

# CAPITAL GAZETTE

## State lawmakers to push changes to policies on children charged as adults



By [KATHARINE WILSON](#)

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Juvenile justice reform bills will return in this year's Maryland General Assembly session after similar measures failed [in 2025](#).

The state's automatic charging laws are among the nation's strictest — 16- and 17-year-olds are automatically charged as adults for 33 offenses — and the state is “significantly out of compliance” with federal standards, according to a recent report from Maryland's Juvenile Justice Reform and Emerging and Best Practices Commission.

One bill aims to further restrict housing of children charged as adults inside adult jails. The other would raise the minimum age to automatically charge minors as adults and remove some less-serious crimes from the dozens of offenses that automatically charge juveniles as adults.

As some prosecutors push back against proposed reforms, saying they undermine police efforts and risk public safety, advocates argue that the bills would align the state with federal standards.

“This [is a] very arcane, inhumane process that Maryland has had in place for a very long time now,” said James Dold, founder of Human Rights for Kids, a juvenile justice reform group. “No other state you know really does this to children at this extreme level.”

Alabama is the only state with more youth transfers to adult prisons than Maryland, according to a 2021 presentation from the Sentencing Project.

Federal standards limit when and for how long children can be housed in adult prisons. Maryland violated these guidelines 1,600 times in fiscal year 2024, according to the state Department of Legislative Services.

The debate over juvenile justice reform has intensified in recent years as minors have been accused of several high-profile crimes. A 17-year-old was charged with killing a [Glen Burnie teen](#) in May 2025, and [two teenagers](#), including a 14-year-old, were accused of killing a 26-year-old in Columbia in October 2024.

Though specific cases have raised concern, the data paints a different picture. In Baltimore, monthly juvenile arrests hit a recent peak of 198 in 2017, according to [The Sentencing Project](#). The city's monthly arrests of minors fell to 65 in 2024.

### *Children in adult jails*

Currently, children charged as adults in Maryland are automatically housed after arrest and processing inside adult jails in all jurisdictions except Baltimore City, which has a youth detention facility, according to the state Department of Legislative Services.

These children are supposed to be separated by “sight and sound” from the adult inmates and not housed for longer than six hours within adult jails, with few exceptions. Advocates say that the sight and sound rule in particular has been broken.

Democrats Sen. Sarah Love of Montgomery County and Judiciary Committee Chair Del. J. Sandy Bartlett of Anne Arundel County are leading the charge on the bill to address holding minors in adult facilities.

Advocates say children are essentially being held in solitary confinement in adult facilities. Bartlett visited Jennifer Road Detention Center in Anne Arundel County and saw teens isolated, saying: “There is a look in their eyes. I saw a look of almost hollowness.”

Anne Arundel County State's Attorney Anne Colt Leitess said though a central place for juveniles would be ideal, the Department of Juvenile Services doesn't have the resources to achieve that.

Bartlett said the draft bill would not add resources to the Department of Juvenile Services and would leave those decisions up to the appropriations process.

Housing children charged as adults can become complicated, Leitess said. She said inmates must be separated by gender and that inmates accused of the same crime cannot be housed together, either.

In Baltimore County, girls charged as adults sometimes have to be placed in the medical wing to separate them from the other inmates, said the county's state's attorney, Scott Shellenberger.

Baltimore County Republican Del. Nino Mangione said he is against the proposed changes, arguing that the adult facilities are likely better equipped to deal with children accused of committing serious offenses.

“There is a level of security needed for offenders that are charged with extreme crimes of violence,” Mangione said. “These adult facilities provide more security. And I think that that’s the message that sends to the people, to the public, that we’re putting public safety first, accountability and security.”

Last session, Love introduced a bill that would have also banned the use of solitary detention for children charged as adults. This bill would only deal with the detention of youth in adult facilities.

“The practice of housing children in adult prisons, which means they’re housed in isolation and don’t get programming, is abhorrent and we should not be doing it,” Love said.

Noncompliance with federal standards also means Maryland will miss out on some federal funding, estimated at \$2 million in federal funds over the next three years, by the governor’s office of Crime Prevention and Policy.

#### *Automatic charging bill*

Another proposed bill would eliminate automatic charging for 14- and 15-year-olds, but keep automatic charging for 16- and 17-year olds.

Currently, 14- and 15-year-olds are automatically charged as adults in the state if accused of a crime that could be subject to a life sentence if committed by an adult.

The proposal, led by Montgomery County Democrat Sen. William Smith as well as Bartlett, would repeal automatic charging for abduction, kidnapping, robbery, attempted robbery, third-degree sex offense, regulated firearm offenses, using a firearm in a drug crime, first-degree assault, unlawfully carrying a handgun and several other offenses.

Suspects who are 16 or 17 years old would still be automatically charged as adults when accused of certain crimes: first- and second-degree murder and attempt, first- and second-degree rape and attempt, voluntary manslaughter, carjacking, armed carjacking and using a handgun during a crime of violence.

Smith said the bill would leave the decision up to judges, not prosecutors, to determine which court a case should be tried in.

“Just because a kid does something does not mean it’s not significant, severe and very serious,” Smith said. “My only thing is, have a judge decide, have a judge weigh all the factors ... and make an informed decision for public safety and for the kid’s future.”

Most children automatically charged as adults in Maryland have their charges dropped or brought back down to juvenile court. The Sentencing Project estimated that this happens in 85% of cases statewide. Baltimore State's Attorney Ivan Bates said it happens in between 50% and 60% of the city's cases.

Children charged as adults experience longer wait times than if they were charged as juveniles, waiting on-average 125.2 days instead of 27 days for a disposition, according to the Department of Juvenile Services. The state pays about \$1,174 per day to hold juveniles.

Shellenberger, the Baltimore County state's attorney, said he will listen to arguments that specific statutes and crimes could start in juvenile court but emphasized that the ones currently subject to automatic charging are "the really big ones."

Bates said that starting children off in juvenile prison does not give them an incentive to talk to investigators; cases that start off in adult court make the accused more motivated to cooperate with investigators.

Love, in response to comments from Bates, said she believes law enforcement should be able to do their job without threatening children with "potentially irreparable harm."

Bates also argued that the accused children are able to request their case to be moved down to juvenile court.

"I hear everybody talk about the children, but no one talks about the victims," Bates said.