 323 must be amended to eliminate the automatic charging of children as adults for:

- Criminal Law § 3-403 (Armed Robbery)
- Criminal Law § 3-405 (Armed and Unarmed Carjacking)
- Criminal Law § 3-403 (Attempted Robbery).





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Charge titles often overstate conduct. Examples of cases:

- A 16-year-old was charged with armed robbery for allegedly stealing a Nike ski mask. With no prior history, the case was transferred to juvenile court after seven months in the adult system, where the kid was ultimately placed on supervised probation.
- A 16-year-old was standing in a boys' bathroom when a co-defendant robbed another kid of a watch. Despite limited involvement, they were charged and detained for six months. The case was ultimately transferred to juvenile court and placed on the STET docket.
- A 17-year-old was charged in connection with a group assault, alleged to have struck the victim with a tree branch. After seven months of detention, the case was transferred back to juvenile court, resulting in a juvenile placement.

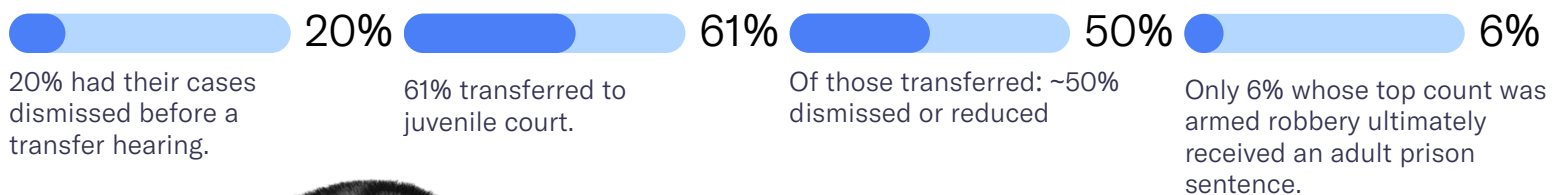
The Data is Clear

Traumatic childhood: **70%**
70% experienced 6+ traumatic childhood events (ACEs) before arrest

Charged: **80%**
Over 80% of children charged as adults are Black (despite Black children comprising only 30% of Maryland's child population).

Diagnosed: **55%**
55% have a diagnosed disability (physical, mental, or learning).

2025 Armed Robbery Outcomes



2025 Armed Car Jacking Outcomes

