

WES MOORE
Governor

ARUNA MILLER
Lieutenant Governor



DOROTHY LENNIG
Executive Director

TESTIMONY IN OPPOSITION TO HOUSE BILL 137

Bethany Young, Director of Policy and Legislation
Governor's Office of Crime Prevention and Policy (GOCPP)

The Governor's Office of Crime Prevention and Policy (GOCPP) advises the Governor on criminal justice strategies, coordinates across public safety agencies, and allocates resources statewide to support public safety. One of GOCPP's duties is monitoring and reporting to the federal government on racial and ethnic disparities in Maryland's juvenile justice system.

HB137 would prohibit a child from attending public school classes in person if and for as long as they are a suspect in a violent crime. The legislation also requires local school systems to develop policies and provide adequate alternative educational options for students prohibited from in-person instruction.

Limiting in-person instruction can have devastating consequences. Youth most at risk of losing classroom time are typically also at risk for juvenile and criminal justice system involvement, are more likely to be Black, are more likely to experience poverty, and are more likely to have a disability.¹

Out-of-School Learning Impact

The U.S. Department of Education has found that in-person learning leads to more student engagement, higher rates of attendance, better academic performance, and better social and emotional well-being.² In-person learning also allows access to critical school services, such as free or reduced lunch and extracurricular activities. Abrupt or sudden shifts to learning negatively impact students' social, emotional, and mental well-being and academic achievement.³

HB137 could push more children out of school and away from other important resources and prosocial activities in or near school and into the juvenile and criminal justice systems. American University researchers found that students who are removed from classrooms for at least 15 days in a school year are seven times more likely to drop out and not complete high school, and

¹ <https://www.learningforjustice.org/magazine/spring-2013/the-school-to-prison-pipeline>

² <https://www.ed.gov/teaching-and-administration/safe-learning-environments/covid-19/supporting-students-during-the-covid-19-pandemic-maximizing-in-person-learning-and-implementing-effective-practices-for-students-in-quarantine-and-isolation#:~:text=Data%20collected%20before%20and%20during,critical%20school%20services%20and%20extracurricular>

³ Id.

students who do not complete school are also more likely to experience poor health, poverty, and time in the criminal justice system.⁴

Disproportionate Impact on Racial and Ethnic Minorities and Students with Disabilities

HB137 would widen racial and ethnic disparities in Maryland's public school, juvenile, and criminal justice systems. Currently, Black youth, just 31 percent of Maryland's youth, account for 80 percent of children charged with crimes of violence under §14-101 of the Criminal Law Article.⁵ Black students are also already 3.5 times more likely to be suspended or expelled and miss almost five times as many days as a direct result of out-of-school suspensions compared to their white classmates.⁶ This bill *will* exclude more Black children from public school classrooms.

HB137 will also disproportionately impact students with disabilities. Disability Rights Maryland has reported that students with disabilities are overrepresented in the juvenile justice system by as much as 60 percent.⁷ This bill could deprive those students of important support and stability available at schools, exacerbating their disproportionate representation among justice-involved youth.

Given the risk of worsening racial and ethnic disparities and depriving students with the highest needs of resources available at school, GOCPP requests an unfavorable report on HB137.

⁴ <https://soeonline.american.edu/blog/school-to-prison-pipeline/>

⁵ <https://gocpp.maryland.gov/data-dashboards/juveniles-charged-as-adults-dashboard/>

⁶ <https://www.learningforjustice.org/magazine/spring-2013/the-school-to-prison-pipeline>.

⁷ https://mgaleg.maryland.gov/cmte_testimony/2022/jud/1mNBJ48W42-M1OTxQunYkaUdBXIYCV-7p.pdf;
<https://nclcd.org/wp-content/uploads/2023/08/NCLD-Unlocking-Futures-Final-7th-Dec-Updated-.pdf>