

House Bill 12
Juvenile Sex Offender Registry – Qualifying Offenses and Access
Judiciary Committee – January 29, 2026
UNFAVORABLE

Thank you for the opportunity to testify in opposition to HB 12. I am resident of Montgomery County and previously served on the Montgomery County Commission on Juvenile Justice. Before my retirement from Federal service, I was a Senior Executive at the U.S. Department of Education, where I worked more than three decades on education policy.

I oppose HB 12 because it will harm children without making the community safer. It harms children by requiring children who have committed less serious sexual offenses to be added to the registry of juvenile sex offenders. This treatment, which is hurtful and counterproductive, also results in denying these children the opportunity for in-person learning indefinitely under Maryland law. Additional punishments for these children, beyond what already results from being adjudicated delinquent, are not only disproportionate to the harm the child caused, but they are unlikely to benefit others. **They will hurt the child’s chances for healthy development, a decent education, and successful completion of school.** The long-term consequences are likely to be negative for both the child and the community.

Registration is harmful to juvenile registrants.

The approach taken in HB 12 runs counter to what research tells us about the use of registries for children, namely, that they should not be used because of the negative impact on the young registrants without any benefits to others in the community.¹ Requiring registration makes even less sense in the case of children who have committed nonviolent, less severe offenses whom a juvenile judge determines could safely return to the community. Notably, children who commit sexual offenses are not likely to reoffend if offered age-appropriate, trauma-informed help and support.²

Children who would be subject to registration under HB 12 could be children who are immature or ignorant about norms and laws, who have inadequate adult supervision, or who are imitating what they see on social media or in their own homes. They could be responding to peer pressure or misinterpreting what others want. They could themselves be victims of abuse or children with mental health issues. **Regardless of the reason they engaged in unacceptable sexual**

¹M. Pickett, E. Satifka, and R. Saha Shah, “Labeled for Life, A Review of Sex Offender Registration Laws”, Juvenile Law Center (2020), <https://jlc.org/sites/default/files/attachments/2020-09/Labeled%20for%20Life%202020.pdf> ; Models for Change, “Because Kids are Different, Five Opportunities for Reforming the Juvenile Justice System,” Chicago, IL: John D. and Catherine T. MacArthur Foundation (2014), p. 14, https://www.modelsforchange.net/publications/718/Because_Kids_are_Different_Five_Opportunities_for_Reforming_the_Juvenile_Justice_System.pdf

² Pickett (2020), p.2.

behavior, they deserve support, not excessive punishment by harmful policies that have been proven not to work.³

Being labeled as a sex offender can have a profound harmful psychological impact on a young person. Experts say registration functions as a permanent hidden punishment for the young person. It can result in mental health issues, including an increased risk of suicide, and can impede the natural development of a healthy identity.

There is also the risk that the child's status will become more widely known in the community because the child will not be attending school and school officials are required by HB 12 to have access to the registry. This renders the young person vulnerable to more harm, including stigmatization, social ostracism, sexual predation, and threats of violence.⁴

There are no benefits from excluding youth from in-person learning.

Under Maryland law, a child who is required to be registered as a sex offender is excluded from attending public school and is prohibited from being on school grounds. There is no individualized evaluation of the need for removing a child from school. It is a one-size-fits-all ban on in-person learning in a traditional school. By requiring a child remain on the registry until at least age 18, HB 12 further ensures that the youth will never resume in-person learning at a regular school.

While Maryland law specifies how the juvenile registrant may be educated, **none of the alternatives to in-person learning specified in the law offer education opportunities that are remotely equivalent to being allowed to remain in a traditional public school.** None are remotely suitable for educating a child for the remainder of his or her time in school, which could be for the duration of middle and high school.

The Home and Hospital Teaching program is designed to provide some limited education services, on a temporary basis, to children with health challenges that prevent them from attending school—hardly a viable path for earning a high school diploma for the children targeted by HB 12.

The Regional Institutes for Children and Adolescents are residential programs that are intended to serve children with severe emotional disturbance or other mental health problems. They are providing education services in restrictive environments in which children, especially those with disabilities, should not be placed without due process. Like the Hospital program, they are not meant to serve its residents indefinitely.

³See Elizabeth Letourneau, Testimony in Opposition to Senate Bill 78 before the Maryland Senate Judicial Proceedings Committee (January 2025).

https://mgaleg.maryland.gov/cmte_testimony/2025/jpr/1EDaHJU5Hk1b46V8l9keBLz9GugYd6hUR.pdf

⁴ R. Saha Shah, "Ten Ways Youth Sex Offender Registration Harms Kids," American Bar Association (2018), <https://www.americanbar.org/groups/litigation/resources/newsletters/childrens-rights/ten-ways-youth-sex-offender-registration-harms-kids/>

Most importantly, virtual learning is not the solution. Forcing a young person who is already struggling with the psychological impact of being labeled a sex offender to stay at home to learn virtually is tantamount to depriving the student of a key protective factor that could make a difference in his or her life—the opportunity to grow and learn in a healthy and supportive education environment. **Researchers have found significant differences in social and emotional health and academic success between students in virtual learning and those in in-person classes.**⁵

Successful virtual learning requires strong self-discipline and good time management. A youth left at home alone to learn without the structure of a classroom and the influence of peers will struggle with motivation, leading to reduced engagement. The social isolation and the lack of face-to-face interaction can result in increased anxiety, depression, and stress. In-person learning is also critical for developing social-emotional skills that are needed to build positive relationships with peers and adults and make good decisions about social interactions and behavior.⁶ **Consigning children involuntarily, potentially for years, to virtual learning, without access to any school activities, is a recipe for mental health issues, academic failure, and negative long-term outcomes, including the risk of justice involvement.**

Throwing up barriers to successful rehabilitation and positive youth outcomes does not foster public safety.

Maryland’s employment of a juvenile sex offender registry in combination with its ban on in-person learning for registrants is likely to inflict lasting damage on the prospects of those young people to lead normal, productive lives as adults. By adding additional offenses, increasing the period of required registration, and expanding access to the registry, HB 12 would only worsen a seriously flawed system.⁷

Years ago, Maryland established a system of juvenile justice that was intended to treat children differently from adults and focus on their rehabilitation when they make mistakes or cause even serious harm. It is counterproductive to overlay the processes the state has put in place to achieve accountability and help children succeed through needed treatment with misguided policies that are likely to result in poor outcomes for young people without improving public safety.

For these reasons, I urge an Unfavorable report on HB 12.

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⁵Duckworth, A. L., Kautz, T., Defnet, A., Satlof-Bedrick, E., Talamas, S., Lira, B., & Steinberg, L. (2021). “Students attending school remotely suffer socially, emotionally, and academically,” Educational Researcher (July 2021), <https://doi.org/10.3102/0013189X211031551>;

⁶ See R. Rana, “7 Major Challenges of Online Education Faced by Students Today,” 21K School (September 18, 2025), <https://www.21kschool.com/us/blog/challenges-of-online-education/>

⁷ See Models for Change, p. 15.

