



THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

SPONSOR TESTIMONY IN SUPPORT OF HB627  
(EDUCATION - PROHIBITED BEHAVIOR ON SCHOOL GROUNDS AND PROPERTY - APPLICATION)

Delegate Sheila Ruth  
February 12, 2025

HB627 revises §26–101 of the Education code, which currently allows Maryland children to be arrested fined up to \$2,500, and sentenced to up to six months in prison for committing inconsistently and subjectively defined “disruptions” in school - usually typical adolescent behavior such as storming out of class or talking back to a teacher. This bill clarifies that this section of law should not apply to students at their own school or while participating in extracurriculars at other schools.

Criminal activity is already addressed by the Criminal code. Genuine criminal behavior (e.g. threats, drug and alcohol possession, assault, etc.) by students and outside parties would still be covered by the Criminal code and be treated as such, thus school safety would not be affected by this bill. Issues of compliance with classroom instruction should not escalate to arrest. There are alternatives to resolving non-criminal behavioral issues in an appropriate manner that does not expose students to the criminal justice system.

Furthermore, §26–101 is disproportionately enforced against Black and Brown students and students with disabilities, which reinforces the school-to-prison pipeline. Data from DJS supports this concern. 73% of students arrested under this law in FY23 were Black - 2.24 times the 32.7% of students in Maryland schools who identify as Black. Such disparate enforcement also impacts students with disabilities, who make up nearly 33% of arrests under this law despite the fact that fewer than 13% of all Maryland students have a disability.

This approach exposes students to the criminal justice system. This is especially an issue when according to the authors of *Despite the Best Intentions: How Racial Inequality Thrives in Good Schools* the actions of Black and Brown students are regularly interpreted as more threatening than that of their white counterparts, even if the action is the same.

The Education code should meet our students with understanding. §26–101 is not in the best interest of students, schools, or the overall public safety. According to [a 2006 study](#), the resulting trauma of entering the criminal justice system at such a young age may actually

worsen future behavior and increase a student's likelihood of committing a more serious offense. It is more invasive and traumatic for a classroom than other available methods of addressing problematic but otherwise non-criminal behavior and erodes the trust between students and educators necessary for a functioning classroom. Calling the police to arrest a student is more disruptive than other alternatives available and potentially more disruptive than the initial offense, and the response to disruption should not be further disruption.

This harm is especially unnecessary because of the nature of this law's implementation. In most cases it is tacked on alongside other charges that already exist in the Criminal code. When it has been the only charge levied against a student, it was dropped without going to court 100% of the time in FY23 according to DJS Data.

HB627, in various forms, has passed the House three times and the Senate once. In 2022 it successfully passed both chambers but could not be reconciled before the deadline. In previous years this bill has been supported by the Maryland Office of the Public Defender, the Maryland Association of Boards of Education, Public Justice Center, Disability Rights Maryland, and more.

Our students deserve a learning environment free from fear of prosecution for normal aspects of child development. I ask for a favorable report for HB627.