

# Juvenile Justice Reform Act (JJRA)

## Why did Maryland pass Juvenile Justice Reform?

In 2020, Maryland was named among the worst human rights offenders in the country for its treatment of children in the criminal legal system. The JJRA was passed in 2022 -- after years of study and recommendations from the bipartisan Juvenile Justice Reform Council -- to address some of the worst aspects of Maryland's dangerously punitive juvenile justice system.<sup>(1)</sup>

## Before the JJRA, Two-Thirds of Children Sent to a Youth Prison Were There for a Non-Felony Offense.

With the JJRA:

- Out-of-home commitment is prohibited for children whose most serious offense is a misdemeanor or technical violation.
- Technical violations are addressed through individualized responses that are calibrated to the noncompliant behavior.<sup>(2)</sup>
- Unnecessary incarceration of youth is prevented.

*Youth detention increases the risk of future arrest, results in poorer adult health, worsens pre-existing mental and physical health conditions, and is associated with a shortened life expectancy.*<sup>(3)</sup>

## JJRA Established Time Periods for Youth on Probation

- For a Misdemeanor: the initial limit is 6 months and can be extended to 1 year.
- For a Felony: the initial limit is 1 year and can be extended to 2 years

*Limiting probation ensures adults and systems provide support to children in a timely manner and allows probation to be an effective tool for ending delinquency and court involvement, developing self-awareness and other critical life skills, and achieving important milestones on the pathway to success in adulthood.*

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## JJRA Established a Minimum Age

- For serious violent offenses: The minimum age for justice involvement is 10 years old.
- For less serious charges: The minimum age is 13 years old.

*Minimum age requirements keep elementary and middle school children out of the juvenile justice system for low level, childish behavior, and encourages protective services options.*

*Due to their infancy, elementary and middle school children are less likely to be competent or to benefit from justice system involvement.*

### **American Academy of Child and Adolescent Psychiatry**

*recommends a minimum age of fourteen years old for juvenile justice jurisdiction.*

## Alternative Interventions Are Available

- **Local Care Teams**

*Assist with accessing services, develop plans of care for community-based services and coordinate services from multiple agencies.*

- **Community Violence Intervention (CVI)**

*Specialists work with youth, school administrators, and families to shift community norms, create a positive climate, and strengthen problem-solving and conflict management skills*

- **Child in Need of Services (CINS)**

*Screening and assessment by the Department of Juvenile Services, resulting in referral services or a petition with the Juvenile Court if community supports and pre-court supervision have failed and it is in the best interest of the young person or the public.*

#### Sources:

- (1) Human Rights for Kids, 2022 State Rankings Report. <https://humanrightsforkids.org/wp-content/uploads/State-Ratings-Report-2022-FINAL.pdf>
- (2) Mendel, R. (2023, March 27). Why youth incarceration fails: An updated review of the evidence. The Sentencing Project. <https://www.sentencingproject.org/reports/why-youth-incarceration-fails-an-updated-review-of-the-evidence/#part-1>
- (3) Foundation, the A. E. C. (2018, May 8). Transforming juvenile probation. The Annie E. Casey Foundation. <https://www.aecf.org/resources/transforming-juvenile-probation>
- (4) Aacap. (n.d.). Policy statements. [https://www.aacap.org/AACAP/Policy\\_Statements/home.aspx](https://www.aacap.org/AACAP/Policy_Statements/home.aspx)

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