
TESTIMONY IN OPPOSITION TO HOUSE BILL 137

Public Schools - Children Charged With a Crime of Violence - Prohibition on In-Person Attendance (School Safety Act of 2025)

Ways and Means Committee

January 23, 2025

Social Work Advocates for Social Change strongly opposes HB 137, which would prohibit children charged with a crime of violence from attending a public school in-person. Not only is this legislation punitive against children facing charges, who are not yet found delinquent, it is unnecessary given existing Maryland law.

Pre-existing systems exist in Maryland for removing students deemed unsafe from public school. When a student is arrested for certain serious criminal charges, Maryland's **reportable offense statute (Md. Code, Educ. § 7-303)** requires law enforcement to notify the student's local superintendent, the school principal, and school security officer (when applicable) of the arrest and the charges within 24 hours or as soon as practicable.

Offenses reported to school officials by law enforcement are called reportable offenses. Reportable offenses include murder, arson, armed carjacking, sexual offenses, and other serious charges that occurred outside of the school's jurisdiction. Once notified by law enforcement, school officials determine the appropriate response, including whether a change in school placement is necessary, based on the specific circumstances of the case.

The intent of the reportable offense law is not to "punish" the student, but instead to provide the local school with information that may impact the safety dynamics within the school community, helping to maintain a safe and secure educational environment.¹ These protections provide the flexibility needed to address safety concerns while maintaining due process and ensuring the child's educational rights. **HB 137 dismisses the reportable law statute that already outlines safeguards for Maryland's school children.**

HB 137 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.² Furthermore, school is critical for

¹Wright, C. M. (2024, July 23). COMAR 13a.08.01.17 school use of reportable offenses ...
<https://marylandpublicschools.org/stateboard/Documents/2024/0723/COMAR-13A.08.01.17-School-Use-of-Reportable-Offenses-A.pdf>

² Maryland Department of Juvenile Services, Data Resource Guide Fiscal Year 2023 (December 2023)
https://djs.maryland.gov/Documents/DRG/Data_Resource_Guide_FY2023.pdf.

early-life socialization. As early as preschool, children begin to display implicit and explicit racial biases.³ 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 137 will disproportionately harm Black children, continuing structural and historical systems that undermine the educational and life outcomes of Black children in Maryland.

Education is critical for reducing recidivism. School participation and educational achievement are among the most impactful ways of keeping children out of the criminal justice system.⁴ Alternative school options such as virtual learning fail to provide the same standard of education as traditional schooling: the Maryland State Department of Education found that systems with higher percentages of fully virtual students tend to have lower attendance rates.⁵ Lower attendance rates result in lower rates of students passing their coursework. Removing students from traditional learning under HB 137 reduces the pro-social impacts of schools, including decreased involvement in the justice system.

Removing children from school under HB 137 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.⁶ The way to safeguard the safety of our children is to provide more services, not less.

HB 137 is redundant due to existing systems in place that promote school safety. It will perpetuate racial inequities in Maryland's education system and make Maryland's students and schools less safe and effective. **For these reasons, Social Work Advocates for Social Change urges an unfavorable report on HB 137.**

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.

³ Weir, K. (2023, May 18). Raising anti-racist children. *Monitor on Psychology*, 52(4).

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

⁴ 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-stricter-middle-schools-raise-risk-of-adult-arrests/>

⁵ 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>

⁶ 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