



January 24, 2025

Senate Judicial Proceedings Committee
Senator William C. Smith, Jr.
2 East Miller Senate Office Building
Annapolis, MD 21401

RE: Letter In Opposition to SB 78 (Salling) – Juvenile Child Sex Offenders – Juvenile Sex Offender Registry and Prohibition on In-Person School Attendance

Chairman Smith and Honorable Members of the Committee:

SB 78 is another in a long line of purported public safety bills that are based in willful ignorance of decades of research about young people, that stoke fear from parents' genuine concerns about their children's safety at school, and that are facially tough on crime but proven to ultimately harm public safety.

The facts are this:

1. Youth who are adjudicated for a sexually oriented offense are extraordinarily unlikely to commit a subsequent sex offense.¹
2. Placing children on sex offender registries makes them vulnerable to becoming victims of sexual predation by adults.²
3. Placing children on sex offender registries ostracizes them from the community, supports, and services they need to develop into thriving adults.³

¹ Michael Caldwell, et al., [Study Characteristics & Recidivism Base Rates in Juvenile Sex Offender Recidivism](#), 54 INT'L J. OFFENDER THERAPY & COMP. CRIMINOLOGY 197, 198 (2010); Michael F. Caldwell, [Sexual Offense Adjudication and Recidivism Among Juvenile Offenders](#), 19 SEXUAL ABUSE 107 (2007); Michael F. Caldwell et al., [An Examination of the Sex Offender Registration and Notification Act as Applied to Juveniles: Evaluating the Ability to Predict Sexual Recidivism](#), 14 PSYCH., PUB. POL'Y, & L. 89 (2008); Michael P. Hagan et al., [Eight-Year Comparative Analysis of Adolescent Rapists, Adolescent Child Molesters, Other Adolescent Delinquents, and the General Population](#), 45 INT'L J. OFFENDER THERAPY & COMP. CRIMINOLOGY 314 (2001); Franklin E. Zimring et al., [Investigating the Continuity of Sex offending: Evidence from the Second Philadelphia Birth Cohort](#), 26 JUSTICE Q. 58 (2009); Franklin E. Zimring et al., [Sexual Delinquency in Racine: Does Early Sex Offending Predict Later Sex Offending in Youth and Young Adulthood?](#), 6 CRIMINOLOGY & PUB. POL'Y 507 (2007).

² Elizabeth J. Letourneau et al., [Effects of Juvenile Sex Offender Registration on Adolescent Well-Being: An Empirical Examination](#), PSYCH. PUB. POL'Y & L. 10 (Nov. 27, 2017).

³ Judith V. Becker, [What We Know About the Characteristics and Treatment of Adolescents Who Have Committed Sexual Offenses](#), 3 CHILD MALTREATMENT 317, 317 (1998).

4. To be successful, young people need support from parents and other adults; connections with peers; opportunities to participate in sports and other extracurricular activities; counseling; and family, community, spiritual, or other mentorship opportunities.⁴

By prohibiting children adjudicated for sexual offenses from attending in-person school, SB 78 would cut off those children's access to positive adults, connections with peers, counseling, and opportunities to engage in positive behaviors. We are aware of no other state that has gone as far as SB 78 would take Maryland in prohibiting children from returning to school and reengaging in ways that promote both positive youth development and public safety.

The best way to ensure public safety is to support the positive, healthy development of *all* young people, including – and especially – those involved in the juvenile court system. But rather than investing in children, families, communities, and true public safety, SB 78 ignores what we know will actually improve public safety and chooses instead to engage in fearmongering and make Maryland and its children and communities less safe.

We hope the Senate Judicial Proceedings Committee will see SB 78 for what it is and choose instead to invest in a Maryland in which children, families, and communities are truly safe.

Respectfully,

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Mary Ann Scali
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The Gault Center

One of the first law school-based clinics specializing in children's issues, the Georgetown Law Juvenile Justice Clinic and Initiative educates law students and represents youth accused of crime, while also exploring and advancing new policies and programs to assist young people and to train youth defenders across the nation.

The Gault Center is a national nonprofit dedicated to promoting justice for all children by ensuring excellence in youth defense. The Gault Center has worked for 25 years to strengthen children's legal protections and access to counsel through youth defense assessments, training, technical assistance, and policy reform efforts in every state. We also work to minimize the harmful effects that juvenile legal system involvement has on youth, families, and communities and the disproportionate harms the system causes to Black, Latine, and Native/Indigenous youth.

⁴ See [Research Overview on Positive Youth Development](#), The Gault Center (2024); [Key Developmental Needs of Adolescence](#), UCLA Center for the Developing Adolescent (2024).