

Department of Legislative Services  
Maryland General Assembly

FISCAL NOTE

House Bill 438 (Delegate Gettv)

Judiciary

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**Education - Notice of Arrest - Controlled Dangerous Substance Offenses**

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This bill requires law enforcement agencies to notify the local superintendent of schools when a student is arrested for offenses involving controlled dangerous substances. The State's Attorney is required to notify the local superintendent of the disposition of the case. Under current law, such notifications are only required for offenses involving crimes of violence or weapons violations.

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**Fiscal Summary**

**State Effect:** None. Requiring State law enforcement agencies to notify local school officials of a student's arrest could be handled with existing resources.

**Local Effect:** Requiring that local school officials be notified of students committing offenses involving controlled dangerous substances should not result in any additional local expenditures.

**Small Business Effect:** None.

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**Fiscal Analysis**

**Local Effect:** Under current law, local school superintendents must be notified by law enforcement agencies when students are arrested for offenses involving crimes of violence or weapon violations and by the State's Attorney when the cases are adjudicated by the courts. As illustrated in **Exhibit 1**, juveniles committed over 12,000 violent criminal acts in 1995. That same year, juveniles committed around 8,000 drug related offenses. Expanding the definition of reportable offenses to include controlled dangerous substances would result in a two-thirds increase in the number of cases being reported to school officials, with most of the increase occurring in Baltimore City.

**Exhibit 1**  
**Violent Crime Committed by Juveniles**

Criminal Offense	1995 Incidents
Murder/Manslaughter	129
Forcible Rape	137
Sexual Assault	410
Robbery	1,350
Felonious Assault	2,012
Other Assaults	6,998
Weapons Violations	1,248
<b>Total Offenses*</b>	<b>12,284</b>

\*May not include all types of violent criminal offenses.  
Source: 1995 Uniform Crime Report, Maryland State Police

As illustrated in **Exhibit 2**, Baltimore City comprises 45% of the drug related juvenile offenses, followed by Baltimore County with 11%, and Prince George’s County with 9%. However, Baltimore City advises that they already provide this information to local school officials. Therefore, given the distribution of offenses across the State, it is anticipated that law enforcement agencies and State’s Attorney offices could handle the reporting requirements within existing resources.

**Exhibit 2**  
**Juvenile Narcotic Cases - Fiscal 1997**

County	Narcotics Possession	Narcotics Distribution	County	Narcotics Possession	Narcotics Distribution
Allegany	54	13	Harford	172	39
Anne Arundel	456	74	Howard	143	18
Baltimore City	1,297	2,619	Kent	14	0
Baltimore	744	181	Montgomery	527	70
Calvert	92	11	Prince George's	443	298
Caroline	25	2	Queen Anne's	53	3
Carroll	75	19	St. Mary's	52	10
Cecil	99	14	Somerset	16	8
Charles	119	15	Talbot	44	6
Dorchester	32	12	Washington	85	36
Frederick	166	48	Wicomico	82	32
Garrett	14	1	Worcester	183	26

	Narcotics Possession	Narcotics Distribution	Total Narcotics
Grand Total	5,012	3,566	8,578

**Information Source(s):** Department of Legislative Services, Department of State Police, Department of Juvenile Justice, Maryland Association of Boards of Education, Kent County, Montgomery County, Prince George's County, Washington County, State's Attorney Office, Maryland State Department of Education, Baltimore City

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