



DEPARTMENT OF HUMAN SERVICES

Wes Moore, Governor · Aruna Miller, Lt. Governor · Rafael López, Secretary

February 26, 2025

The Honorable Luke Clippinger, Chair
House Judiciary Committee
101 Taylor House Office Building
6 Bladen Street
Annapolis, Maryland 21401

**RE: TESTIMONY ON HB0683- CRIMINAL LAW - CRIMINAL OR DELINQUENT ACT OF
A CHILD - LIABILITY OF A PARENT, GUARDIAN, OR CUSTODIAN - POSITION:
UNFAVORABLE**

Dear Chair Clippinger and Members of the Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for its consideration and respectfully requests an unfavorable position for House Bill 683 (HB 683).

With offices in every jurisdiction, DHS provides preventative and supportive services, economic assistance, and meaningful connections to employment development and career opportunities to help Marylanders reach their full potential. DHS also serves Maryland children at risk of abuse and neglect through the Social Services Administration and 24 local departments of social services (LDSS).

HB 683 seeks to hold parents, guardians, and custodians more responsible for their child's criminal or delinquent acts by making them criminally and financially liable. The bill would require those responsible for the child to participate in court proceedings and court orders, and to assume financial responsibility for court costs, including restitution related to their child's crime or delinquent act. DHS opposes the bill for three reasons: insufficient evidence supporting its effectiveness, disproportionate impact on the families we serve, and fiscal impact.

While parental responsibility laws are [not uncommon in other jurisdictions](#), empirical research has yet to demonstrate their efficacy in deterring juvenile crime. Under the Moore-Miller Administration's commitment to data-informed and human-centered

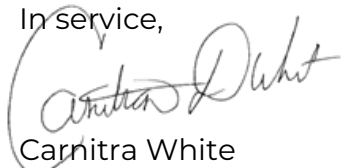
policy development, we find the evidentiary basis for this proposal insufficient. Several studies [in Oregon](#) and [nationally](#) covering decades of research demonstrate no causal link between state parental responsibility legislation and a reduction in juvenile crime.

Parental responsibility laws pose a significant risk of inequitable application, disproportionately affecting marginalized groups, particularly low-income, single parents of color. These same parents and their children are also [over-represented](#) in the child welfare system. HB 683 threatens to further entrench these disparities by disproportionately and negatively impacting children in out-of-home care and their parents. Criminalizing parents, guardians, or custodians could exacerbate existing challenges in securing permanent, stable, and appropriate placements that serve the best interest of children. Holding parents, guardians, or custodians criminally liable for a child's actions could hinder or delay placement as potential foster parents or kinship caregivers may be apprehensive to incur such a risk. Such measures risk delaying or even preventing family reunification, ultimately undermining the goals of child welfare policy and family stability. Furthermore, the crime laid out in HB 683 is a misdemeanor, punishable by up to 30 days imprisonment. This could potentially lead to children coming into our care if their parent, guardian, or custodian is found to be liable for the negligent supervision of their child leading to a delinquent act.

HB 683 is likely to increase state child welfare costs. When a juvenile court finds the child to be at risk of abuse and neglect, known as Child in Need of Assistance (CINA) under [Courts & Judicial Proceedings Article § 3-819\(b\)\(1\)\(iii\)\(2\)\(C\)](#), the juvenile court often commits the child to the custody of the LDSS. As such, under HB 683, the State would assume financial responsibility for court costs and restitution if the court determined a foster parent, kinship caregiver, or the LDSS knowingly, recklessly or negligently contributed to the child's criminal or delinquent act.

We appreciate the opportunity to offer unfavorable testimony to the Committee for consideration during your deliberations. If you require additional information, please contact Rachel Sledge, Director of Government Affairs, at rachel.sledge@maryland.gov.

In service,

A handwritten signature in dark ink, appearing to read "Carnitra White", is written over a circular stamp or seal.

Carnitra White

Principal Deputy Secretary