



HOUSE OF REPRESENTATIVES

2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002
(207) 287-1400
TTY: Maine Relay 711

Victoria Morales

P.O. Box 2404
South Portland, ME 04116
Cell: (207) 216-0643
victoria.morales@legislature.maine.gov

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Testimony of Rep. Victoria Morales presenting
**LD 847, An Act to Divert Young Adults from the Criminal
Justice System**

Before the Joint Standing Committee on Criminal Justice and Public Safety

Senator Deschambault, Representative Warren and my friends on the best committee in the state, my name is Victoria Morales and I represent House District 33 in South Portland. It is my distinct honor to present this policy to you today, which you all know aligns with my work with young people in Maine.

We know today that adolescence spans from ages 14 to 25 and is an important developmental period, much like early childhood, when the brain is especially open to learning and growing. It's a time ripe for building young people's capabilities, a time when they can heal from traumatic experiences earlier in life and, if necessary, change course. It's a time when young people are establishing their identity and relationships and developing important life skills, such as making decisions and assuming responsibility. It is a time when they make mistakes, sometimes more serious mistakes, but it is also a time for them to learn from those mistakes. Importantly, it is a time when they need supportive adults and the right developmental experiences to foster their growth.

In Maine, there are approximately 15,000 young people between 16 and 24 who are not in school and not working. This number is alarming to me, and I can't help but think that it may be related to the 1,600 juvenile justice cases and 5,000 to 10,000 young adult cases filed each year.

The Maine Judicial Branch provided me with the following data for the 18 to 25 year old age group to assist me with the drafting of this bill.

- Around one-quarter of criminal cases filed involved a defendant in the target age group in 2020.
- 76% of the cases filed were misdemeanors.
- 49% of the case filed were Class E.
- 27% of the cases filed were Class D.

- In 73% of cases where the defendant was aged 18 to 25, the defendant was male, and in 27% of those cases, the defendant was female.
- 8.6% of cases involved a Black defendant.

The specific percentages for each year are listed in the chart below.

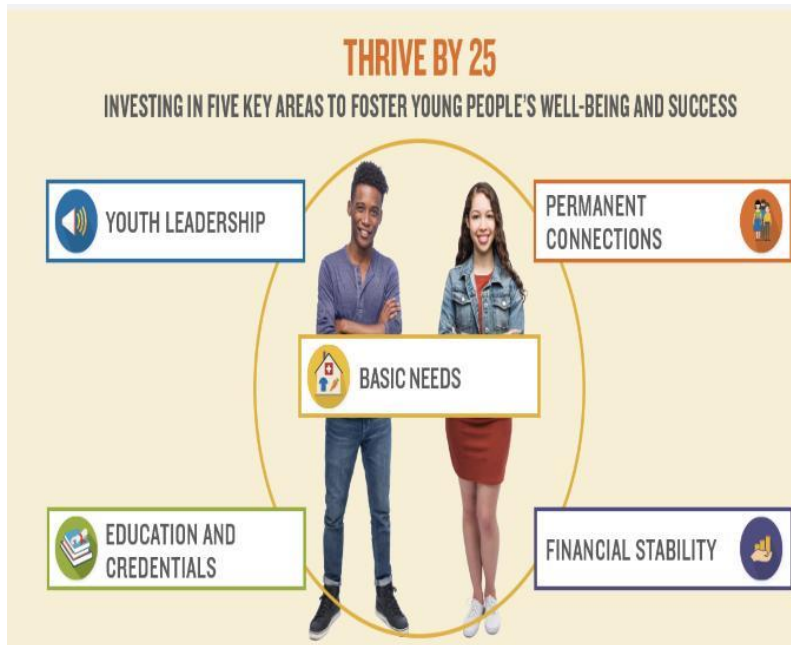
Proportion of Disposed Cases

	2017	2018	2019	2020
Murder	0.07%	0.06%	0.01%	0.05%
Class A	1.0%	1.2%	1.3%	1.0%
Class B	3.0%	2.8%	2.9%	2.5%
Class C	5.7%	5.5%	5.7%	6.0%
Class D	25.7%	26.1%	27.2%	27.2%
Class E	42.8%	44.3%	44.3%	49.0%
Class V	21.5%	20.1%	18.7%	14.3%

What we know about young people is that they need resources in five key areas to develop comprehensive solutions that address the multifaceted issues young people contend with and enable them to thrive:

- **Basic Needs:** Young people regularly say they need immediate support to meet their basic needs — food, housing, safety, physical and mental health, transportation and child care — so that they can focus on long-term goals and become self-sufficient.
- **Permanent Connections:** Young people deserve to have stable, permanent connections with a loving family and other supportive and caring relationships with adults in their community who can help them navigate school, work, finances and life issues.
- **Education and Credentials:** Young people should have the support they need to graduate from high school and obtain a postsecondary credential that will position them for economic success.
- **Financial Stability:** Young people need access to traditional or entrepreneurial employment and financial tools and products that allow them to build savings and credit.

- Youth Leadership: Young people can develop skills to advocate for themselves, promote policies that will help them and their families succeed and play a leadership role in making their communities stronger and safer over the long term.



Too often, this proves elusive for some young people. The road to adulthood can be a challenging one for many, but young people of color in low-income families, youth in high-poverty communities, young parents and youth involved in the child welfare or justice system face significant obstacles that can stall their aspirations and prospects or derail them entirely.

The policy I am proposing here today will help to keep our young people out of the criminal justice system and connect them more to their communities through diversion and community support.

Young people are our next generation of leaders, workers, innovators and parents. They make up 20% of Maine's population, and ensuring they can thrive by 25 will benefit their lives and strengthen Maine.

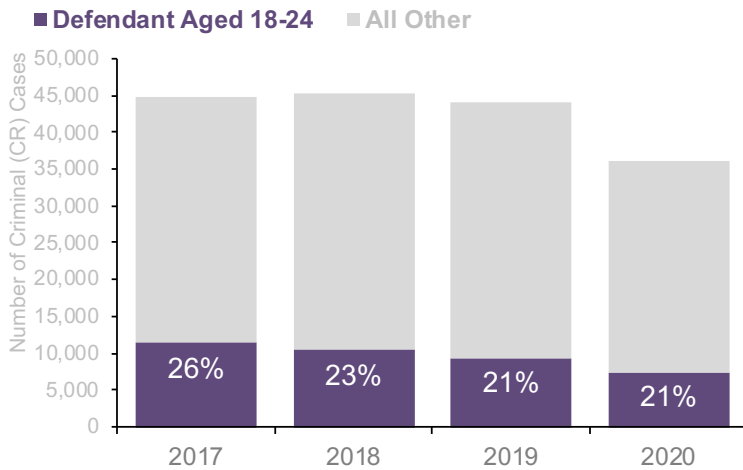
Thank you for the opportunity to present this bill to you today. I look forward to working with you.

DEFENDANTS IN THE 18 – 25 AGE GROUP, 2017-2020

The graphs below show the proportion of cases filed and disposed during each calendar year in which the defendant was between the ages of 18 and 25 at the time of the most serious offense charged. **In general, around 1/4 of criminal cases and between 1/3 and 1/2 of civil violation cases filed and/or disposed involved a defendant in the target age group**, although as filings and dispositions dropped during the COVID-19 pandemic in 2020, so did the proportion of cases involving this age group.

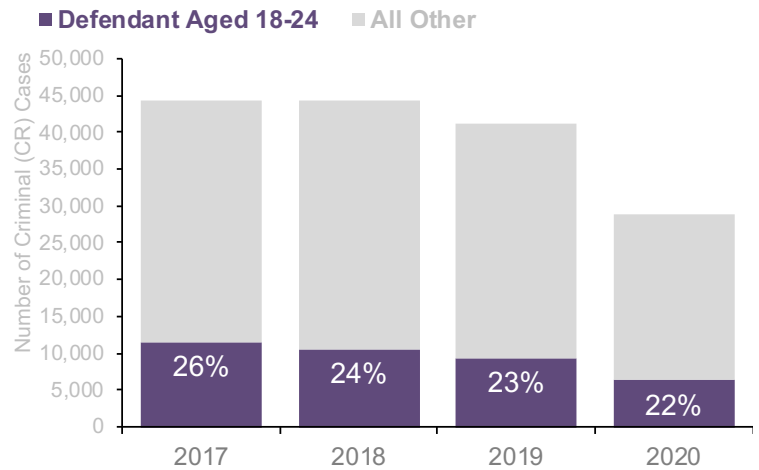
Filed Cases

Criminal (CR)

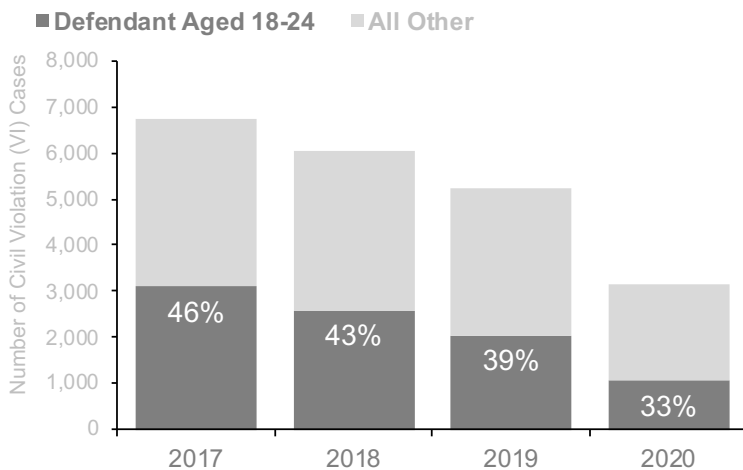


Disposed Cases

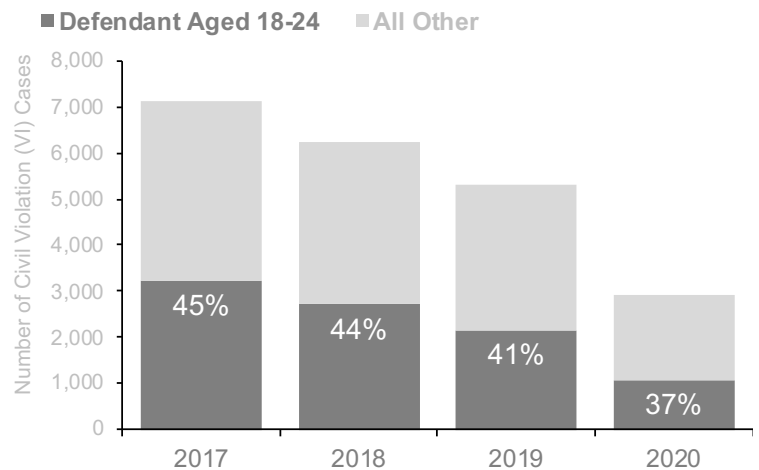
Criminal (CR)



Civil Violations (VI)



Civil Violations (VI)

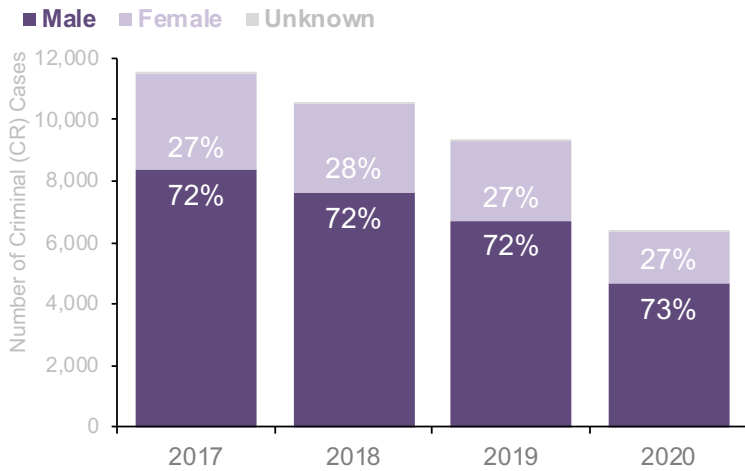


Demographic Data for Disposed Cases with Defendants Aged 18 – 25

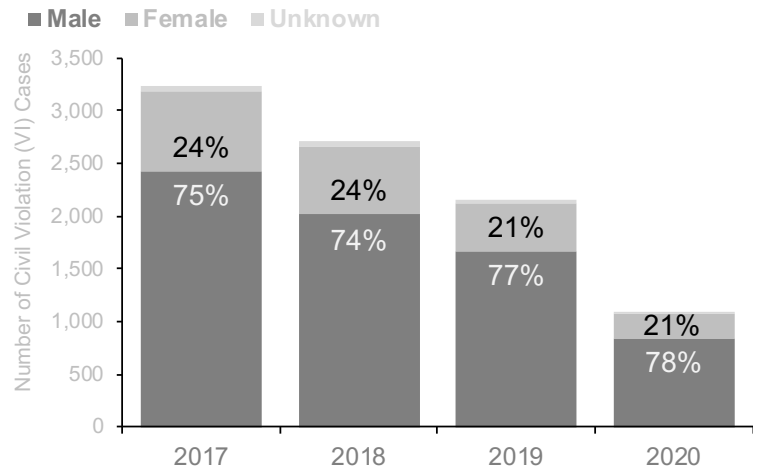
The graphs that follow show information for only the target age group of 18 to 25 (i.e., only the group of cases represented by the purple and dark gray bars in the graphs above). The counts and percentages are of cases, *not* individuals—so for example, in 2020, in 73% of cases where the defendant was aged 18-25, the defendant was male, and in 27% of those cases the defendant was female. Because the demographics are similar for cases filed versus those disposed during a year, to simplify the presentation the data that follows is only for cases that were disposed in the indicated year.

Gender | Disposed Cases, Defendant Aged 18 – 25

Criminal (CR)



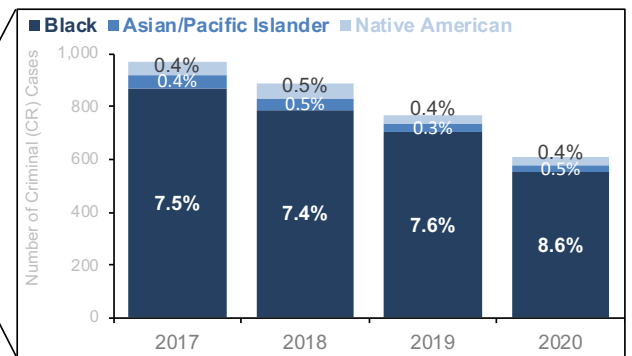
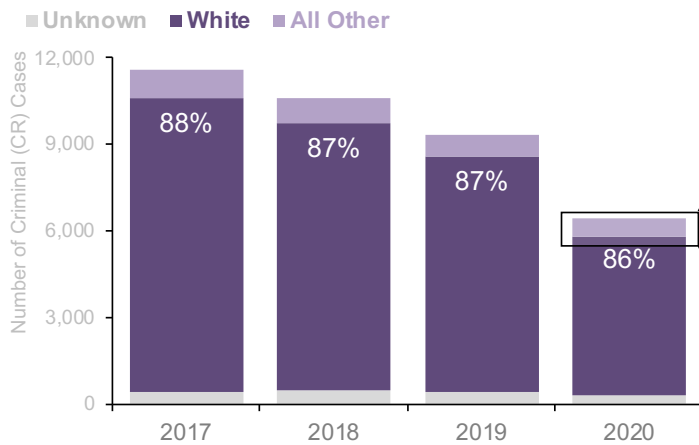
Civil Violation (VI)



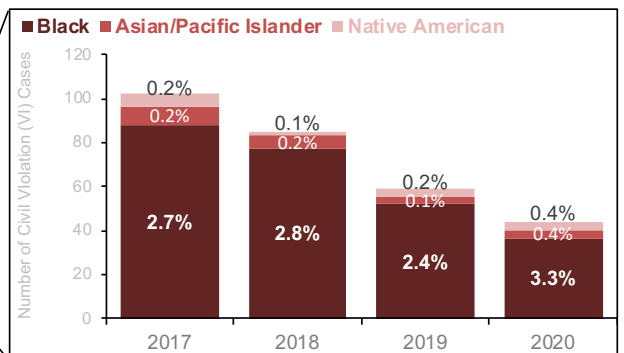
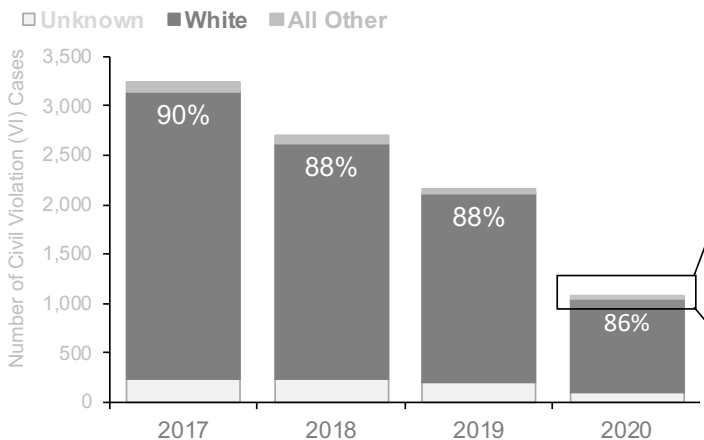
Race | Disposed Cases, Defendant Aged 18-25

The majority of cases with a defendant in the target age group involved a defendant who was white. The graphs on the left show the proportion of cases with a white defendant versus any other race, while the graphs on the right show the proportions for the other races identified in MEJIS (percentages are for all cases, e.g., 8.6% of cases in the target age group disposed in 2020 had a black defendant, while less than 1% had a defendant identified as Asian/Pacific Islander or Native American).

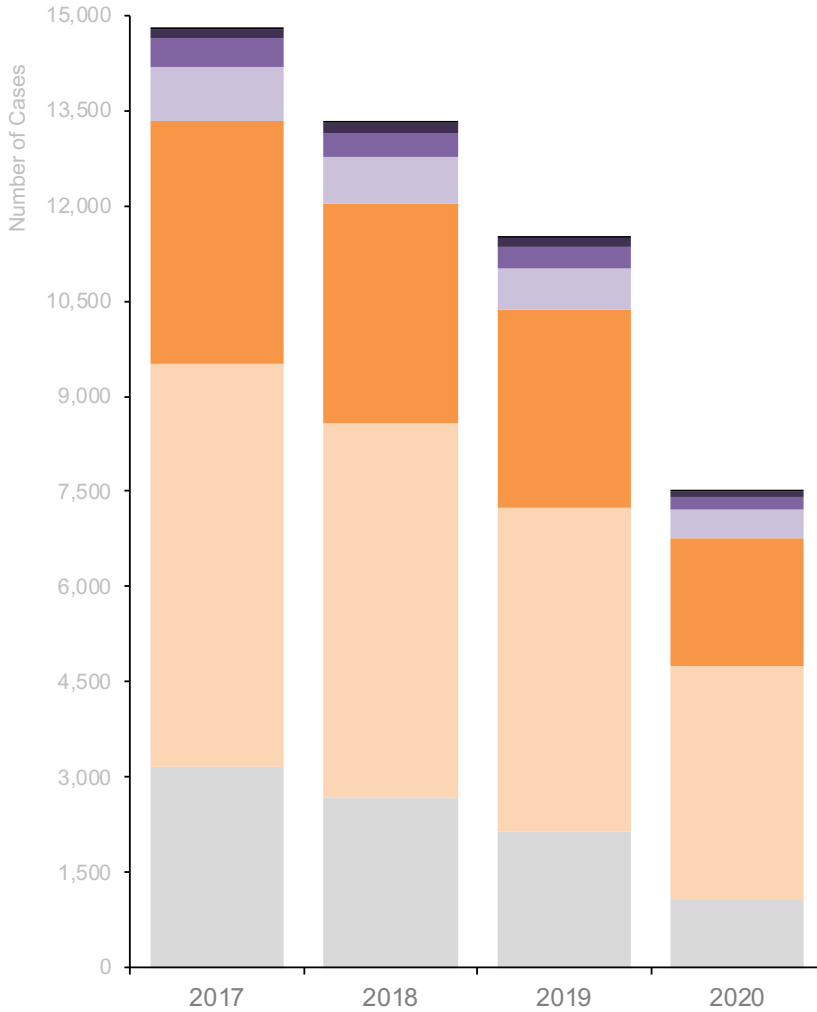
Criminal (CR)



Civil Violation (VI)



Most Serious Offense | Disposed Cases, Defendant Aged 18-25



The graph on the left shows the total number of criminal and civil violation cases with a defendant in the target age group that were disposed in each year. Each column is broken out by the most serious offense charged in the case (e.g., the most serious offense for cases counted in the dark orange bar was a Class D misdemeanor). Columns with a purple hue represent felony cases, orange hues represent misdemeanor cases, and gray represents civil violations.

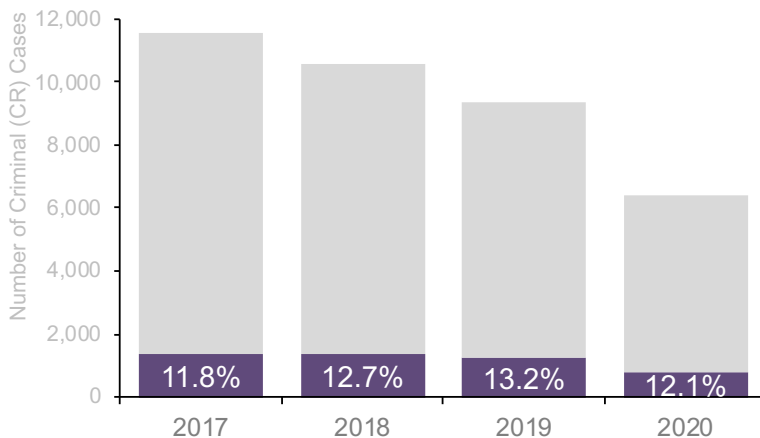
In each year, the vast majority of cases disposed with defendants in the target age group are misdemeanor or civil violation cases (orange and gray hues). The specific percentages for each year are listed in the chart below.

Proportion of Disposed Cases

	2017	2018	2019	2020
Murder	0.07%	0.06%	0.01%	0.05%
Class A	1.0%	1.2%	1.3%	1.0%
Class B	3.0%	2.8%	2.9%	2.5%
Class C	5.7%	5.5%	5.7%	6.0%
Class D	25.7%	26.1%	27.2%	27.2%
Class E	42.8%	44.3%	44.3%	49.0%
Class V	21.5%	20.1%	18.7%	14.3%

Deferred Disposition | Disposed Cases, Defendant Aged 18-25

■ Deferred Disposition ■ No DD



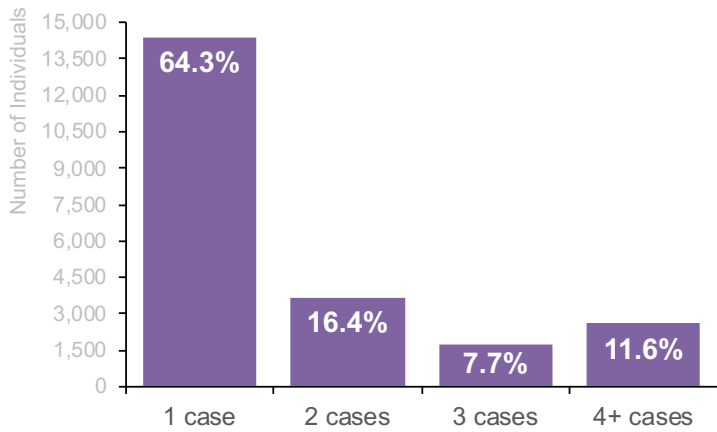
The graph on the left shows the proportion of disposed criminal cases with a defendant in the target age group that involved the use of a deferred disposition agreement pursuant to 17-A M.R.S. §§ 1901-1904. Note: this is the proportion of cases that had a deferred disposition order entered—it does not contain information about whether or not a deferred disposition was successfully completed, as this data is not captured by MEJIS.

Cases Filed Per Individual, 2017-2020 | Defendants Aged 18 – 25

The graphs below show the proportion of individuals aged 18-25 during the 2017 to 2020 time period who had one, two, three, or four or more criminal cases (**left** graph; civil violations on the **right**) filed during that time period. For example, of the defendants in the target age group who had a criminal case filed between 2017 and 2020, 64.3% had only a single case filed during those four years, and 11.6% of those individuals had four or more cases filed during those years.

Note: The criminal and civil violation graphs are not mutually exclusive; a particular person may be counted in both graphs depending upon their court filing history.

Criminal (CR)



Civil Violation (VI)

