



Testimony before the House Judiciary Committee House Bill 48: Criminal Procedure – Registered Sex Offenders – Entry Onto School Property

****Letter of Information**
January 28, 2021**

The National Association of Social Workers, Maryland Chapter (NASW-MD) appreciates the intent of House Bill 48: Criminal Procedure – Registered Sex Offenders – Entry Onto School Property to keep school children safe from sexual offenders. The bill proposes to restrict educational programming for registered sex offenders to Home and Hospital or the Regional Institute for Children and Adolescents (RICA).

We have concerns about the unintended consequences of so severely restricting educational options. There are many Maryland public and non-public special education schools who currently serve students with severe emotional disabilities, some with a history of sexually reactive and possibly offending behavior. Like RICA, these schools provide not only education but also behavioral health services.

Because some of these students are eligible to attend school until age 21, it's possible to be educating a student on the sex offender registry. Requiring these students attend RICA or be disenrolled in favor of Home and Hospital will disrupt not only their academics, but also the behavioral health treatment the student may be receiving at their special education school. This well-intended legislation may result in young people being educated unnecessarily outside of their home communities and/or at a higher level of care due to the limited options for education provided under the bill.

From the experience of our colleagues, we know that this population can be served safely in programs other than RICA. Like RICA, there are other educational programs that have a high staff to student ratio and are diligent in their supervision.

Furthermore, youth who aren't eligible for special education services would be forced to remain out of school entirely until accepted into RICA. Home and Hospital typically provides only 6 hours a week of instruction, a small slice of what's received in school. Additionally, Home and Hospital is a support intended to be short-term for emotional crises and must be recommended by a psychiatrist or psychologist. The expectation is a planned transition back into an educational setting.

In summary, NASW-MD understands and appreciates the good intentions of HB48. However, we have concerns about the unintended consequences of limiting educational options to RICA or Home and Hospital, including disrupting a young person's education and therapeutic services and potentially denying access to a community setting offering both.

Submitted by:

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