

**The University of Baltimore School of Law’s Sayra and Neil Meyerhoff Center for  
Families, Children, and the Courts (CFCC)**

**In Opposition of HB 12**

**Juvenile Sex Offender Registry - Qualifying Offenses and Access**

TO: The Honorable Chair Bartlett, The Honorable Vice-Chair Davis, and Esteemed  
Members of the House Judiciary Committee:  
FROM: CFCC Executive Director Aubrey Edwards-Luce, MSW, Esq.

**January 29, 2026**

CFCC at the University of Baltimore School of Law envisions communities where children and families thrive without unnecessary involvement in the legal system. CFCC engages communities to transform systems that create barriers to family well-being. For over 20 years, CFCC has been combating the school-to-prison pipeline by supporting elementary, middle, and high school students in overcoming barriers to school attendance and achievement through our Tacking Chronic Absenteeism Project (formerly known as the Truancy Court Program).

**CFCC opposes House Bill (HB) 12**, which, if passed, would isolate more youth from the rigor and restorative academic environment that is necessary for their rehabilitation and success. Maryland’s current law prohibits, with limited exceptions, youth who are on the juvenile sex offender registry (SOR) from being on any public or private school property. HB 12 proposes to remove the age limit that youth can be placed on the juvenile SOR, expand the offenses that would place youth on the juvenile SOR, allow superintendents to have access to the SOR, and lengthens the time that youth would be placed on the SOR. These provisions run afoul of the long-established rehabilitative purpose of the juvenile justice system and give the education system access to information that could allow it to supplant well-informed judicial determinations about children’s access to school with their own partially-informed administrative one. Given that Maryland’s law bans youth on the juvenile SOR from attending in-person school, the provisions of HB 12 could have disastrous impacts on the education and well-being of more youth and younger youth, and they will not make our communities safer.

**I. HB 12 undermines the primary goal of the juvenile justice system, rehabilitation.**

**Maryland has a duty to support the rehabilitation of youthful offenders.** The juvenile justice system is rooted in the foundational principle—affirmed by the Supreme Court in *In re Gault* and

*Roper v. Simmons* —that with appropriate intervention, youth offenders possess a unique capacity for rehabilitation and societal reintegration.<sup>1</sup> This legal framework is reinforced by neuroscientific and psychological research, which demonstrates that the adolescent brain is uniquely plastic and highly amenable to behavioral correction.<sup>2</sup> Furthermore, social interaction with peers, through school or extracurricular activities, has been shown to have a profound positive impact on adolescent development.<sup>3</sup> HB 12 requires youth to stay on the SOR until the juvenile court jurisdiction terminates or until the youth turns 18 years old. If a judge ended the court’s jurisdiction over a youth who was on the SOR after deciding that the youth is rehabilitated and no longer posed a threat to their safety or safety of the community, under HB 12 that youth would continue to be excluded from in-person instruction. HB 12 creates a 'continuous punishment' model that ignores youths’ developmental capacity for change and directly counters the state’s interest in rehabilitative success.

**Isolating more children from the classroom hinders public safety and youthful rehabilitation.** HB 12 proposes an expansion of Maryland’s institutionalized exclusion of youth from the classroom and actively obstructs the rehabilitative process, increasing the risk of recidivism and undermining long-term public safety. School districts have a responsibility to promote the welfare of all students, including those involved in the juvenile justice system. The school environment is crucial to rehabilitation and adolescent development, and prohibiting youth offenders from in-person instruction only further limits their liberty and freedoms. According to the Center for Public Justice, “education in any school can reduce recidivism in youth because rigorous, engaging learning can also *close* doors to harmful behavior that leads to time in the justice system.”<sup>4</sup> HB 12 allows the state to exclude more youth from in-person education by lowering the age that youth can be placed on the SOR and extending the time that youth remain on the SOR. If HR 12 is passed, Maryland will be effectively giving up on more youth by choosing to punish children rather than rehabilitate them.

***“A legislative classification that threatens the creation of an underclass of future citizens and residents cannot be reconciled with one of the fundamental purposes of the Fourteenth Amendment.”***

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<sup>1</sup> *In re Gault*, 387 U.S. 1, 87 S. Ct. 1428, 18 L.Ed.2d 527 (1967), *Roper v. Simmons*, 543 U.S. 551, 125 S. Ct. 1183, 161 L.Ed.2d 1 (2005)

<sup>2</sup> Luna B. (2012). The Relevance of Immaturities in the Juvenile Brain to Culpability and Rehabilitation. *The Hastings law journal*, 63(6), 1469–1486.

<sup>3</sup> Telzer, E. H., van Hoorn, J., Rogers, C. R., & Do, K. T. (2018). Social Influence on Positive Youth Development: A Developmental Neuroscience Perspective. *Advances in child development and behavior*, 54, 215–258. <https://doi.org/10.1016/bs.acdb.2017.10.003>

<sup>4</sup> Crary, C. (2024, May 8). *Juvenile justice and learning: How education impacts youth recidivism*. Center for Public Justice. <https://cpjustice.org/juvenile-justice-and-learning-how-education-impacts-youth-recidivism/>

- United States Supreme Court Justice Powell, *Plyer v. Doe*<sup>5</sup> (Concurrence)

## **II. HB 12 will result in an extra-judicial infringement upon more children’s education-related, constitutional interests.**

**Judges have the authority and responsibility to make individualized assessments regarding the constitutional interests of the youth before them.** The Supreme Court has held that students have both a constitutionally-grounded liberty and property interest in public school education.<sup>6</sup> Generally, a student’s parents must receive notice and a hearing before these liberty and property interests are limited. Juvenile court judges follow specific procedures as they examine evidence and listen to testimony. This process helps to protect the veracity of the information judges use to make individualized decisions that limit students’ access to school. Courts—not the executive branch or the legislative branch— have the authority to make balanced, informed, and individualized determinations about the consequences youth must face for violations of the law. HB 12 would subject more youth to extrajudicially imposed consequences that wrongfully infringe upon their constitutional interests t,

**It is a negligent policy to ban more and younger children from classrooms after a judicial determination to the contrary.** Denying more and younger youthful offenders access to their educational institution does not only arrogate the judiciary’s position, but it communicates that the youths’ presence in school is not important. One of the three purposes of the juvenile justice system is to ensure competency and character development to assist children in becoming responsible and productive members of society.<sup>7</sup> In general, school attendance promotes mental health, reduces risky behaviors, and enhances social development.<sup>8</sup> Excluding youth from attending school would directly contradict the juvenile justice system’s responsibility to ensure that these children develop into responsible and productive members of society as these youths are then unable to access their education, as well as the necessary structure that goes along with attending an educational institution.

Community safety is a foremost concern, but it cannot be secured by infringing upon the constitutional interests of Maryland’s children. **For these reasons, the CFCC strongly opposes HB 12 and urges an unfavorable report.**

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<sup>5</sup> 457 U.S. 202, at 239 (1982).

<sup>6</sup> *Goss v. Lopez*, 419 U.S. 565 (1975) and *Plyer v. Doe*, 457 U.S. 202 (1982).

<sup>7</sup> Md. Code Ann., Cts. & Jud. Proc. § 3-8A-02 (West).

<sup>8</sup> Centers for Disease Control and Prevention. *School Connectedness*.

[https://archive.cdc.gov/www\\_cdc.gov/healthyschools/school\\_connectedness.htm#:~:text=It%20is%20an%20important%20protective.health%2C%20and%20substance%20use\).&text=More%20likely%20to%20engage%20in.physical%20activity%20and%20healthy%20eating\).](https://archive.cdc.gov/www_cdc.gov/healthyschools/school_connectedness.htm#:~:text=It%20is%20an%20important%20protective.health%2C%20and%20substance%20use).&text=More%20likely%20to%20engage%20in.physical%20activity%20and%20healthy%20eating).)