



J. CHARLES SMITH, III  
STATE'S ATTORNEY

CIRCUIT COURT DIVISION  
301-600-1523

DISTRICT COURT DIVISION  
301-600-2573

CHILD SUPPORT DIVISION  
301-600-1538

JUVENILE DIVISION  
301-600-2980

**STATE'S ATTORNEY FOR FREDERICK COUNTY**

KIRSTEN N. BROWN  
DEPUTY STATE'S ATTORNEY

County Courthouse  
100 West Patrick Street  
Frederick, Maryland 21701

[www.statesattorney.us](http://www.statesattorney.us)

**WRITTEN TESTIMONY**

**Re: SENATE BILL 220**

**From: Laura Corbett Wilt, Chief Assistant State's Attorney, Juvenile Diversion Programs.**

**IN FAVOR**

**I am asking for a favorable report on Senate Bill 220.**

As someone who has worked with our Frederick County Truancy Reduction Council I write in support of this Bill. Our Truancy Council was developed with the desire to decrease the rising number of habitually truant youth. Our Council does good work and has seen some success but needs the structure, staff, funding, and authority that a Truancy Reduction Court would bring. Increasing the number of Truancy Reduction Courts in Maryland will benefit our youth, their families, our communities, our economy, and our State in general. Truancy Reduction Courts are an important tool needed to reach our youth, to provide services while they are still impressionable enough to make a difference, and importantly to instill the importance of education for success. Truancy Reduction Courts operating now across the country and even on a limited basis in Maryland offer youth connections to services but importantly do so with the judicial authority to impress upon the families the importance of education and attendance. Truancy Reduction Courts are one more thing Maryland can do to get our most vulnerable and at-risk youth their education and set them up for success in life.

Truancy is often cited as the first step on the school-to-prison pipeline. The argument goes that youth who are truant that are handled with zero-tolerance policies result in those youth landing in the delinquency or criminal court system. No one can legitimately equate a Truancy Reduction Court with a zero-tolerance policy. That comparison is not based in reality. Advocates who are working with our truancy reduction efforts in Maryland can detail the encouraging and therapeutic work being done in truancy reduction programming and what more could be done with the passage of SB0220. Authorizing additional Truancy Reduction Courts in Maryland allows resources to be poured into our youth early, before the behavior and habits become entrenched.

I understand that persons who are not actually working with active Truancy Reduction Courts have argued that these Truancy Reduction Courts will lead to students being charged or even locked up. Maryland law does not allow for youth to be detained for Truancy<sup>1</sup>, and this legislation will not change that.

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<sup>1</sup> Md. Code Ann., Cts. & Jud. Proc. § 3-8A-15 (West)

(h)(1) A child alleged to be in need of supervision may not be placed in:

A youth's absenteeism cannot constitute a crime/delinquency charge. Habitual truancy can be considered by the Department or a Court to determine if a youth meets the legal standard for a "CINS—Child in Need of Supervision."<sup>2</sup> CINS petitions may be filed at the Department of Juvenile Services, and the Department policy allows for these petitions to be handled through a period of informal supervision or closed after an intake meeting.<sup>3</sup> The argument that youth are locked up for not attending school is not one that any elected official should rely upon if voting on this important legislation. We need to employ every tool to positively influence our youth.

I would be happy to provide discuss this matter if anyone has any questions for me. Thank you,



Laura Corbett Wilt  
Chief Assistant States Attorney Juvenile Division  
Director of Juvenile Diversion Programming  
State's Attorney's Office  
Frederick, MD  
Cell 240-674-0621

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- (i) Detention or community detention;
  - (ii) A State mental health facility; or
  - (iii) A shelter care facility that is not operating in compliance with applicable State licensing laws.

<sup>2</sup> Md. Code Ann., Cts. & Jud. Proc. § 3-8A-01 (West)

- (e) "Child in need of supervision" is a child who requires guidance, treatment, or rehabilitation and:
- (1) Is required by law to attend school and is habitually truant;
  - (2) Is habitually disobedient, ungovernable, and beyond the control of the person having custody of him;
  - (3) Deports himself so as to injure or endanger himself or others; or
  - (4) Has committed an offense applicable only to children.

<sup>3</sup> In my jurisdiction, Frederick County, the Department of Juvenile Services has not brought a CINS petition to a courtroom in approximately fifteen years. When a CINS petition is filed, even fifteen years ago, they were not filed for truancy but instead as a last ditch effort when a youth was acting as a danger to themselves or others, being beyond the control of his/her guardians, and engaging in runaway behavior. Again, CINS petitions do not allow for detention. The Courts are not so authorized.