



Testimony for the House Ways and Means Committee

February 3, 2022

HB 146 – Education – Reportable Offenses and Student Discipline – Alterations

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The ACLU of Maryland supports HB 146 which, would alter the definition of "reportable offense" to involve only offenses that occurred off school premises, that did not occur at events sponsored by the school, and that involved certain crimes of violence. Currently, Maryland law requires police to report to schools when a student is arrested in the community for any one of over 50 offenses. Schools across the state have used this law to remove students with little due process, even if the arrest had nothing to do with school.

In Maryland, a simple arrest triggers a report to a student's school, whereas in most other states, a report is only triggered later in the juvenile legal process. Due to many Maryland school districts not tracking data on removals of students for reportable offenses, schools cannot be held accountable if they are removing students for unjustified reasons or in racially disproportionate ways. The stigma of juvenile court involvement can cause adverse reactions by school staff and alienation from staff and students that leads many youth to drop out.¹

HB 146 would significantly limit the offenses that can be reported to "crimes of violence" and offenses for which youth are charged as adults and define reportable offense as an offense that occurs off school property. This distinction is crucial as we continue to stem the school-to-prison pipeline. HB 146 also requires that data is collected on student demographics and the reason for the removal due to the reportable offense. With these safeguards in place, students in Maryland are protected from being removed from the classroom and can continue learning and thriving in the school environment.

For the foregoing reasons, the ACLU of Maryland urges a favorable report on HB 146.

¹ David S. Kirk and Robert J. Sampson, Juvenile Arrest and Collateral Educational Damage in the Transition to Adulthood, *Sociology of Education*, pg. 39(American Sociological Association, 2013).

