

Maryland Juvenile Justice Reform Council Interest Survey Results

House Bill 606/Senate Bill 856, adopted by the Maryland State Assembly, established the Juvenile Justice Reform Council (JJRC) and tasked it with review and study of the state’s juvenile justice system.

As an initial step, the Department of Juvenile Services (DJS) administered a survey to gauge the council’s interests in a range of juvenile justice reform topics. This report summarizes the results of that survey, which was administered in early October. The survey asked council members to rate their interest in a set of topics on the following scale: 1, not at all interested; 2, slightly interested; 3, moderately interested; 4, fairly interested; and 5, very interested.

In addition, the survey asked council members to identify other issues not mentioned in the survey, what juvenile justice research topics interest them, and what presenters or speakers the council should invite. Table 1 presents the average ratings council members gave to a set of 21 reform topics. Overall, council members indicated the greatest interest in the following topics, based on average scores: community programming for justice-involved youth (4.65), re-entry and aftercare planning (4.65), and family engagement (4.59) had the highest average scores. Council members were less interested in Juvenile Defense Council (3.24) and the Detention Risk Assessment Instrument (3.35).

Table 1. Average Ratings for Juvenile Justice Reform Topics

Reform Area	N Respondents	Average Score
Community programming for JJ-involved youth	17	4.65
Re-Entry and aftercare planning and process	17	4.65
Family Engagement	17	4.59
Prevention	17	4.53
Evidence-based services	17	4.53
Recidivism	17	4.53
DJS Community Supervision	17	4.47
Police Diversion	17	4.41
Equity and Equal Justice Issues	17	4.41
Detention Alternatives	17	4.29
Trauma-informed decisions and care	17	4.29
Aftercare supervision	17	4.29
DJS Intake Diversion	17	4.24
School re-enrollment	17	4.12
Committed youth education	17	4.06
Risk and Needs Assessments for adjudicated youth	17	3.94
Contracted committed programming	17	3.94
DJS Committed facility programming	17	3.88
Juvenile/Adult Court jurisdiction	17	3.82
Crossover Youth	16	3.81
Policing	17	3.76
Court Case Processing	17	3.71
Adult court transfer case processing	16	3.69
Pre-Disposition Detention processes and conditions	17	3.65
Detention Risk Assessment Instrument (DRAI)	17	3.35
Juvenile defense council	17	3.24

The survey also asked JJRC members to identify other juvenile justice reform issues and research topics that the council should prioritize. Among reform issues, respondents cited issues related to racial and ethnic disparities; issues that may lead to justice system involvement, such as poverty and homelessness; and a variety of school-related issues, such as school start times, school-based arrests and referrals, students with special needs, and school-to-prison pipelines.

Issues related to racial equity and disproportionate minority contact with the justice system ranked high among research topics, with multiple respondents expressing interest. Other research topics named by survey respondents included diversion and prevention strategies, juvenile and adult recidivism, and the rate of low-risk and misdemeanor offenders committed to out-of-home placements.

Council members also cited a range of speakers and presenters of interest, including the Coalition for Juvenile Justice (CJJ), evidence-based programs that have shown success nationally, individuals from other states that have successfully implemented reforms, and individuals with experience in developmental and educational services.

The Office of the Public Defender (OPD) submitted separate written responses, which are summarized here. The full written response is included as well and follows this summary. OPD recommended the following changes to Maryland's juvenile justice system:

- Raise the minimum age of arrest and jurisdiction
- Increase the use of diversion and reduce out-of-home placement
- Reform control-based prohibition and emphasize the individual rehabilitative needs of youth
- Establish community-based options to provide intensive services to high-risk youth

Response from the Office of the Public Defender

The Maryland Office of the Public Defender believes an effective youth justice system is one that is fair and improves, rather than decreases, the odds that young people who come into contact with the system will make a successful transition to adulthood. Evidence from a wide breadth of sources shows that such a system actually incarcerates very few youth and relies mostly on proven, family-focused interventions that create opportunities for positive youth development.

Thankfully, nationally and in Maryland, there have been dramatic declines in juvenile crime and arrests. In Maryland, juvenile cases have declined by 60% in the last ten years. Across the country, juvenile incarceration rates have correspondingly declined, but in Maryland, the number of juveniles we incarcerate, as opposed to using evidence-based alternatives, has remained disconcertingly high.

This reality – of incarcerating large numbers of low-risk and moderate-risk children – comes at a hefty price. Maryland spent approximately \$162 million dollars last year on incarcerating children.ⁱ This does not include costs associated with incarcerating children treated as adults. In order to **transform Maryland’s juvenile justice into a more cost-efficient and just system, the Maryland Office of the Public Defender recommends the following four changes:**

1. **Raise the Age**

Clarify and raise a minimum age of arrest and jurisdiction, and end the legal-fiction of treating certain children as adults, so that we treat all young people with the care and support that has been proven to work.

2. **Keep Kids Out**

Increase diversion from the juvenile justice system and appropriately limit out of home placement for children with better served with alternatives.

3. **From Probation to Positive Youth Development**

Reform control-based probation and move toward addressing each youth’s individual rehabilitative needs.

4. **Keep Kids Close to Home**

When necessary, move to establish small community-based options that provide intensive services to the most high-risk young people.

ⁱ DJS Data Resource Guide. Appendix D is the total spent on state-operated facilities: \$125.7 million. Appendix D gives average *per diem* rates for non-state operated placement costs and the pull out supplement provides numbers of how many non-state operated placements were effectuated in FY2018.

National Experts Recommended by the Office of the Public Defender

Marcy Mistrett, CEO, Campaign for Youth Justice
Liz Ryan, Executive Director, Youth First
Joshua Rovner - Senior Advocacy Associate, The Sentencing Project
Alex Piquero – University of Texas, Dallas
Vincent Schiraldi – Columbia University
Sue Mangold – Juvenile Law Center
Richard Bonnie – UVA

Developmental Psychologists

Dr. Ed Mulvey – University of Pittsburgh
Dr. Beth Cauffman – UC, Irvine
Dr. Antoinette Kavanaugh

Individuals Charged As Adults When They Were Children

Michael Singleton
Dwayne Betts
Chris Wilson

Racial & Ethnic Disparities

Kristin Henning, J.D., Associate Dean of Clinics, Center, Institutes and Experiential Learning; Juvenile Justice Clinic Director; Professor, Georgetown Law
Kaitlin Banner, J.D., Deputy Legal Director, Washington Lawyers' Committee for Civil Rights and Urban Affairs
Tiana Davis, MSW, Policy Director for Equity and Justice, Children's Center for Law and Policy

Systems & Youth Programming

Avik Das, Cook County Probation & Court Services
Jocelyn Jones, Director of Program Services, Northern Virginia Juvenile Detention Center

Judges/Magistrates

Hon. Uley Damiani, Judge, Juvenile & Domestic Relations District Court Alexandria VA
Ret. Judge Martin Welch - Baltimore City Circuit Court
Judge Steven Teske – Chief Judge, Juvenile Court, Clayton County, GA

Local Experts

Terence Thornberry - <https://ccjs.umd.edu/facultyprofile/thornberry/terence>