
TESTIMONY IN OPPOSITION TO HOUSE BILL 68

Public Schools - Children Suspected of a Crime of Violence - Prohibition on In-Person Attendance (Student Protection Act of 2025)

Ways and Means Committee

January 23, 2025

Social Work Advocates for Social Change strongly opposes HB 68, which would prohibit children suspected of a crime of violence from attending a public school until an investigation of the crime is complete. This legislation will increase disparities in the outcomes of Maryland students by requiring local school systems to provide alternative educational options for students excluded from in-person attendance, and push excluded students closer to the justice system.

Alternative educational options, like virtual learning, lead to lower educational outcomes. Research by the Maryland State Department of Education shows that systems with higher percentages of fully virtual students tend to have lower attendance rates.¹ Lower attendance rates result in lower rates of students passing their coursework. Removing students from traditional learning, as proposed in HB 68, and placing them in alternative systems will negatively affect educational outcomes.

School participation is linked to improved life outcomes, including reduced later-in-life criminal activity.² Conversely, school exclusion is linked to detrimental health impacts and greater involvement in the justice system. Students excluded from traditional schooling are 14% more likely to suffer long-term health issues than school-attending peers.³ Additionally, students attending schools with high suspension rates, one form of exclusion, are substantially more likely to be involved in the justice system as adults.⁴

Removing students from school has been linked to increased behavioral issues, making schools more dangerous, not safer. This legislation ignores the positive impacts of keeping students in school and instead will exacerbate the effects of the

¹ Salmon, K. (2021). *Data and Research on the Impact of Virtual Learning* [Presentation: state board meeting]. Maryland Department of Education.

<https://marylandpublicschools.org/stateboard/Documents/2021/0622/DataResearchImpactVirtualLearning.pdf>

² Bacher-Hicks, A., Billings, S. B., & Demings, D. J. (2022). *Proving the school-to-prison pipeline*. Education Next. Retrieved March 25, 2023,

<https://www.educationnext.org/proving-school-to-prison-pipeline-strict-middle-schools-raise-risk-of-adult-arrests/>

³ Obsuth, I., Madia, J. E., Murray, A. L., Thompson, L., & Daniels, H. (2023). The impact of school exclusion in childhood on health and well-being outcomes in adulthood: Estimating causal effects using inverse probability of treatment weighting. *British Journal of Educational Psychology*, 94(2), 460–473. <https://doi.org/10.1111/bjep.12656>

⁴ Report to the Maryland Governor and General Assembly pursuant to House Bill 1287 (2018). *Maryland Commission on the School-to-Prison Pipeline and Restorative Practices* (rep.)

<https://marylandpublicschools.org/stateboard/Documents/AAEEBB/CommissionSchoolPrisonPipeline.pdf>

well-documented school-to-prison pipeline in Maryland.⁵

HB 68 will disproportionately impact Black students. Data from the Maryland Department of Juvenile Services (DJS) shows that Black children are more likely to be suspected of a crime of violence than white children. In 2023, DJS received over four times more complaints against Black children than white children despite Black children being a smaller portion of the population.⁶ Furthermore, school is critical for early-life socialization. As early as preschool, children begin to display implicit and explicit racial biases.⁷ The criminalization of Black children by forcibly removing them from the school system will serve to reinforce harmful stereotypes of both excluded students and their peers. HB 68 will disproportionately harm Black children, continuing structural and historical systems that undermine the educational and life outcomes of Black children in Maryland.

Removing children from school counteracts existing, functional youth justice systems. Maryland 2023 DJS data shows that juvenile crime rates have fallen over the past decade during a period where juvenile justice has relied on community rehabilitation options over punitive measures such as incarceration.⁸ **The way to safeguard the safety of our children is to provide more services, not less.**

HB 68 violates due process. Imposing punishment based on suspicion alone violates the foundational legal principle of presumption of innocence, a constitutionally recognized due process right. HB 68 targets any student who has been identified by law enforcement as a suspect and requires no burden of proof for these allegations. Even students who are later cleared of suspicion will have suffered the many harms of school removal.

HB 68 will perpetuate racial inequities, violate basic rights, and harm Maryland's students. Students who are suspected of a crime, whether or not they are ultimately adjudicated, will have suffered from a violation of their due process rights, a disruption to their education, and social stigmatization from being a suspect. **For these reasons, Social Work Advocates for Social Change urges an unfavorable report on HB 68.**

Social Work Advocates for Social Change is a coalition of MSW students at the University of Maryland School of Social Work that seeks to promote equity and justice through public policy, and to engage the communities impacted by public policy in the policymaking process.

⁵ Report to the Maryland Governor and General Assembly pursuant to House Bill 1287 (2018). *Maryland Commission on the School-to-Prison Pipeline and Restorative Practices* (rep.)

<https://marylandpublicschools.org/stateboard/Documents/AAEEBB/CommissionSchoolPrisonPipeline.pdf>

⁶ Maryland Department of Juvenile Services, Data Resource Guide Fiscal Year 2023 (December 2023)

https://djs.maryland.gov/Documents/DRG/Data_Resource_Guide_FY2023.pdf.

⁷ Weir, K. (2023, May 18). Raising anti-racist children. *Monitor on Psychology*, 52(4).

<https://www.apa.org/monitor/2021/06/anti-racist-children>

⁸ Maryland Department of Juvenile Services (2023). *Research Brief- Putting Youth Crime in Maryland in Context*. (rep.)

https://djs.maryland.gov/Documents/MD-DJS-Juvenile-Crime-Data-Brief_20230912.pdf