

Members of Maryland General Assembly Judicial Proceedings Committee,

I am mother to two young children, born in Maryland. My children are my responsibility—I have held them and raised them from the moment they were born. I love them with my whole heart and soul. They are not, however, my property. I have duties: providing care, food, and shelter.

I grew up in northeastern Ohio; a little to the south of where I grew up is Holmes county, home to the largest concentration of Amish people in the world. For those of you not familiar with the Amish, within Amish communities it is common to homeschool for religious reasons. Moreover, the U.S. Supreme Court (*Wisconsin v. Yoder*, 1972) upheld that freedom of religion allowed for parents to withhold their children from public education due to their deeply held religious beliefs. Homeschooling is allowed in all fifty states. If children share in the religious objection to public education, this should not be controversial.

However, in the year 2024, should we really be debating and treating children as property?

Fundamentally, when I read this bill, as a parent, that is what I see enshrined here. SB 438 is not a bill formulated for the benefit of children; it is a bill formulated for the benefit of parents. It disregards the personhood of children. It disregards the justification for children having limited rights under the law—that of limited maturity and capability to navigate the world.

Parents have responsibilities. They have duties. Their duties are for the benefit of their children. They act as trustees not as owners.

As a society, we are supposed to be beyond seeing people as chattel to mold as we see fit.

When a parent has rights, it is the right of a trustee—to act on the behest of a person, for their benefit, when they are unable to act on their own. These are not unlimited rights.

Revisiting *Wisconsin v. Yoder*, the court's holding, while used broadly to justify homeschooling and withdrawal from public education was narrowly considered: it did not examine a situation where the children and parents are not in concert when it comes to the upbringing and education of a child.¹

In the world of 2024, in Maryland as elsewhere, many groups of “concerned parents” raise the specter of parental rights as grounds to restrict access to or limit the scope of their children's education, welfare, and medical care. Things we hold as basic rights. These groups do not concern themselves with what is best for their children—instead they assert that only they are qualified to make those decisions, even when the decisions are at odds with what the children need. These are not the actions of trustees, these are the actions of owners, who seek the control their children rather than support and nurture them.

I thank you for your time.

Sincerely,

Dinah (Legal Name: Rudy) Yukich

¹ See *Wisconsin v. Yoder* (1972) from <https://tile.loc.gov/storage-services/service/ll/usrep/usrep406/usrep406205/usrep406205.pdf>