

**Department of Legislative Services**  
Maryland General Assembly  
2011 Session

**FISCAL AND POLICY NOTE**  
**Revised**

Senate Bill 755

(Senator Pugh)

Education, Health, and Environmental Affairs

Ways and Means

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**Task Force to Study High School Dropout Rates of Persons in the Criminal  
Justice System**

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This bill establishes a Task Force to Study High School Dropout Rates of Persons in the Criminal Justice System. The task force must study both the high school dropout statistics of people who have been incarcerated, arrested, or otherwise processed through the criminal justice system, as well as the fiscal impact on the criminal justice system of people who have dropped out of high school. The task force must also obtain statistical data and make recommendations regarding how individuals can be kept in high school until graduation, the availability of continuing education options for individuals who have not received a high school diploma while incarcerated, and how individuals can be informed of alternative high school education or work-related programs. The task force will be staffed by the Governor's Office of Crime Control and Prevention (GOCCP) and must report its findings and recommendations to the Governor and the General Assembly by December 31, 2012.

The bill takes effect June 1, 2011, and terminates May 31, 2013.

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**Fiscal Summary**

**State Effect:** Any expense reimbursements for task force members and staffing costs for GOCCP are assumed to be minimal and absorbable within existing budgeted resources.

**Local Effect:** None.

**Small Business Effect:** None.

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## Analysis

**Current Law:** With certain exceptions, persons under the age of 18 who commit illegal acts are handled by the juvenile justice system. Unlike the adult criminal system, the juvenile system is designed to protect public safety while restoring order to the lives of young offenders without a determination of guilt or the imposition of fixed sentences.

Historically, one of the principal purposes of the juvenile justice system was to remove from children committing delinquent acts the “taint of criminality” and the consequences of criminal behavior. In 1997, the General Assembly passed legislation adopting a philosophy of juvenile justice known as “balanced and restorative justice.” Balanced and restorative justice requires the juvenile justice system to balance the following objectives for children who have committed delinquent acts: (1) public safety and the protection of the community; (2) accountability of the child to the victim and the community for offenses committed; and (3) competency and character development to assist the child in becoming a productive member of society.

The terminology used in the juvenile justice system differs from that used in the criminal system. For example, juveniles do not commit crimes. Rather, they commit “delinquent acts,” which are acts that would be crimes if committed by an adult. Juveniles are “adjudicated delinquent” instead of convicted, and the juvenile court makes “dispositions” for juveniles instead of imposing sentences. Additionally, while adult offenders are known as criminal defendants, juvenile offenders are referred to in the law as “respondents.”

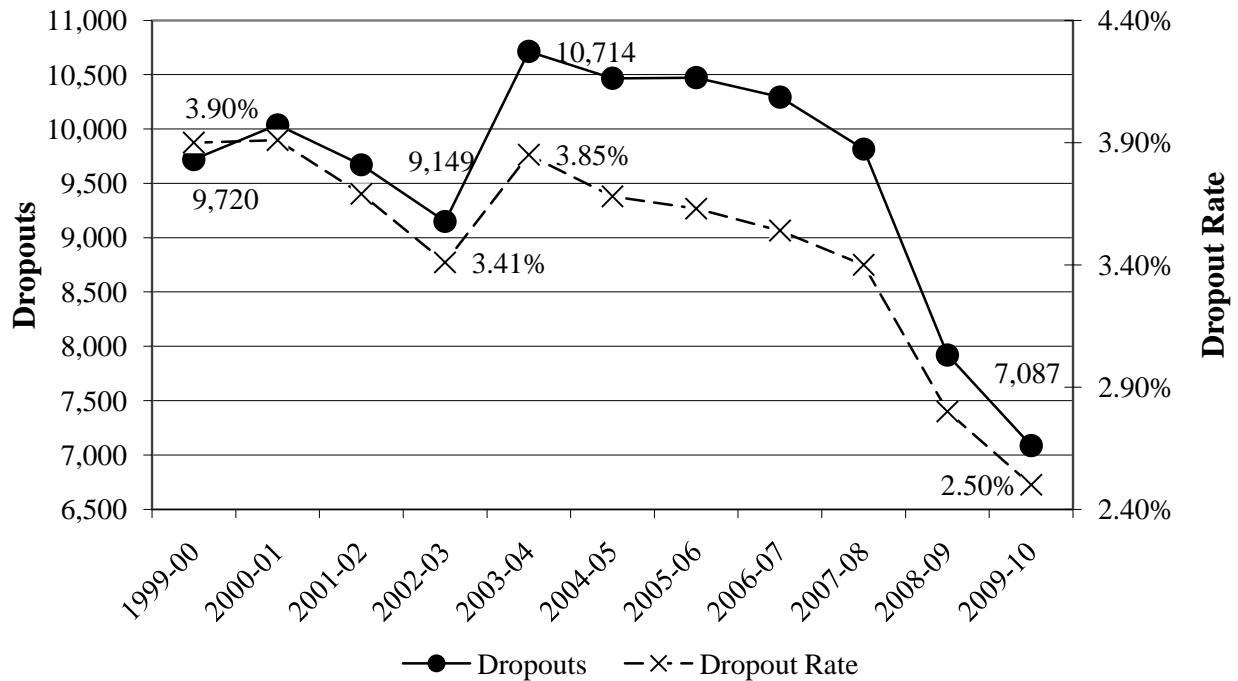
The Department of Juvenile Services (DJS) currently administers Maryland’s juvenile justice programs. The department’s goal is to assist youths to reach their full potential as valuable and positive members of society through family involvement and constructive programming. Additionally, the department supports community programs intended to prevent delinquent acts by juveniles before State involvement becomes necessary.

Juvenile crime and arrest statistics can cause some misunderstanding. Many juvenile offenders are handled informally. As a consequence, inaccurate or incomplete recording of the event or action may result. DJS procedures for handling juveniles vary more than the procedures for handling adult offenders. Some juveniles who commit delinquent acts of a more serious nature are now included in a separate juvenile sexual offender registry.

**Background:** An average of more than 9,000 students per year dropped out of Maryland public high schools from the 1999-2000 school year to the 2009-2010 school year. **Exhibit 1** charts the number of dropouts over this span and also shows the reported dropout rate for each year. Since spiking in the 2003-2004 school year, the number and rate of dropouts has decreased every year, declining to 7,087 dropouts (a 2.5% dropout

rate) during the 2009-2010 school year. The Maryland State Department of Education (MSDE) partially attributes the decline to the effort to help students pass the High School Assessment (HSA) exams, which became a graduation requirement beginning with the class of 2009.

**Exhibit 1**  
**Number of Dropouts and Dropout Rates**  
**1999-2000 to 2009-2010 School Years**



Source: Maryland State Department of Education

Dropout rates are not consistent across the State. **Exhibit 2** displays the number of dropouts and the dropout rates for each of the 24 local school systems in the 2009-2010 school year. The exhibit shows that Prince George’s County had the highest number of dropouts, while Somerset County had the highest dropout rate. After Prince George’s County, several of the larger counties had the highest numbers of dropouts. After Somerset County, several other Eastern Shore school systems and Baltimore City had higher dropout rates.

**Exhibit 2**  
**Number of Dropouts and Dropout Rates by School System**  
**2009-2010 School Year**

<b>School System</b>	<b>Dropouts</b>	<b>School System</b>	<b>Dropout Rate</b>
Prince George's	1,183	Somerset	4.56%
Baltimore City	1,098	Wicomico	4.52%
Baltimore	1,065	Baltimore City	4.07%
Montgomery	963	Caroline	3.51%
Anne Arundel	690	Cecil	3.40%
Harford	280	Baltimore	3.03%
Howard	242	St. Mary's	2.91%
Wicomico	207	Anne Arundel	2.79%
Cecil	184	Prince George's	2.64%
Charles	183	Allegany	2.22%
St. Mary's	168	Talbot	2.17%
Frederick	162	Harford	2.13%
Washington	127	Dorchester	2.10%
Calvert	95	Montgomery	1.98%
Carroll	92	Charles	1.81%
Allegany	66	Washington	1.80%
Caroline	63	Queen Anne's	1.69%
Queen Anne's	44	Garrett	1.60%
Somerset	43	Calvert	1.57%
Talbot	34	Kent	1.52%
Dorchester	32	Howard	1.39%
Worcester	31	Worcester	1.32%
Garrett	24	Frederick	1.18%
Kent	11	Carroll	0.94%
<b>Statewide</b>	<b>7,087</b>	<b>Statewide</b>	<b>2.50%</b>

Source: Maryland State Department of Education

Chapter 449 of 2006 established the Task Force to Study Raising the Compulsory Public School Attendance Age to 18, and the task force submitted a final report in December 2007. The task force noted that students who drop out of high school face "harsh futures" characterized by lower wages, disproportionate representation in prisons,

and shorter overall life spans. The costs to society were also described, including greater dependency on public assistance among dropouts and high incarceration costs for the population.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 646 (Delegates Braveboy and Pena-Melnyk) - Ways and Means.

**Information Source(s):** Maryland State Department of Education, Department of Budget and Management, Department of Legislative Services

**Fiscal Note History:** First Reader - February 28, 2011  
mm/hlb Revised - Senate Third Reader - April 6, 2011

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