



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

H.B. 952: Juvenile Sex Offender Registry - Qualifying Offenses and Access

Esteemed Members of the House Judiciary Committee:

I request today a favorable report on H.B. 952, *Juvenile Sex Offender Registry - Qualifying Offenses and Access*.

We all can agree that children and student safety is paramount to us. In a world that is ever-changing and threats ever increasing, our primary concern is always the wellbeing and protection of those we love. It is with this intent I bring before you today H.B. 952.

H.B. 952 is a simple piece of legislation that strikes at the heart of child protection, especially for those within our public-school systems. Certainly, as parents, guardians, aunts, uncles, and grandparents, we want to rest assured that when we put our little ones on the bus, they are heading into an environment that fosters growth and learning. This ideal environment is put into jeopardy, however, when among the student population are juveniles that have been convicted of acts of harm and of malicious intent towards others. Since that information is currently sealed from school personnel, necessary safety precautions cannot be put into place to ensure all students are secure and protected. As a result, unaware, students may be unintentionally putting themselves in harm's way and the school staff and administration tasked with safeguarding all student well-being is left in the dark on needing to provide a watchful eye and a secure environment.

Therefore, to address this issue in a way that provides an avenue for student safety and protects the juvenile in question, H.B 952 not only authorizes the local superintendent or their designee to access the Juvenile Sex Offender Registry List but it also updates the list to include several crimes, such as child pornography if the victim did not have knowledge of or did not consent to its production or distribution. And note that it's **only** the local superintendent or their designee that would have access to this list. It's not teachers, administration, staff, or other students; it's simply the only two individuals that are best equipped to discreetly and appropriately put into place the required safeguards.

Furthermore, to continue providing the safeguards for continued protection for all parties, H.B. 952 updates when a juvenile can be removed from the list. Under current law, when probation ends for a juvenile that, for example, committed rape of a minor, they can be removed from the list even if they're under the age of 18 and still be, presumably, around other young individuals and students in a school setting. To address this, H.B. 952 simply updates this removal to only

happen when the juvenile reaches the age of 18 or when their probation ends, whichever occurs later. In adding this change, the safety of all students and children can be considered and kept at the forefront of all decisions.

For the safety of all students and children, I submit H.B. 952 for consideration and request a favorable report.



Delegate Mike Griffith
District 35A, Cecil and Harford Counties
Vice Chair, Maryland Veterans Caucus, Maryland General Assembly-House of Delegates

Attachment:

- Summary of H.B. 952, *Juvenile Sex Offender Registry - Qualifying Offenses and Access*.

Summary

Authorizing a local superintendent or the superintendent's designee to access the Juvenile Sex Offender Registry; and adding certain offenses to the list of offenses for which a person adjudicated delinquent is required to be included in the juvenile sex offender registry.

Details

Article – Courts and Judicial Proceedings, Section 3-8A-27(b)(1)

Allows for a court record of a juvenile to be divulged (subpoena/otherwise) as necessary to meet the requirements outlined below. This is already an allowable process under §§ 7–303 and 22–309 of the Education Article.

Article – Criminal Procedure, Section 11-704.1

Updates the Criminal Procedure Article to add acts that a juvenile can be adjudicated delinquent. The updated acts include the following (of Criminal Law Article):

- 3-307: updates to make it third degree sex offense
- 3-308: 4th degree sex offense
- 3-309: attempted rape in the first degree
- 3-310: attempted rape in the second degree
- 3-602: sex abuse of a minor
- 3-902: visual surveillance with purient intent and add “if the victim is under the age of 18.”
- 11-207: child pornography if the victim does not have knowledge of or does not consent to the production or distribution of the child pornography

Removes 11-704.1(b)(2) that removes the qualification that the juvenile must be 14 years of age at the time the delinquent act was committed to be included on the registry.

Adds that a local superintendent or their designee (ex: Student Discipline Hearing Officer) may also access the registry (current law: only law enforcement personnel for law enforcement purposes)

Updates when a juvenile will be removed from the list by adding the qualification that they can be removed from the list when they reach the age of 18 or when the juvenile court’s jurisdiction terminates (current law), whichever occurs **later**.

Puts the effective date to October 1, 2025.