

Statement from the Gibson-Banks Center for Race and the Law on the Maryland Equitable Justice Collaborative Report Addressing the Mass Incarceration of Black Marylanders

Baltimore, MD (March 17, 2024). Last week, the Maryland Equitable Justice Collaborative (MEJC), established by Maryland’s Attorney General Anthony Brown and Public Defender Natasha Dartigue, released a report, [*Breaking the 71%: A Path Toward Racial Equity in the Criminal Legal System*](#). Launched in October 2023, the MEJC convened more than 40 member organizations statewide to research, develop, and recommend reforms that would reduce racial disparities in Maryland’s incarcerated population. Professor Michael Pinard, Faculty Director and Monique Dixon, Executive Director of the [Gibson-Banks Center for Race and the Law](#) at the University of Maryland Francis King Carey School of Law, which served as a member organization of the MEJC, released the following statement:

“The Gibson-Banks Center for Race and the Law applaud the mission and historic work of the Maryland Equitable Justice Collaborative. The recommendations in the collaborative’s final report will help lay the foundation for addressing mass incarceration—and the over-incarceration of Black adults and children—in Maryland.

“The Center has submitted [testimony](#) before committees of the 2025 Session of the Maryland General Assembly in support of bills that would advance several of the recommendations in the report, such as [SB 291](#) – Maryland Second Look Act, which would, among other things, allow an individual who is incarcerated and has served at least 20 years of their sentence to petition a court for a reduction of sentence.

“In the *Breaking the 71%* report, the Gibson-Banks Center submitted a dissent to recommendation #17 – limit the automatic charging of children in adult criminal court – because we believe that this inefficient, racially disproportionate and harmful practice should be eliminated altogether. As noted in the report, most children who are automatically charged as adults have their cases transferred to juvenile court, dismissed, or result in time served. But many of these children are detained in a youth or adult detention center during the process. Black and Brown children detained pending their transfer to juvenile court spend nearly a month longer in detention when compared to their white peers facing similar cases, according to the report. These extended periods of detention are traumatizing and disrupt children’s education and community connections. Eliminating the automatic charging of children as adults and beginning their cases

in the more appropriate juvenile court system would have a positive impact on all children, particularly Black children who are disproportionately charged as adults.

“It is important to note that eliminating this practice would not prohibit the prosecution of children in adult court; rather, it would only prohibit initially charging children in adult court. Maryland law allows a juvenile court to waive its jurisdiction over a child and send them to adult criminal court after determining that they are unfit for rehabilitative services provided in juvenile court.

“The Center has [presented](#) these arguments to Maryland legislators in support of [SB 422/HB 1433](#) which would limit the automatic charging of youth as adults – a step in the right direction toward eliminating the practice.

“The Center looks forward to continuing to collaborate with the leadership and members of the Maryland Equitable Justice Collaborative to carry out the recommendations in its report.”

About the Gibson-Banks Center for Race and the Law

The Gibson-Banks Center for Race and the Law seeks to transform institutions and systems of racial inequality, marginalization, and oppression. The Center collaborates with community, government, and nonprofit organizational stakeholders to examine and address persistent issues of historical and modern-day racial inequality and injustice across systems and institutions in the City of Baltimore, the State of Maryland, and nationwide. For more information, please visit <https://www.law.umaryland.edu/academics/programs--centers/gibson-banks-center-for-race-and-the-law/>.