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*toward building a new society on the vacant lots of the old . . .*

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## Activists Opposing "Youth Jail" Bring Fight to Maryland's

### Senate

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People packed into a Maryland Senate briefing last week on Wednesday, October 17, in order to oppose a [new youth jail](#) [2] in Baltimore. The Maryland Senate Committee on Budget and Taxation heard Attorney General [Douglas Gansler](#) [3] discuss the billion dollar settlement with criminal banks, as well as proposed plans to replace cash payments on highways with ubiquitous [video tolls](#) [4] linked to license plates (apparently "a trend in the tolling industry"). When it came time to discuss the new youth jail, the quiet room was suddenly overflowing with people.

If any of these Senators want to build the new jail, they didn't speak up. Three advocates of the jail read written reports to the Committee and were questioned. A few Senators—led by [Nathaniel J. McFadden](#) [5], representing the Baltimore district in which the jail would be built—grilled advocates about the need for a new facility. More than a dozen people then offered testimony, which the Committee effectively cut short by moving the jail discussion to the end of its agenda.

Opponents of the new jail presented many detailed practical arguments against a new jail. The number of youth currently held in adult holding facilities has decreased to an all-time low and may continue to fall. The problems they face can be solved by hiring new personnel and making improvements to the existing facility—for much less money. And the existing pre-release facility for women could serve as a substitute for a 70–100 million-dollar new facility.

Speakers also presented testimony to contest the [system of charging minors as adults](#) [6]. Witnesses impressed upon the Senate that the [vast majority of young people held as adults in Baltimore](#) [7] do not ultimately receive adult sentences. They are simply held, before trial, based

on the allegations that led to their incarceration.

Below you can read testimony on this point by two witnesses from [Just Kids Partnership \[8\]](#), a joint effort by Public Justice Center and Community Law In Action.

### **Testimony from Kevin Junior, Just Kids Partnership**

Good afternoon, Mr. Chairman and members of the Committee. My name is Kevin Junior and at the age of fifteen I was arrested. Based on my charge I went straight to the adult criminal justice system. I am here to ask you not to build the youth jail. Kids belong in the juvenile system.

On September the 30th, 2009, I was arrested and sent to the Baltimore City Detention Center. There is no such thing as a good experience when behind jail bars. I spent almost a year away from my family and friends and grew up faster than I expected, experiencing the adult life firsthand before it was my time. Before I was arrested, I was in eleventh grade at Forest Park High School. I loved to wrestle and was Baltimore City Champion in 2008 for the 125-pound weight class. When I wasn't wrestling I loved having fun with family and friends.

During my incarceration I witnessed many vicious fights, one in which a riot broke out one day in school and I watched one of my peers get beaten with a chair. Another time, a guard slammed one of my peers on the table. I began to change, physically and mentally taking out my anger on other inmates as well as myself. I felt cold hearted, lonely, and like an animal trapped in a cage. I was held in Baltimore City Detention Center for eleven months, while my transfer hearing was postponed twice. I became frustrated with my situation, and being the newest and smallest person at Baltimore City Detention Center, I was always getting picked on. I got into a fight that was started in confinement.

When you are stuck in confinement you are written up a ticket. That ticket states why you are on isolation and how long you are to be held. I originally had one month on my ticket, but due to the misplacement of that ticket by caseworkers and correctional officers, I had to spend seven months in confinement. During this time I commonly asked correctional officers when would I be allowed to return back to Population and was given the same answer each and every time, which was that I had to wait for Mr. Rose to walk the tier—which never happened the entire time I was there.

I felt abused and mistreated. When you are in confinement you are locked in a cell, no bigger than a bathroom, by yourself, 24 hours a day, only let out to take a shower three times a week. Please take a moment to imagine you as a child standing in a bathroom for seven months without family, work, or school, doing nothing but riding the wave. If you can do that I think you will understand why I'm up here giving my testimony.

On August 24, 2010, I finally had my transfer in hand. It was granted and my case was transferred back to the Juvenile Justice Center. I was returned home to live with my mom and enrolled in a Choice program, where a mentor helped me find a job. I returned back to Forest Park High School and graduated in June of 2011. Because of my experience I do not think a youth jail should be built. If there is no more room at Baltimore City Juvenile Justice Center now, I recommend that the youth be housed temporarily at the old Women's Pre-Release Unit. Thank you.

## **Testimony from Rashad Hawkins, Just Kids Partnerships**

Good afternoon, Mr. Chairman and members of the Committee. My name is Rashad Hawkins, and I am the youth organizer with the Just Kids Partnership.

We oppose any further capital funding of the proposed jail that will house youth who have been charged as adults, pre-trial. My testimony is going to focus primarily on just who will be held in this facility if it were built. I understand that this committee is focused on the numbers, but it is important to us to understand the policy and practices that we are promoting by long term investment in this facility while we look at those numbers.

Only youth arrested in Baltimore City will be held in this facility. Most of which: ages fourteen to seventeen, who have been accused of any of 33 offenses that allow them to be charged as adults. Their cases that have not been reviewed by a judge and found to be more appropriately served in the adult system. The only reason they are in the adult system is because of their age and the allegations in their charges document. These youth will be held pre-trial, meaning before they have been convicted of any crime. If a seventeen-year-old turns 18, it is likely that they will be transported back to the current Baltimore City Detention Center and placed in General Population.

This new proposed jail will still be ran by the Department of Public Safety and Correction Services and though they may talk about the services and programming that will be provided in this new facility—the fact is, DPSCS is an adult corrections agency, which is not equipped to deal with youthful offenders. The Department of Juvenile Services, which is the agency with a mission and history of rigorously rehabilitating youth, while holding them accountable, will not be involved in operating this facility in any way.

The biggest misconception is that the policies and practices that allow youth to be automatically charged as adults only affect the worst of the worst kids. The laws that allow them to be charged as adults automatically catch many more youth than should be in any system, especially an adult system. As Nicole [Cheatom] said, and many others said, over 70% of youth of who been charged as adults and held in adult jails pre-trial, either had their cases dismissed or sent back to a juvenile facility. Only 7% of youth who have been charged as adults and held in adult jails pre-trial actually see adult prison sentences. If these young people's cases had gone the way they should have in the first place, in a reasonably safer juvenile facility, the need for any facility will drop significantly.

If this new jail is built, the State of Maryland will be investing \$70 million into the policy and practice of automatically charging youth as adults, a policy that has been a complete failure in both deterring crime and promoting public safety. Research has consistently shown that youth who are charged as adults and held in adult jails pre-trial are more likely to commit future more violent crimes than their counterparts in the juvenile facility.

Holding youth in juvenile facilities costs less in the long run than charging them as adults. So these will be the young people who will be held in this facility, and these are the very flawed policies that investment in the new jail will be promoting.

In addition to these two young men, we heard testimony from many others, including the following:

- Delegate [Mary Washington](#) [9], who for years has been opposing the jail in Annapolis, made the financial case for rehabilitating another facility; she was accompanied by delegate [Aisha N. Braveboy](#) [10] new chair of the Legislative Black Caucus, who called attention to [Baltimore City Council's opposition](#) [11] to the jail;
- [Nicole Cheatom](#) [12], youth organizer for the Baltimore Algebra Project, and lawyer [Angela C. Johnese](#) [13] also spoke against charging youth as adults and advocated for alternatives to this type of detention;
- High School English teacher (and [Indyreader columnist](#) [14]) [Iris Kirsch](#), [arrested](#) [15] at the [Schools Not Jails](#) [16] action in January, told the Senate that she would continue to do everything in her power to block the jail;
- [Lester Spence](#) [17], a Johns Hopkins professor, made demographic arguments against the jail;
- [Tyrone Barnwell](#) [18] offered a compelling statement from the Safe and Sound Campaign, suggesting that the funds already reserved for the original youth jail be made available for new projects; the statement also urged the legislators to remember America's legacy as a slave society—after recording all of the previous testimony, we were asked to stop filming the Senators after capturing their reactions to this part of the statement;
- And others; please comment if you know their names.

Organizations in attendance included the [Stop the Jail Alliance](#) [19], [Baltimore Algebra Project](#) [20], [Community Law in Action](#) [21], and [Safe and Sound](#) [22].

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**Links:**

- [1] <https://indyreader.org/contributor/leo-zimmermann>
- [2] [http://en.wikipedia.org/wiki/New\\_Youth\\_Detention\\_Facility\\_%28Baltimore\\_City%29](http://en.wikipedia.org/wiki/New_Youth_Detention_Facility_%28Baltimore_City%29)
- [3] [http://en.wikipedia.org/wiki/Doug\\_Gansler](http://en.wikipedia.org/wiki/Doug_Gansler)
- [4] [http://en.wikipedia.org/wiki/Video\\_tolling](http://en.wikipedia.org/wiki/Video_tolling)
- [5] [http://en.wikipedia.org/wiki/Nathaniel\\_J.\\_McFadden](http://en.wikipedia.org/wiki/Nathaniel_J._McFadden)
- [6] [http://en.wikipedia.org/wiki/Trial\\_as\\_an\\_adult](http://en.wikipedia.org/wiki/Trial_as_an_adult)
- [7] [http://articles.baltimoresun.com/2012-10-03/news/bs-md-minority-youth-offenders-20121003-77\\_1\\_juveniles-in-adult-prisons-campaign-for-youth-justice-racial-disparity](http://articles.baltimoresun.com/2012-10-03/news/bs-md-minority-youth-offenders-20121003-77_1_juveniles-in-adult-prisons-campaign-for-youth-justice-racial-disparity)
- [8] <http://justkidsmaryland.org/>
- [9] [http://en.wikipedia.org/wiki/Mary\\_L.\\_Washington](http://en.wikipedia.org/wiki/Mary_L._Washington)
- [10] [http://en.wikipedia.org/wiki/Aisha\\_N.\\_Braveboy](http://en.wikipedia.org/wiki/Aisha_N._Braveboy)
- [11] <http://baltimorepostexaminer.com/new-70-million-juvie-jail-in-baltimore-draws-strong-opposition/2012/10/18>

- [12] <http://archive.org/details/NicoleCheatomOfAlgebraProjectOccupyBaltimore>
- [13] <https://twitter.com/JusticeJohnese>
- [14] <http://indyreader.org/contributor/iris-kirsch>
- [15] <http://indyreader.org/content/photo-essay-schools-not-jails-occupation>
- [16] <http://schoolsnotjails.wordpress.com/>
- [17] <http://www.lesterspence.com/>
- [18] <https://twitter.com/tyronebarnwell>
- [19] <http://stopbaltimoreyouthjail.com/>
- [20] <http://www.baltimorealgebraproject.org/>
- [21] <http://www.communitylawinaction.org/>
- [22] <http://safeandsound.org/page.php?id=1>