
MARYLAND COALITION TO REFORM SCHOOL DISCIPLINE

HOUSE JUDICIARY COMMITTEE
HOUSE BILL 12
Juvenile Sex Offender Registry - Qualifying Offenses and Access
January 29, 2026

POSITION: UNFAVORABLE

The Maryland Coalition to Reform School Discipline (“CRSD”) brings together advocates, service providers, and community members dedicated to transforming school discipline practices within Maryland’s public-school systems. We are committed to making discipline responsive to students’ behavioral needs, fair, appropriate to the infraction, and designed to keep children on track to graduate. **CRSD strongly opposes HB 12** because it would expand the number of children on the nonpublic juvenile sex offender registry and thereby prohibit them from in-person school attendance pursuant to Md. Code, Crim. Pro. § 11-722(c). House Bill 12 expands the reach of the registry by removing the 14 year old age limit for the nonpublic juvenile sex offender registry. It would also require a young person to remain on the nonpublic juvenile sex offender registry until 18 years of age even when the court terminates jurisdiction. And, HB 12 would add additional nonviolent offenses that would require registry, impacting the right of a child as young as 10 years old to attend in-person school pursuant to Md. Code, Crim. Pro. § 11-722(c). CRSD opposes the misguided efforts of HB 12 to deny a child the right to receive in-person instruction, particularly after a court, with extensive information about the child and the incident, has determined that the child is safe to be in the community and even has terminated jurisdiction. Such a consequential deprivation of a right to education, guaranteed by the Maryland Constitution, is not warranted here, particularly when there are other processes in place to ensure safety in schools.

First, HB 12 is unnecessary and overly broad. During the 2024 legislative session, the Maryland legislature passed a provision in HB 814 that now prohibits in-person attendance in public schools for students placed on the nonpublic juvenile sex offender registry. CRSD vigorously objected to this legislation as it too is harmful. Clearly, there is no need to create an even wider ban on in-person instruction. Such a ban is not supported by any facts to suggest that schools are not safe because another child has been found involved in an offense, whether it be a sex offense or something else.

Second, HB 12 is not necessary as there are additional processes under the “reportable offense” statute to ensure safety in our schools. *See* Md. Code, Educ. § 7-303. When an offense is considered “a reportable offense,” which includes serious sexual offenses, law enforcement is required to notify the school system of the arrest “within 24 hours” or “as soon as practicable.” The school system must then follow the school discipline procedures and determine if allowing the student to attend school would cause “imminent threat of serious harm to other students or staff.” This process provides appropriate and necessary due process protections and allows a school system to consider the facts and circumstances related to a student’s specific situation even when a court terminates jurisdiction, while also ensuring the safety of the school community.

Third, courts and the Department of Juvenile Services routinely assess whether a child with a charge, such as a felony sex offense, is dangerous. A child deemed by a court to pose a danger to their classmates would not be allowed to be in the community. A court is better able to assess the risks posed by a child under its jurisdiction than can a school administrator, or indeed the Legislature. HB 12 impedes the court’s powers and runs afoul of the juvenile court’s purpose which is rehabilitation.

Fourth, years of research has confirmed that treatment works for children with a sex offense. The recidivism rate is extremely low for offenses that are sexual in nature, making the need for a blanket ban on all children adjudicated of sex offense obsolete.¹ We encourage this Committee to review last year’s [testimony](#) regarding HB 952 by Professor Elizabeth Letourneau from Johns Hopkins University Bloomberg School of Public Health’s MOORE | Preventing Child Sexual Abuse Center. Professor Letourneau explained that, based on research, sexual recidivism rates for youth who offend are very low, below 3%, and that children are very responsive to treatment. Further research shows that juvenile registries disproportionately impact children of color, children with disabilities and LGBTQ+ youth.² In addition, children who are labeled as sex offenders often have been victims of sexual abuse and many have intellectual disabilities. Policy must be made based on facts and research. The facts and research should lead this Committee to make a sound decision that high quality education is for all and that a blanket ban on in-person instruction is not supported by the research, nor is it good policy.

Fifth, when a child and their family do not choose a virtual placement, and it is involuntarily imposed, the academic impact is generally negative. The reality is that virtual instruction is often inferior and is not appropriate as a long-term placement. The Covid-19 pandemic is a current example of how our children struggled and were negatively affected academically and

¹ Caldwell, M., Quantifying the decline in juvenile sexual recidivism rates. *Psychology, Public Policy, and Law*, 22(4), 414-426 (2016), <http://dx.doi.org/10.1037/law0000094>.

² *See* Riya Saha Shah, et al., *Young People Caught in the Net of Sex Offender Registries*, ABA Litigation Section (July 14, 2022), <https://www.americanbar.org/groups/litigation/resources/newsletters/childrens-rights/summer2022-young-people-caught-in-the-net-of-sex-offender-registries/>.

emotionally by virtual education. The long term academic, social emotional, and future economic harm is guaranteed. Moreover, there are no regulations that govern virtual instruction and families may not have access to the internet or family members who can support them with virtual instruction. Virtual instruction may leave a child unattended, without adult support, with no structure and isolated from peer interaction.

Lastly, House Bill 12 also runs afoul of the requirements of federal law and regulations, including the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973, which require eligible children with disabilities to receive a free appropriate public education in the least restrictive environment. Under the law, home is deemed the most restrictive setting, and HB 12 would restrict every child with a disability and an IEP on the registry in their home, significantly impacting their ability to access a free and public education program.

Education is the number one protective factor in preventing youth from recidivism. Relegating children to instruction in their homes, perhaps for years, denies them the opportunity to interact with peers, participate in school-related activities, benefit from free breakfast and lunch programs, and all the other pro-social benefits that schools provide. Our communities are not safer when children are denied the structure and support services that schools provide.

For these reasons, CRSD strongly opposes HB 12.

For more information contact: Maryland Coalition to Reform School Discipline
CRSDMaryland@gmail.com

CRSD Members

- Maryland Office of the Public Defender
- The Choice Program at UMBC
- Public Justice Center
- The Gibson-Banks Center for Race and the Law University of Maryland Francis King Carey School of Law
- Disability Rights Maryland
- League of Women Voters
- Project HEAL (Health, Education, Advocacy, and Law) at Kennedy Krieger Institute
- ACLU of Maryland
- Sarya and Neil Meyerhoff Center for Families, Children and the Courts
- University of Baltimore School of Law
- Strong Schools Maryland
- Center for Criminal Justice Reform, University of Baltimore School of Law