

HOUSE BILL 1437

E3

4lr3218

By: **Delegate Grammer**

Introduced and read first time: February 9, 2024

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Juvenile Law – Juvenile Crime Reform**

3 FOR the purpose of altering the jurisdiction of the juvenile court over a child of a certain
4 age alleged to have committed a certain offense; expanding a reporting requirement
5 by the Secretary of Juvenile Services; expanding a certain provision relating to data
6 collection and analysis by the Governor’s Office of Crime Prevention, Youth, and
7 Victim Services; and generally relating to juvenile law.

8 BY repealing and reenacting, with amendments,
9 Article – Courts and Judicial Proceedings
10 Section 3–8A–03(a)
11 Annotated Code of Maryland
12 (2020 Replacement Volume and 2023 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Human Services
15 Section 9–204(i)
16 Annotated Code of Maryland
17 (2019 Replacement Volume and 2023 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Public Safety
20 Section 3–530
21 Annotated Code of Maryland
22 (2022 Replacement Volume and 2023 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
24 That the Laws of Maryland read as follows:

25 **Article – Courts and Judicial Proceedings**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



3–8A–03.

(a) In addition to the jurisdiction specified in Subtitle 8 of this title, the court has exclusive original jurisdiction over:

(1) A child:

(i) Who is at least 13 years old alleged to be delinquent; or

(ii) Except as provided in subsection (d) of this section, who is at least 10 years old alleged to have committed an act:

1. That, if committed by an adult, would constitute [a]:

A. A crime of violence, as defined in § 14–101 of the Criminal Law Article; [or]

B. A CRIME INVOLVING WEAPONS UNDER TITLE 4 OF THE CRIMINAL LAW ARTICLE;

C. A CRIME INVOLVING THE USE OR POSSESSION OF A FIREARM, AS DEFINED IN § 5–101 OF THE PUBLIC SAFETY ARTICLE; OR

D. A CRIME INVOLVING AN UNLAWFUL TAKING OR UNAUTHORIZED USE OF A MOTOR VEHICLE UNDER § 7–105 OR § 7–203 OF THE CRIMINAL LAW ARTICLE; OR

2. Arising out of the same incident as an act listed in item 1 of this item;

(2) A child who is in need of supervision;

(3) A child who has received a citation for a violation;

(4) Except as provided in subsection (d)(6) of this section, a peace order proceeding in which the respondent is a child; and

(5) Proceedings arising under the Interstate Compact on Juveniles.

Article – Human Services

9–204.

(i) (1) (I) On or before January 1 of each year, the Secretary shall report to the General Assembly, in accordance with § 2–1257 of the State Government Article, on the recidivism rates of children committed to the Department for placement in residential

1 care.

2 [(2)] (II) The report shall include:

3 [(i)] 1. recidivism rates for all children committed to the
4 Department for placement in residential care;

5 [(ii)] 2. recidivism rates by region for all children committed to the
6 Department for placement in residential care; and

7 [(iii)] 3. recidivism rates for each residential care program in
8 which a child committed to the Department is placed.

9 [(3)] (III) The report shall include data from the prior 3 fiscal years.

10 [(4)] (IV) The report shall include recidivism rates that are calculated for
11 1 year and 3 year time frames.

12 (2) ON OR BEFORE JANUARY 1 EACH YEAR, THE SECRETARY SHALL
13 REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE
14 STATE GOVERNMENT ARTICLE, ON THE NUMBER OF CHILD IN NEED OF
15 SUPERVISION PETITIONS AUTHORIZED AND DENIED AT INTAKE BY JURISDICTION.

16 Article – Public Safety

17 3-530.

18 (a) The Governor's Office of Crime Prevention, Youth, and Victim Services shall
19 request and analyze data relating to juveniles who are **CHARGED AND ADJUDICATED**
20 **DELINQUENT IN JUVENILE COURT OR WHO ARE** charged, convicted, and sentenced as
21 adults in the State, including data from:

22 (1) law enforcement agencies in the State;

23 (2) the Administrative Office of the Courts;

24 (3) local correctional facilities in the State; and

25 (4) the Department of Public Safety and Correctional Services.

26 (b) The information collected and analyzed under subsection (a) of this section
27 shall include:

28 (1) the number of juveniles [charged, convicted, and sentenced as adults]
29 **DESCRIBED IN SUBSECTION (A) OF THIS SECTION;**

1 **(2) IN EACH COUNTY, THE TYPES OF CRIMES COMMITTED BY THE**
2 **JUVENILES DESCRIBED IN SUBSECTION (A) OF THIS SECTION BROKEN DOWN BY**
3 **CRIMES AGAINST PEOPLE, PROPERTY, AND SOCIETY;**

4 **[(2)] (3)** the outcomes of cases involving juveniles charged as adults,
5 including whether the case resulted in conviction, dismissal, or transfer to the juvenile
6 court under § 4–202, § 4–202.1, or § 4–202.2 of the Criminal Procedure Article;

7 **[(3)] (4)** the number of juveniles housed in each State correctional facility
8 and local correctional facility; and

9 **[(4)] (5)** the length of sentence for each juvenile sentenced as an adult in
10 the State.

11 (c) On or before December 31, 2023, and on or before December 31 each year
12 thereafter, the Governor’s Office of Crime Prevention, Youth, and Victim Services shall
13 report its findings to the Governor and, in accordance with § 2–1257 of the State
14 Government Article, the General Assembly.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2024.