



Maryland State's Attorneys' Association

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DATE: February 24, 2025

BILL NUMBER: HB 952

POSITION: Favorable

The Maryland State's Attorneys' Association (MSAA) supports House Bill 952 and urges this Committee to issue a favorable report.

Maryland law provides for the maintenance of a registry of juveniles convicted of certain sexual offenses. Much narrower than its adult analogue, the juvenile sexual offender registry is designed with to balance the safety of the public with the rehabilitative purpose of the juvenile court system.

HB 952 makes three important changes to the juvenile sexual offender registry. First, the bill expands the list of offenses, adjudication for which will require a juvenile to be included. Currently, a juvenile will only appear on the juvenile sexual offender registry if they have been adjudicated delinquent for an act which, if committed by an adult, would constitute rape in the first or second degree, or certain modalities of sexual offense in the third degree. HB 952 adds to this list, including the other modalities of sexual offense in the third degree¹ as well as other offenses, including attempted rape in the first or second degree, sexual abuse of a minor, and offenses related to child sexual abuse material as prohibited by MD. CODE ANN., CRIM. LAW § 11-207, if the victim was unaware or did not consent. By including these offenses, HB 952 ensures the juvenile sexual offender registry better encompasses the set of juveniles that, by engaging in disturbing and criminal sexual conduct, need additional supervision and treatment.

Secondly, HB 952 allows the superintendent of the local school system to have access to this registry. Unlike other bills this session, HB 952 does not exclude these juveniles from school settings, but simply ensures that the adults responsible for their safety and the safety of other students are aware. In many situations, the local superintendent will already be aware by virtue of the reportable offense provisions, but HB 952 provides an extra layer to ensure that this important information is shared with the right people.

Finally, HB 952 provides that a juvenile on the registry will remain on the registry until the later of their eighteenth birthday or when the juvenile court terminates its jurisdiction. Understanding that the implications of registration on the juvenile sexual offender registry are very different than registration on its adult counterpart, this change reflects a better balance of public safety with the juvenile law's rehabilitative purpose.

¹ The bill includes all modalities, but the third modality – sexual contact with a victim under the age of 14 if the person performing the sexual contact is at least four years older than the victim – is the only modality that would apply. The other two modalities require proof that the offender is at least 21 years old, and would be definitionally excluded from the jurisdiction of the juvenile court.