



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Sponsor Testimony in Support of HB0700

Education - Disruption of School Activities - Repeal of Prohibition

Delegate Sheila Ruth

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HB700 repeals Maryland Education Code Section 26-101, which makes it a crime to “...willfully disturb or otherwise willfully prevent the orderly conduct of the activities, administration, or classes of any institution of elementary, secondary, or higher education.” I was shocked to learn that students can be arrested and charged with a misdemeanor for acting up in school in ways that are typical adolescent behavior.

Adolescent brains are still developing, and they lack the impulse control that gives most adults the ability to filter their words and actions. Anyone who’s ever been the parent of a teen knows that defiance and anger are part of the territory. That doesn’t mean that we should accept such behavior. Part of adolescence is learning impulse control and appropriate behavior. But the criminal justice system is not the answer. Most cases should be handled with internal school behavior management systems.

The penalty for the “crime” of acting like a teen could be a fine of up to \$2500 or 6 months in prison. But even cases where these penalties are not applied can still have serious consequences for the young person. [A 2006 study](#) showed that high school students charged in criminal court are more likely to drop out by a factor of three. The consequences of charging a teen for acting like a teen are potentially long-term and devastating.

One vivid memory brought home to me the seriousness of this law. One day when I was in middle school, I borrowed my brother’s softball glove to take to school for phys-ed. I promised him I would take care of it and bring it home so that he would have it on the weekend. On Friday afternoon, I was on the school bus when I realized I’d left his glove in my locker. I asked the bus driver if I could go back and get it, and she said that since the bus was about to leave, I couldn’t. I panicked, knowing that if I didn’t get it, my brother wouldn’t have it on the weekend and I would have broken my promise. So I started screaming and cursing at the bus driver. This was uncharacteristic behavior for me at the time, but something in my brain just snapped. I remember someone telling me afterwards that the bus driver felt threatened, but I hadn’t meant to threaten her and I wouldn’t have done anything to her. I was just panicking at the thought of letting my brother down. I know there were consequences, but I don’t remember what they were. However,

it gives me chills to think that under this law I could have been charged with a misdemeanor and processed into the criminal justice system. The outcomes in my life might have been very different, as they are for many adolescents charged under this law.

The consequences of this law impact most heavily on Black, Brown, and disabled children. According to 2020 data, 82% of children charged with disturbing school activities or personnel were Black children and children of color. Children with disabilities represent 23% of school arrests, but only 12% of the student population. This law plays a role in the school-to-prison pipeline.

This law wasn't even originally intended for the way it's being used. The school disturbance laws were passed around the country in the late 1960s targeted at Black student-led protests against segregation. It wasn't until the late 1990s – around the same time that police started being embedded in schools – that it started being applied to internal school discipline issues.

The original text of this bill only repeals 26-101(a), which prohibits disturbing school activities. However, at the request of OPD, I've submitted an amendment repealing the entire section 26-101. The juvenile public defenders tell me that the second part, which prohibits threatening school personnel, is often charged for minor or vague "threats," like my school bus memory. Adolescents can make these kinds of impulsive statements without meaning them. Genuine threats can still be charged under the criminal code.

How many lives have been shattered under this law? Black Lives Matter is not just about police killings; it's essential that we change all the ways that our society and our law devalues and destroys Black lives. Let's repeal this unjust law before any more children's lives are destroyed.