

HB 12 Del. Griffith Testimony FINAL.pdf

Uploaded by: Delegate Griffith Delegate Griffith

Position: FAV

MIKE GRIFFITH
Legislative District 35A
Cecil and Harford Counties

Ways and Means Committee

Subcommittees

Early Childhood and
Special Education

Revenues



The Maryland House of Delegates
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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

H.B. 0012: Juvenile Sex Offender Registry - Qualifying Offenses and Access

Chair Bartlett, Vice Chair Davis, and Esteemed Members of the House Judiciary Committee:

Today, I request a favorable report on H.B. 0012, *Juvenile Sex Offender Registry - Qualifying Offenses and Access*.

We all can agree that children and student safety is paramount to us. In a world that is ever-changing and threats ever increasing, our primary concern is always the wellbeing and protection of those we love. It is with this intent I bring before you today H.B. 0012.

H.B. 0012 is a simple piece of legislation that strikes at the heart of child protection, especially for those within our public-school systems. Certainly, as parents, guardians, aunts, uncles, and grandparents, we want to rest assured that when we put our little ones on the bus, they are heading into an environment that fosters growth and learning. This ideal environment is put into jeopardy, however, when among the student population are juveniles that have been convicted of acts of harm and of malicious intent towards others. Since that information is currently sealed from school personnel, necessary safety precautions cannot be put into place to ensure all students are secure and protected. As a result, unaware, students may be unintentionally putting themselves in harm's way and the school staff and administration tasked with safeguarding all student well-being is left in the dark on needing to provide a watchful eye and a secure environment.

Therefore, to address this issue in a way that provides an avenue for student safety and protects the juvenile in question, H.B. 0012 not only authorizes the local superintendent or their designee to access the Juvenile Sex Offender Registry List but it also updates the list to include several crimes, such as child pornography if the victim did not have knowledge of or did not consent to its production or distribution. And note that it's **only** the local superintendent or their designee that would have access to this list. It's not teachers, administration, staff, or other students; it's simply the only two individuals that are best equipped to discreetly and appropriately put into place the required safeguards.

Furthermore, to continue providing the safeguards for continued protection for all parties, H.B. 0012 updates when a juvenile can be removed from the list. Under current law, when probation ends for a juvenile who, for example, committed rape of a minor, they can be removed from the list even if they're under the age of 18 and still be, presumably, around other young individuals and students in a school setting. To address this, H.B. 0012 simply updates this removal to only

happen when the juvenile reaches the age of 18 or when their probation ends, whichever occurs later. In adding this change, the safety of all students and children can be considered and kept at the forefront of all decisions.

For the safety of all students and children, I submit H.B. 0012 for consideration and request a favorable report.

Thank you,

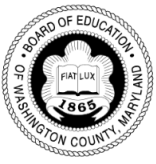
A handwritten signature in black ink, appearing to be 'Mike Griffith', with a long horizontal flourish extending to the right.

Delegate Mike Griffith
District 35A, Cecil and Harford Counties
Vice Chair, Maryland Veterans Caucus, Maryland General Assembly-House of Delegates

HB 12 FAVORABLE testimony (WashCoBOE) 1-29-26.pdf

Uploaded by: Jamie Brown

Position: FAV



BILL: House Bill 12
TITLE: Juvenile Sex Offender Registry – Qualifying Offenses and Access
HEARING DATE: January 29, 2026
POSITION: FAVORABLE
COMMITTEE: Judiciary Committee
CONTACT: Jamie Brown, Paralegal, 301-766-2946

The Washington County Board of Education supports House Bill 12 to authorize a local superintendent or the superintendent's designee to access the Juvenile Sex Offender Registry and to add certain offenses to the list of offenses for which a person adjudicated delinquent is required to be included in the Juvenile Sex Offender Registry.

Currently, Sections 11-704.1 and 11-722 of the Criminal Procedures Article prohibit those students who are registered sex offenders or are on the Juvenile Sex Offender Registry from attending school in-person and requires such students to continue to receive their education through home and hospital teaching, virtual learning, or placement at a nonpublic educational program. However, there is currently no mechanism for notifying schools of students on the Juvenile Sex Offender Registry. HB 12 would address this issue by authorizing a local superintendent or the superintendent's designee to have access to the registry, which would help to address a crucial gap in ensuring a safe and secure educational environment. The bill does not prevent access to a meaningful education and any registered student sex offender or juvenile registrant who has a Section 504 Plan (504 Plan) or Individualized Education Plan (IEP) would still continue to receive the services and instructional modifications established through the 504 Plan or IEP. School systems would remain statutorily bound to ensure that the student's educational needs are being met and that the student continues to receive a Free and Appropriate Education (FAPE) in the new learning environment or change of placement.

Currently, school staff rely on the reportable offense procedures to determine if a student poses a risk to the education environment when charged with specific crimes. This bill would provide a means for schools to follow Criminal Procedures Article, Sections 11-704.1 and 11-722, Annotated Code of Maryland. Without an effective and appropriate reporting mechanism to schools, the previously enacted laws do not provide the safety protection it had intended because it has been, and continues to be, Washington County Public Schools' experience that notification of students who are on the Juvenile Sex Offender Registry does not occur. HB 12 addresses this concern by authorizing a local superintendent or designee to directly access the Juvenile Sex Offender Registry to acquire the information schools require to maintain a safe and secure learning environment instead of having to rely on others to provide this critical information. The presence of students in school with histories of serious offenses that require juvenile sex offender registration or the presence of students likely to reoffend can cause significant disruptions, anxiety, and potential harm to others within the school environment.

HB 12 reflects a commitment to safe and secure learning environments for all staff and students by establishing a direct means for local school systems to acquire the information necessary to ensure registered sex offenders are kept out of schools, while continuing to have access to education through alternative means. The Washington County Board of Education supports House Bill 12 because it assists with ensuring a safe and secure learning environment.

The Washington County Board of Education fully supports House Bill 12 and requests the Judiciary Committee issue a favorable report.

Thank you.

cc: Washington County Board of Education Members
Washington County Delegation to the Maryland General Assembly
Dr. David T. Sovine, Superintendent
Dr. Gary Willow, Deputy Superintendent
Mr. Jeffrey Proulx, Chief Operating Officer
Mr. Jeremy Jakoby, Director of Student Services
Mr. Steve Ganley, Safety and Security Manager

Support for HB 12.pdf

Uploaded by: Joanna Mupanduki

Position: FAV



Maryland Crime Victims' Resource Center, Inc.

Continuing the Missions of the Stephanie Roper Committee and Foundation, Inc.

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January 27, 2026

Re: Favorable to HB 12

Dear Chair Bartlett and Members of the Judiciary Committee,

On behalf of the Maryland Crime Victims' Resource Center, Inc. (MCVRC), I respectfully submit this letter in support of House Bill 12, relating to the Juvenile Sex Offender Registry. MCVRC provides legal representation, advocacy, and support services to crime victims throughout Maryland, and we write from the perspective of those whose lives have been permanently altered by sexual and violent crime.

House Bill 12 makes measured and necessary updates to Maryland law that center victim safety, prevention, and informed decision-making, while still respecting the rehabilitative goals of the juvenile justice system.

Recent, publicly reported cases in Maryland underscore why these changes are urgently needed. In Joppatowne High School in 2024, a 16-year-old student, Jaylen Prince, murdered a classmate in a school bathroom. Subsequent reporting revealed that the juvenile had been involved in at least 18 prior violent or serious incidents in schools between 2021 and 2024 and engaged in more violent offenses while incarcerated before sentencing. For victims and their families, this case raised deeply troubling questions about information-sharing, supervision, and whether warning signs were fully understood or acted upon by those responsible for student safety.

Similarly, in Harford County in July 2022, 15-year-old Kayla Hamilton was murdered by Walter Martinez, a juvenile who was released to a group home and permitted to enroll in school while he remained the main suspect in this homicide and as the police were awaiting DNA results before his

arrest in January 2023. Public reporting indicates that requests to detain him were denied and the school was unaware of his violent history.

While these cases are not identical to the offenses covered by House Bill 12, they illustrate a shared and critical theme: when those charged with protecting children lack access to essential information, the risk to victims increases. House Bill 12 directly addresses this concern by allowing limited access to the juvenile sex offender registry by local superintendents or their designees, ensuring that schools can make informed decisions about supervision, safety planning, and appropriate safeguards.

The bill also thoughtfully expands the list of qualifying offenses requiring registry inclusion to reflect the serious harm caused by sexual offenses involving minors, sexual exploitation, and nonconsensual production or distribution of child sexual abuse material. For victims, these are life-altering crimes that demand accountability and recognition of their lasting impact.

Importantly, House Bill 12 preserves confidentiality and balance. Registry access remains restricted to law enforcement and designated school officials, records are not made public, and juveniles are removed from the registry when court jurisdiction ends or upon reaching adulthood. These safeguards ensure that the legislation is protective rather than punitive, focused on prevention rather than punishment.

From the victim's perspective, House Bill 12 is about closing gaps before tragedy occurs, restoring trust in protective systems, and ensuring that the safety of children and survivors is not compromised by avoidable information barriers.

For these reasons, MCVRC respectfully urges the Committee to issue a favorable report on House Bill 12. Thank you for your continued commitment to legislation that protects victims while responsibly addressing complex juvenile justice issues.

Respectfully submitted,



Joanna D. Mupanduki, Esq.
Deputy Director
Maryland Crime Victims Resource Center, Inc.

Late testimony

Uploaded by: Robert Cassilly

Position: FAV

ROBERT G. CASSILLY
Harford County Executive



ROBERT S. McCORD
Director of Administration

January 29, 2026

The Honorable J. Sandy Bartlett
Chair, House Judiciary Committee
100 Taylor House Office Building
6 Bladen Street
Annapolis, Maryland 21014

RE: Letter in Support on HB 012 – Juvenile Sex Offender Registry – Qualifying Offenses and Access

Dear Madam Chair and Committee Members:

As many of you will recall, Harford County recently had a student enrolled in the Harford County School System while being investigated for the raping and murdering a young woman. This student walked the halls of Harford County Schools with his violent propensities being known to authorities but not shared with teachers and parents.

Before you today is legislation – HB 012 - that we strongly believe will help to keep all public schools in Maryland from having to experience the same tragedy. Originally introduced last Session as HB 952, this legislation will allow the local school superintendent, or their designee, to have access to the Juvenile Sex Offender Registry. This will give schools the ability to keep sexual offenders from being enrolled at the school or remove them from the school if they are already enrolled.

This Bill also expands the list of offenses that would require a juvenile to be listed in the juvenile sex offender registry to include first- and second-degree rape, production and distribution of child pornography, and third-degree sex offenses.

It is imperative that law enforcement, schools, and parents have the information and options necessary to keep dangerous students apart from their innocent and unsuspecting classmates.

Harford County Celebrates 250 Years ~ 1773-2023

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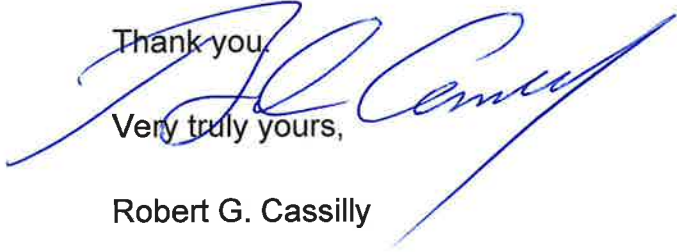
The Honorable J. Sandy Bartlett
January 29, 2026
Page 2

On behalf of the students in Harford County and all of Maryland, I respectfully request the Judiciary Committee issue a Favorable Report on HB 012.

Thank you.

Very truly yours,

Robert G. Cassilly

A handwritten signature in blue ink, appearing to read "R. G. Cassilly", is written over the typed name. The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

HB 0012_ Juvenile Sex Offender Registry - Qualifyi

Uploaded by: Trudy Tibbals

Position: FAV

HB 0012: Juvenile Sex Offender Registry - Qualifying Offenses and Access: Please vote IN SUPPORT OF this bill.

Dear Chair and Members of the Committee,

I write in **strong support of HB 0012 – Juvenile Sex Offender Registry – Qualifying Offenses and Access**, with a focus on what matters most: **the safety, dignity, and long-term well-being of victims.**

Sexual offenses — especially those involving children — leave lifelong scars. Survivors carry the trauma long after the incident itself, and families live with fear, anger, and grief that cannot simply be “moved past.” For victims, accountability is not abstract. It is personal. It is about being believed, being protected, and knowing that the system recognizes the seriousness of what was done to them.

HB 0012 acknowledges that reality. By ensuring that **serious juvenile sexual offenses are clearly identified and appropriately addressed**, this bill **strengthens** the juvenile sex offender registry as a **meaningful tool for protecting victims and preventing future harm**. It ensures that access to registry information is intentional and responsible — serving safety, not secrecy.

At the same time, **HB 0012** avoids policies that are so broad they become ineffective. A registry that is unfocused or misapplied can dilute attention away from the most dangerous behaviors and, in doing so, fail victims. This bill **ensures that the most serious offenses receive the scrutiny they deserve**, reinforcing that sexual harm is not minimized or excused simply because the offender is young.

Importantly, **HB 0012** does not pit victim safety against fairness — it recognizes that both matter. **True justice** means protecting victims while also applying the law carefully and thoughtfully, in ways that strengthen trust in the system and reduce the risk of future harm.

Victims deserve a system that takes their pain seriously, prioritizes prevention, and acts with clarity and purpose. **HB 0012 moves Maryland closer to that goal.**

For these reasons, I respectfully urge the committee to **issue a favorable report on HB 0012.**

Thank you for your time, your service, and your commitment to protecting Maryland’s children and families.

Sincerely,
Trudy Tibbals

Letter of Support with Amendment HB012.pdf

Uploaded by: Alita-Geri Carter

Position: FWA



Tc4health@gmail.com
www.qualequityaccess.com

January 27, 2026

BILL: HB 12 – Juvenile Sex Offender Registry - Qualifying Offenses and Access

COMMITTEE: Judiciary

POSITION: Favorable with Amendment

RE: Statement of Support with Requested Amendments

Dear Chairwoman Bartlett, Vice Chair Davis, Delegate Griffeth and Delegate Grammer and Honorable Members of the Judiciary Committee,

I am Alita-Geri Carter, the owner of Qualequity Access, LLC., a consultancy grounded in data-driven transformation that advocates for quality, equity, access, and accessibility in healthcare and education. I am the mother of two children with disabilities, a former practicing nursing practitioner, special education parent advocate, and public health servant.

I am writing to offer a **Favorable with Amendments** report on **House Bill 12**. While I support the intent to enhance school safety by providing local superintendents with necessary information regarding juvenile registrants, the bill's current language focuses heavily on registration without mandating the **adequate monitoring** and **rehabilitative support** required to prevent future victimization.

Early in my career as a Maryland pediatric ER nurse, I witnessed trauma that words cannot map. I carry the weight of families shattered on both sides of tragedy, victims and offenders, knowing that for both, the road to healing is long and scarred. More than a decade ago, I cared for a 5-year-old boy sexually assaulted by a 12-year-old neighbor. I remember the haunting calm of that child as he pointed to the evidence on his clothes, his mind too young to process the horror. I performed the agonizing ritual of masking my own heartbreak while watching a father hold his sobbing wife. My heart also broke for the 12-year-old. As a pediatric nurse, I knew his actions were not developmentally appropriate; they were likely a cry from a dark place an ER is not equipped to illuminate. I will carry the secondary trauma of that shift to my grave.

My experiences motivate me to prioritize humanity and empathy along with safety and justice. Expanding a registry without addressing the systemic roots of juvenile offending only creates a false sense of security. We are failing the children, both the harmed and the harmer, our schools are sworn to protect. Adding a name to a list without intensive intervention is not policy; it is empty performance.

I respectfully urge the Committee to adopt the following amendments:

1. Mandate Trauma-Informed Safety and Support Plans

Access to a registry does not equate to student safety. Many juveniles who engage in these behaviors have a history of being victims themselves.



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- **Requested Amendment:** Require that upon receiving notice of a juvenile registrant, the local superintendent or designee must develop a **Multi-Disciplinary Safety and Support Plan**. This plan must include trauma-informed monitoring and mental health services to ensure the child is adequately supervised in the educational environment.

2. Differentiate Between Predatory and Peer-to-Peer Incidents

The expansion of qualifying offenses, particularly regarding digital content, can sweep non-predatory "peer-to-peer" incidents into the same administrative category as predatory behavior.

- **Requested Amendment:** Provide the local superintendent authority in consultation with trauma-informed mental and behavioral health providers to distinguish between different levels of risk when determining the extent of monitoring, ensuring that resources are focused on those most likely to re-offend. Superintendents are not required to have training or experience in mental, emotional, or behavioral health. Neither is there a requirement for them to be trained in special education or disability rights in the state of Maryland.

3. Ensure Educational Equity and Continuity

The collapse of vital services, such as the school bus transportation failures we witnessed in SY 24-25, reminds us that administrative intent does not always lead to successful execution.

- **Requested Amendment:** Ensure that the "superintendent's designee" is trained to balance safety with the child's right to a Free and Appropriate Public Education (FAPE). We must not allow expanded registration to become a tool for "gatekeeping" that leaves children without access to an education.

Conclusion

A registry is a list; it is not a safety plan. We must ensure that our school leaders are not just holding names but are actively engaged in the monitoring and rehabilitation required to break the cycle of victimization. We cannot afford another systemic collapse in oversight where the most vulnerable students pay the price and the risk for future incidents grows unabated.

I respectfully urge a Favorable with Amendments report on HB 12.

Respectfully Submitted,
Alita-Geri Carter, MSN, DNP-C, CPNP-PC, BCPA
Resident, Howard County, MD

HB 12 OPD testimony_opposed.pdf

Uploaded by: Alyssa Fieo

Position: UNF



NATASHA DARTIGUE
PUBLIC DEFENDER
KEITH LOTRIDGE
DEPUTY PUBLIC DEFENDER
HANNIBAL KEMERER
CHIEF OF STAFF
ELIZABETH HILLIARD
DIRECTOR OF GOVERNMENT RELATIONS

POSITION ON PROPOSED LEGISLATION

BILL: HB 12 - Juvenile Sex Offender Registry - Qualifying Offenses and Access

FROM: Maryland Office of the Public Defender

POSITION: Unfavorable

DATE: January 29, 2026

The Maryland Office of the Public Defender (MOPD) respectfully urges the Committee to issue an unfavorable report on House Bill 12. House Bill 12, resoundingly rejected last year as HB 952, is an extreme piece of legislation that would preclude children as young as 10 years old who commit certain sex offenses from ever attending in person school again, remove the 14 year-old minimum age requirement for inclusion on the nonpublic juvenile sex offender registry, require a juvenile to remain on the registry until 18 years of age even after the court terminates jurisdiction, would compromise the confidentiality of the registry, and add additional offenses that would require registration. MOPD strongly opposes HB 12 as it seeks to circumvent the jurisdiction of the court, unnecessarily expands the registry, and will cause significant harm to children.

During the 2024 legislative session, in House Bill 814, the legislature already took the extreme step of prohibiting children on the nonpublic juvenile sex offender registry from attending public schools in person. *See* Md. Code, Crim. Pro. § 11-722(c). House Bill 12 would compound this problem by adding additional offenses that would require permanent exclusion from school. It goes even further than HB 814 by impacting children as young as 10 years old and ensuring that a child is permanently banned until 18 years of age from attending school in person. This restriction on school attendance would apply even after a court has determined that a child is no longer in need of treatment, guidance or rehabilitation from the Department of Juvenile Services, and therefore terminated jurisdiction in the case. Thus, if passed, HB 12 would in all cases have the legislature usurp the court's authority and judgment, substituting its own, thereby undermining the purposes of the Maryland Juvenile Causes Act and nullifying the essential role the court plays in the individualized treatment and rehabilitation of children.

House Bill 12 is an extreme piece of legislation that expands the age restriction for the non-public registry from age 14 to children as young as 10 years old, which, coupled with the current restrictions, would preclude them from ever again attending in person school.

The juvenile non-public sex offender registry has since its inception been limited to offenses

committed by children age 14 and older. *See* Md. Code, Crim. Pro. § 11-704.1. In 2024, this body expanded juvenile jurisdiction to include almost all sexual offenses committed by a child as young as 10 years old. *See* Md. Code, Cts. & Jud. Proc., § 3-8A-03(a). By removing the age restriction for inclusion on the registry, HB 12 would expand it to include 10, 11, 12, and 13 year olds. This body also precluded any child on the non-public sex offender registry from attending in-person school. *See* Md. Code, Crim. Pro. § 11-722(c). Thus, under HB 12, a 10 year old who commits even a minor sexual offense could be precluded from ever attending in-person school again.

House Bill 12 is unnecessary because of Maryland’s reportable offense law.¹ Under Maryland’s current reportable offense law, schools are obligated to assess whether a child presents an ongoing, imminent threat of serious harm if they have a reportable offense charge which occurred in the community. If such a threat is identified, the child may be removed from their regular school program or a safety plan can be developed. School systems are also required to share information regarding reportable offenses with other jurisdictions should the student move. Along with this existing framework which provides for individualized safety assessments, as well as the current prohibition for children on the juvenile sex offender registry from attending school, HB 12 is unnecessary and overly broad.

House Bill 12 conflicts with extensive research regarding children who offend sexually.

Decades of peer reviewed research has shown the following to be true: (1) Youth who sexually offend are vastly different from adult sex offenders; (2) Sexual recidivism rates for youth who sexually offend are extremely low,² even without treatment;³ (3) Youth reported, adjudicated, or convicted for sexual crimes are highly responsive to proven treatments; and (4) Isolating these youth from typical educational and other prosocial settings is harmful to them, leads to more delinquent behavior, and does not improve community safety.⁴ Expanding the offenses that would require registration is misguided, contrary to decades of peer reviewed research, and must be rejected.

House Bill 12 decimates the distinction between the non-public juvenile registry and the adult registry by making a registry of children as young as 10 widely available with no requirements that this information remain confidential.

Under current law, the non-public juvenile sex offender registry is available only to law enforcement. House Bill 12 would make this information available to the schools with no requirement for confidentiality. By making these names available to the Superintendent or the Superintendent’s designee, HB 12 would essentially be making the non-public registry a public registry. Neither the Superintendent nor the superintendent’s designee, who could be anyone

¹ *See* Md. Code, Educ. § 7-303; COMAR 13A.08.01.17.

² Caldwell, M., *Quantifying the decline in juvenile sexual recidivism rates*, Psychology, Public Policy, and Law 22(4) (2016), at 414–426, <http://dx.doi.org/10.1037/law0000094>.

³ *See e.g.*, Letourneau, E. J., Bandyopadhyay, D., Armstrong, K. S., & Sinha, D. (2010). Do Sex Offender Registration and Notification Requirements Deter Juvenile Sex Crimes? *Criminal Justice and Behavior*, 37, 553-569.

⁴ *See* the written testimony of Prof. Elizabeth Letourneau, Johns Hopkins Bloomberg School of Public Health.

employed by the school, is required to keep this information confidential. Even if they were required to keep it confidential, this kind of sensitive information has a way of leaking out. Additionally, the Superintendent, designee, and anyone else they elect to inform, would have access not just to the names of youth on the registry who are enrolled in their district, but would have access to the names of all registered children, some as young as 10 years old, enrolled in school districts throughout the state. There is a high risk posed by HB 12 that the names of children on the non-public registry will become public. The bill proposes no measures to preclude this from occurring. This could result in severe reputational damage to the child that would be impossible to repair and could lead to dire consequences, including suicide.

House Bill 12 vastly expands the number of offenses that require registration for children as young as 10 years old to include 3rd degree sex offenses based solely on age difference and children as young as 13 who commit 4th degree sex offenses.

Current law does not subject children to registration for sexual contact based on age difference alone. *See* Md. Code, Crim. Pro. §11-704.1. Not all 3rd degree sex offenses are created equal. Existing law has sensibly noted the difference between the most serious 3rd degree sexual offenses, those involving the use of violence, threats of violence, or committed against helpless or incapacitated individuals, and those more commonly committed by children involving age difference alone. This is an important distinction made under current law that HB 12 carelessly disregards.

Sexual contact between children that is unlawful due to age difference alone often involves children who are not sufficiently supervised or do not understand appropriate boundaries. These situations are best handled through treatment and proven, highly effective sex offense therapy for children. They do not require a child as young as 10 to be placed on the juvenile registry and be barred from attending in person school until the age of 18 for behaviors like “playing doctor” with a younger sibling.

HB 12 also proposes to expand the registry to include 4th degree sex offenses, impacting children as young as 13. The only prong of 4th degree applicable to children involves unwanted touching of an intimate area. Squeezing someone’s behind over their clothes, inappropriate to be sure, should not result in a 13 year-old being precluded from attending in person school ever again.

House Bill 12 is based on a fundamental misunderstanding of the intense level of scrutiny that both the Department of Juvenile Services (DJS) and the courts engage in when determining necessary services, assessing safety, and eventually terminating jurisdiction.

With the court’s oversight, a child found involved in a sex offense is generally required to receive treatment either in an out-of-home placement or in the community. Additionally, for all children accused of a sex offense, the juvenile court is required to assess the public safety risks associated with keeping the child in the community, and courts have the authority to detain children who pose

a risk. There are multiple levels of court review and an objective assessment tool used during every stage of the process.⁵ In addition to these safeguards, the court is required to consider reasonable protections, such as a no contact order, for the safety of victims if a student is released pending adjudication. Md. Code, Cts. & Jud. Proc. § 3-8A-15(j). In effect, the court makes a determination about whether a student poses an “imminent threat” to a person or specific geographic location, including the neighborhood and school. The court does so with uniquely detailed information about the child and the case.

Ultimately, the court only closes a sex offense case and terminates its jurisdiction after having: (1) heard testimony from the victim or their representative at disposition, (2) closely monitored the child’s program of treatment and rehabilitation for at least a year and often for much longer, (3) heard multiple times from the parties while the case is open, (4) heard testimony from experts from the State and defense, and (5) considered testimony from or read written reports from the therapist providing sex offender treatment to the child. Thus, if a court with all of this information makes the decision that it is appropriate to terminate jurisdiction, knowing that the child will no longer be on the juvenile registry and can be safely in school, the child should generally be permitted to return to their regular school program. The reportable offense process provides an additional layer of review at the school level, but cannot and should not be seen as a substitute for the comprehensive supervision and evaluation of a juvenile court immersed in the facts of the case and the child’s program of treatment and rehabilitation.

House Bill 12 inappropriately usurps the authority of the juvenile court judge by keeping a child on the registry until age 18 for an offense committed when they were as young as 10, irrespective of whether the court has found that the child poses no threat and no longer requires being under the jurisdiction of the juvenile court.

The apparent purpose of HB 12 is to close some perceived “loophole” in the current system, which removes a child’s name from the juvenile registry when the juvenile court terminates its jurisdiction over the child. The proposal to require that a child remain on the non-public registry in all cases until the age of 18, even after a court terminates its jurisdiction over a child, doesn’t close a loophole. It usurps the judicial authority to exercise discretion based upon the facts before it. Courts are fully capable of making safety determinations. They do it every day in both adult criminal court and in juvenile court, where judicial discretion is especially essential when dealing with both community safety and the specialized rehabilitative needs of children.

⁵ See Maryland Department of Juvenile Services Data Resource Guide: Fiscal Year 2025, 31- 33, (Dec. 2025), https://djs.maryland.gov/Documents/DRG/Data_Resource_Guide_FY2025.pdf (describing the various objective assessment tools used to evaluate risk and safety when determining whether a young person should be detained or not and what level of services they may need).

House Bill 12 also violates the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act.

MOPD, with our fellow advocates, have maintained that the provision that passed a couple of years ago in HB 814 which bans in-person school attendance for children on the juvenile registry violates federal disability law, including the IDEA and Section 504. We assert that dictating the placement of a student with disabilities through the Criminal Code runs afoul of the requirements of these federal laws, which require that the individualized placement decision of a student with a disability be determined by the IEP or 504 team and that the student receive a free appropriate public education in the least restrictive environment. Requiring students to receive education in a home setting—the most restrictive environment— or the other restrictive settings outlined in Md. Code, Crim. Pro. § 11-722(e)(2), directly conflicts with this federal requirement. House Bill 12 further limits any opportunity to comply with the federal law after a court terminates jurisdiction. By permanently tying the placement decision for a child with a disability to the juvenile registry, HB 12 would ensure further harm to children.

Communities are not made safer when children are left unsupervised at home which will occur under HB 12.

Removing students from school and leaving them isolated and unsupervised at home can exacerbate mental health challenges and hinder their emotional and social development. School provides essential structure and support, and depriving students of this environment can lead to lasting negative consequences. House Bill 12 will create significant economic strain on families, particularly low-income households. Requiring students to participate in virtual learning without the proper resources—such as reliable Wi-Fi or internet access—places an undue burden on families, forcing parents to miss work or make other financial sacrifices to accommodate their children’s education. Additionally, children removed from school would lose access to essential resources, such as free breakfast and lunch, exacerbating food insecurity for many families.

House Bill 12 denies children the number one protective factor in preventing youth from recidivism: education.

House Bill 12 is a misguided effort that would not ensure safety in our schools; yet would have an enduring detrimental impact on children. The virtual instruction used when children are excluded from in-person school based on a reportable offense or expelled from school is not regulated in Maryland to ensure quality instruction. While Maryland does have regulated “virtual schools,” which address curriculum and class time,⁶ “virtual” or “online” instruction is something else. Findings are still emerging regarding the detrimental impact virtual instruction during Covid-19 had

⁶ See Md. Code, Education, § 7-1402 and § 7-1404.

on children, including increased mental health issues,⁷ increased absenteeism,⁸ and lower academic achievement.⁹ Our clients who are placed in virtual programs report increased depression, feelings of isolation, inability to stay focused, and difficulty either navigating the platform or getting the instructional support they need. We have also represented clients who have been put in a virtual instruction program even without access to the internet. House Bill 12 will unnecessarily sentence children to years of harm long after their underlying case has closed, and their treatment has been completed. From our perspective, these students need more services not less.

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue an unfavorable report on HB 12.

Submitted by: Maryland Office of the Public Defender, Government Relations Division.

Authored by: Alyssa Fieo, Education Attorney/Assistant Public Defender

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Stephen Bergman, Supervising Attorney, Juvenile Protection Division

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⁷ Maya Brownstein, *School reopening during COVID-19 pandemic associated with improvement in children's mental health*, Harvard School of Public Health (Dec. 8, 2025), <https://hsph.harvard.edu/news/school-reopening-during-covid-19-pandemic-associated-with-improvement-in-childrens-mental-health/>.

⁸ Tracy DeStazio, *Virtual learning detrimental to school attendance, especially in districts with higher poverty rates, study finds*, Notre Dame News (Sept. 4, 2024), <https://news.nd.edu/news/virtual-learning-detrimental-to-school-attendance-especially-in-districts-with-higher-poverty-rates-study-finds/>.

⁹ See MSDE, *Data and Research on the Impact of Virtual Learning* (June 22, 2021), <https://marylandpublicschools.org/stateboard/Documents/2021/0622/DataResearchImpactVirtualLearning.pdf>.

CFCC Written Testimony in Opp - HB12.docx.pdf

Uploaded by: Aubrey Edwards-Luce

Position: UNF

**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.¹ 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.² Furthermore, social interaction with peers, through school or extracurricular activities, has been shown to have a profound positive impact on adolescent development.³ 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.”⁴ 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.”

¹ *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)

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

³ 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>

⁴ 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*⁵ (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.⁶ 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.⁷ In general, school attendance promotes mental health, reduces risky behaviors, and enhances social development.⁸ 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.**

⁵ 457 U.S. 202, at 239 (1982).

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

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

⁸ 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).)

HB 12 Maryland DJS.pdf

Uploaded by: Betsy Fox Tolentino

Position: UNF



DEPARTMENT OF
JUVENILE SERVICES

217 East Redwood Street
Baltimore, MD 21202

Aruna Miller
Lt. Governor

Wes Moore
Governor

Betsy Fox Tolentino
Acting Secretary

Date: January 29, 2026
Bill Number/Title: HB 12- Juvenile Sex Offender Registry - Qualifying Offenses and Access
Committee: Judiciary
DJS Position: Oppose

The Department of Juvenile Services (DJS) opposes HB 12, which seeks to authorize a local superintendent or their designee to access the Juvenile Sex Offender Registry. The bill also expands the list of offenses that require a person adjudicated delinquent to be included in the registry, and makes broader changes related to juvenile records and the Juvenile Sex Offender Registry.

Expanding access to the Juvenile Sex Offender Registry represents a significant departure from the current statutory framework, which permits access only by law enforcement and solely for law enforcement purposes. Moreover, local superintendents are already notified when a youth is charged with a reportable offense and of the judicial outcome of that matter, including offenses that would otherwise be subject to inclusion in the Juvenile Sex Offender Registry.

Broadening access to what is intended to be a narrowly tailored registry risks unfairly excluding, stigmatizing, and penalizing students. Research consistently demonstrates that school engagement is a critical protective factor in preventing delinquency. Additional information sharing of this nature is likely to isolate students from structured and supportive educational environments, thereby increasing the risk of future challenges, including academic failure, behavioral issues, and deeper involvement in the justice system.

For these reasons, DJS respectfully requests an unfavorable report on HB 12.

HB12 FAIR UNFAV.pdf

Uploaded by: Brenda Jones

Position: UNF



PO Box 8402 ElkrIDGE, MD 21075 ♥ 800-708-8535 ♥ info@fairregistry.org

Unfavorable Response to HB12 Juvenile Sex Offender Registry – Qualifying Offenses and Access

Families Advocating Intelligent Registries (FAIR) seeks rational, constitutional sexual offense laws and policies for persons accused and convicted of sexual offenses. FAIR finds several of HB12's proposed changes objectionable due to the harm they would cause to young people, who are generally highly amenable to treatment and rehabilitation. We are especially concerned about opening the registry to very young children, and the inclusion of visual surveillance, familial offenses among children, and sexual pictures taken by young children.

Eliminating Minimum Age for Juvenile Registration

HB12 proposes to remove the following provision from existing Maryland Law: "(2) the person was a minor who was at least 14 years old at the time the delinquent act was committed." (Crim. Proc. 11-704.1(b)(2)). Without this provision, juveniles younger than 14 could be placed on the juvenile registry. What is the intended goal of this change? The Juvenile Courts already have jurisdiction over all juvenile delinquency cases. Under this bill, registration requirements would apply to children as young as 10.

Issues with Extending Registration to Age 18 in some instances

Under the bill's proposed changes, juveniles placed on the registry would remain there until the age of 18, with no mechanism for removal. Currently, court oversight ends at age 21, and if all requirements are met, the juvenile's record is sealed. Under current law, a 14-year-old may remain on the juvenile registry until age 21 or may be removed earlier, depending on the offense and the court's disposition.

If this bill removes the age-14 limitation and mandates registration until at least age 18, a child as young as 10 could be required to comply with registration obligations for many years beyond their supervision period. During that time, registry information could be accessible to school officials and others, despite the absence of ongoing court oversight.

Further, the bill contains no language limiting this extension of registration to prospective application only. Maryland's registration scheme has been declared punitive. Although the juvenile registry is privately maintained, applying a newly extended registration period retroactively would raise constitutional concerns under Maryland law, and a legal challenge is certainly possible.

Risky Expansion to Include Familial Sexual Offenses

The addition of Criminal Law 3-602 would allow for the registration of very young children who may barely understand appropriate versus inappropriate behavior. The existing statute is designed to punish adult conduct directed at children; however, this expansion could result in placing a child on the registry for exploratory behavior between similarly aged family members, such as 10-year-old cousins. Moreover,

notification of a school superintendent in such cases serves no meaningful purpose, as these incidents occur within the family rather than among schoolmates.

Problems with Including Visual Surveillance

Criminal Law 3-902 requires that visual surveillance must have prurient intent, which should theoretically exclude very young children. However, pre-pubescent children may engage in such conduct out of curiosity or imitation of adult behavior. Even for adults, though, this offense is classified as a misdemeanor. Subjecting a child to placement on even a private registry for such conduct is unnecessarily harsh. If notification of a superintendent is deemed necessary, there must be a more appropriate approach than imposing registry requirements—particularly under a system that mandates placement until age of 18 with no opportunity of early removal.

Ambiguities in the Definition of Child Pornography

The inclusion of Criminal Law 11-207 as a registerable offense under the condition that “the victim had no knowledge or consent” is deeply problematic. Juveniles frequently engage in exploratory behavior and give mutual acknowledgement and consent, though social dynamics—such as breakups—can later complicate these situations. Legally, however, juveniles are presumed incapable of consent due to their age. This contradiction raises serious questions about how consent would be assessed under this provision.

There must be a more constructive approach than a punitive, reactionary response that demoralizes juveniles for mistakes or lapses in judgment, particularly at such sensitive developmental stages. In an era of cell phones and digital cameras, does the legislature truly intend to impose a 5-year registration requirement on a 13-year-old for taking a picture of a friend engaging in self-touching and showing it to another friend in the same room? (proposed Crim. Proc. 11-704.1(b)(5)). Would counseling and support not be a more appropriate and effective response?

Consequences of Placement on Juvenile Registry

The addition of new registerable offenses is not merely a matter of placing a juvenile on a list accessible to law enforcement (and possibly educational authorities), with biannual reporting requirements. As bills such as this one expand the scope of juvenile registration, other proposed legislation—such as last session’s SB78— has sought to remove juvenile registrants from schools if their delinquent act, had it been committed by an adult, would constitute a felony. If this bill were enacted alongside an SB78-type bill, the combined effect would impose severe and lifelong consequences on youth who may have engaged in foolish or impulsive behaviors, such as sexting. In such cases, counseling and education would provide far more appropriate, constructive, and lasting positive outcomes than punitive registration.

For these reasons, FAIR urges the committee to return an unfavorable report.

Sincerely,



Brenda V. Jones, Executive Director
Families Advocating Intelligent Registries

2026 Testimony on HB 12 UNFAVORABLE Cichowski.pdf

Uploaded by: Carol Cichowski

Position: UNF

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.

Carol Cichowski

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.

Letourneau testimony HB 12. 2026.pdf

Uploaded by: Elizabeth Letourneau

Position: UNF

To: House Judiciary Committee Chair Delegate Bartlett, Vice Chair Delegate Davis, and Members

From: Elizabeth Letourneau, PhD, Moore Family Professor and Director, MOORE | Preventing Child Sexual Abuse, Johns Hopkins Bloomberg School of Public Health

Date: January 26, 2026

Re: Testimony in Opposition to House Bill 12: Juvenile Sex Offender Registry – Qualifying Offenses and Access

My name is Elizabeth Letourneau. I am the Moore Family Professor of Mental Health and Director of MOORE, a center focused on the prevention of child sexual abuse at the Bloomberg School of Public Health, Johns Hopkins University. I am writing in strong opposition to **House Bill 12: Juvenile Sex Offender Registry - Qualifying Offenses and Access**. The views expressed are my own and do not necessarily reflect the views of Johns Hopkins University.

House Bill 12 seeks to simplify and expand school systems' access to the juvenile sex offense registry and to increase the number of offenses for which children may be registered. Neither of these changes will improve public safety in any way and indeed will place more children at risk of sexual assault victimization and other serious harms including suicide attempts. I have led research on child sexual abuse prevention, policy, and practice for 38 years. The entire focus of my career has been to prevent and end child sexual abuse. I am a nationally and internationally recognized expert on child sexual abuse prevention whose work is published in more than 120+ research-based articles and chapters in leading journals and high-impact books. In 2025 I became the only non-European member of the European Commission's Expert Network on Child Sexual Abuse Prevention. I also currently advise the World Bank's International Financial Corporation on preventing and responding to child sexual abuse, and the Center for Disease Control's Division of Violence Prevention. I have previously served as a governor-appointed member of the Maryland State Council on Child Abuse and Neglect, on the National Academy of Sciences' Forum on Global Violence Prevention, and as a member of the World Health Organization Guidelines Development Group to develop guidelines for responding to the sexual abuse of children and adolescents. My research on juvenile sex offender registration and notification policies was heavily referenced in the American Law Institute's Revised Model Penal Code, which recommends ending these harmful policies; this work has also been cited in state supreme court rulings in MA, MI, OH, and PA and by state legislative bodies that have revised and scaled back their juvenile registry practices, most recently in Washington state. I am also the proud mother of two children who attended Baltimore City Public Schools grades K -12 and a long-time resident of Butcher's Hill in Baltimore City.

In my professional opinion, this bill is misguided and does not support child safety or well-being, does not reflect best practices, and is deeply misalign with research findings. Children who engage in harmful and illegal sexual behavior include children characterized by ignorance of sexual concepts, norms, and laws; immaturity and impulsivity; inadequate adult supervision; sexual victimization (e.g., traumatized children reacting to their own victimization); sexual curiosity and experimentation gone awry; and more generalized aggressive or delinquent behavior. They include children imitating what they've been exposed to on the internet or in social media; misinterpreting what they believed was mutual interest; imitating what they experience in their own families; youth attracted to the thrill of rule violation; socially isolated youth who turn to younger children as substitutes for agemates; youth with serious mental illness; youth responding to peer pressure; youth preoccupied by sex; youth under the influence of drugs or alcohol; and youth with incipient sexual behavior problems.^{1,2,3}

Despite this diversity, decades of research clearly and incontrovertibly document that children adjudicated or convicted of sex crimes are (I) unlikely to reoffend, (II) amenable to community-based treatment and (III) experience serious harms from registration.

I. Sexual Recidivism Rates for Youth who Sexually Offend are Extremely Low.

Extensive research conducted over the last several decades has established that adolescent sexual offending rarely reflects stable internal traits but instead emerges from developmental issues and temporary situational factors. As a group, youth adjudicated or convicted of sex crimes pose a very low risk to sexually reoffend, and that risk diminishes rapidly post-adjudication.⁴ The most extensive evaluation of youth sexual recidivism rates reviewed 106 studies involving 33,783 youth and found **recidivism rates were below 3% across studies published in the most recent decade.**⁵

Likewise, research evaluating the recidivism rates of all male youth adjudicated for sex crimes in South Carolina found a 2.75% recidivism rate across an average 9-year follow-up.⁶

Adolescents who sexually abuse have more in common with adolescents who engage in other types of criminal behavior than with adult sex offenders. The major difference between these teens and other teens is that they are more likely to themselves have been sexually abused.⁷ Youth with sex crime adjudications are no more likely to sustain new sex crime charges or convictions than youth with assault or robbery adjudications.⁸ That is, the sexual reoffense rates of these three groups of children who have committed different types of harm did not differ in

¹ Chaffin, M. (2008). Our minds are made up—Don't confuse us with the facts: Commentary on policies concerning children with sexual behavior problems and juvenile sex offenders. *Child Maltreatment*, 13, 110–121. <http://dx.doi.org/10.1177/1077559508314510>

² Seto, MC & Lalumière, M (2020). What is so Special about Male Adolescent Sexual Offending? A Review and Test of Explanations Through Meta-analysis, 136 *Psychological Bulletin* 526-575.

³ Letourneau, E. J., Schaeffer, C. M., Bradshaw, C. P., & *Feder, K. A. (2017). Preventing the onset of child sexual abuse by targeting young adolescents with universal prevention programming. *Child Maltreatment*, 22, 100-111.

⁴ Caldwell, MC & Caldwell, B. (2022). The Age of Redemption for Adolescents Who Were Adjudicated for Sexual Misconduct. *Psychology, Public Policy, and Law*, 28(2), 167-178. <https://doi.org/10.1037/law0000343>.

⁵ Caldwell, M. (2016). Quantifying the decline in juvenile sexual recidivism rates. *Psychology, Public Policy, and Law*, 22(4), 414–426. <http://dx.doi.org/10.1037/law0000094>

⁶ Letourneau, E. J., Bandyopadhyay, D., Armstrong, K. S., & Sinha, D. (2010). Do Sex Offender Registration and Notification Requirements Deter Juvenile Sex Crimes? *Criminal Justice and Behavior*, 37, 553-569.

⁷ Seto, MC & Lalumière, M (2020). What is so Special about Male Adolescent Sexual Offending? A Review and Test of Explanations Through Meta-analysis. *Psychological Bulletin*, 136, 526-575.

⁸ Letourneau, E. J., Bandyopadhyay, D., Sinha, D., & Armstrong, K. S. (2009b). The influence of sex offender registration on juvenile sexual recidivism. *Criminal Justice Policy Review*, 20, 136-153

a meaningful or statistically significant manner. Distinguishing between youth likely to sexually reoffend or not involves more than simply knowing that a youth has a history of offending.

II. Youth Convicted of Sex Crimes are Responsive to Proven Treatments.

Studies show that (1) adolescents adjudicated for sexual offenses are remarkably responsive to treatment services, and (2) advances in appropriate treatment programming have produced methods that are highly effective at reducing future risk of illegal sexual and nonsexual behavior. The effectiveness of treatment of adolescents adjudicated for sexual offenses has been studied using meta-analytic methods to combine the results of several other studies of treatment effectiveness to determine the overall effect of treatment. Steady improvement in treatment approaches over recent decades means that studies that include older treatment methods likely underestimate the impact of more recent proven methods.

- An early review published in 2006 examined results from 9 studies with a combined sample of 2,986 youth adjudicated for sexual misconduct. Every study yielded positive effects and the overall results indicated that treatment reduced the risk of sexual recidivism by more than 60%.⁹ Other early studies reported similar positive results for treatment effectiveness.^{10,11}
- More recently, Silovsky and colleagues recently extended their intervention for child problem sexual behavior to adolescents with illegal sexual behavior. In a study involving 301 youth and their caregivers, their intervention called Problem Sexual Behavior - Cognitive Behavioral Therapy ("PSBCBT") resulted in significant reductions in sexually abusive behaviors and in non-sexual harmful behaviors and trauma symptoms.¹²
- Borduin and his colleagues reported the results of a randomized clinical trial of a family-based community treatment compared to the usual community services. The youth were followed for an average of 9 years following treatment. The rate of new sexual offenses was six times lower among the treated youth.¹³
- A similar study reported the results of a randomized trial of Multisystemic Therapy ("MST") provided to a group of 67 youth compared to a group of 60 youth treated in the usual services. Both the youth and their caregivers reported that problematic sexual behaviors declined as much as ten times more in the treatment group. In addition, the treatment group significantly improved with respect to substance abuse problems, mental health symptoms, and general delinquency and required significantly fewer costly out-of-home placements.¹⁴

⁹ Reitzel & Carbonell, The Effectiveness of Sexual Offender Treatment for Juveniles as Measured by Recidivism: A Meta-analysis, 18 *Sexual Abuse: A Journal of Research and Treatment*, 401 (2006).

¹⁰ St. Amand, Bard & Silovsky, Meta- Analysis of Treatment for Child Sexual Behavior Problems: Practice Elements and Outcomes, 13 *Child Maltreatment*, 145 (2008).

¹¹ Walker, McGovern, Poey & Otis, Treatment Effectiveness for Male Adolescent Sexual Offenders: A Meta-analysis and Review, 13 *Journal of Child Sexual Abuse*, 281 (2004).

¹² Silovsky, Hunger & Taylor, Impact of Early Intervention for Youth with Problematic Sexual Behaviors and their Caregivers, 25(1) *Journal of Sexual Aggression*, 4 (2019).

¹³ Borduin, Schaeffer & Heiblum, A Randomized Clinical Trial of Multisystemic Therapy with Juvenile Sexual Offenders, 77 *Journal of Consulting and Clinical Psychology* 26 (2009).

¹⁴ Letourneau, Henggeler, Borduin, Schewe, et al., Multisystemic Therapy for Juvenile Sex Offenders: 1-year Results from a Randomized Effectiveness Trial, 23 *Journal of Family Psychology*, 89 (2009).

- A long-term follow-up of 50 youth from the MST condition of that study revealed lower odds of future criminal activity more than 10 years post-treatment.¹⁵
- In addition to their clinical effectiveness, both PSB-CBT and MST have been found to be cost effective treatments for youth.^{16,17}

III. Sex crime specific policies fail to improve public safety and are associated with severe harm to youth.

My colleagues and I, as well as other researchers, have studied the effects of sex crime specific policies as applied to children and youth adjudicated or convicted of sex crimes. *Without exception we fail to find any public safety enhancing effects of these policies.* Specifically examining juvenile sex offender registration and notification policies, all available research fails to find an association with reduce sexual or violent reoffending, or with deterrence of first-time sex crimes. These studies include five that examine the impact of federal and state youth registration policies on sexual and violent recidivism^{18, 19, 20, 21, 22} and three that examine the impact of these policies on deterrence.^{23,24,25} **One of the studies failing to find a positive impact of juvenile registration relied upon data from Maryland.²⁶ The entire available body of published research fails to support any public safety effect of registration and notification on sexual recidivism or on first-time sex crimes.**

¹⁵ Sheerin, Borduin, Brown, & Letourneau (2020). An evaluation of mechanisms of change in Multisystemic Therapy for juvenile justice-involved youths a decade following treatment. *Journal of Marital and Family Therapy*, 47(1), 208-219.

¹⁶ Aos, Leib, Mayfield, Miller & Pennucci, Benefits and Costs of Prevention and Early Intervention Programs for Youth, Washington State Institute for Public Policy (2004).

¹⁷ Dopp, Munday, Silovsky, Hunter, & Slemaker (2020). Economic value of community-based services for problematic sexual behaviors in youth: A mixed-method cost-effectiveness analysis. *Child Abuse & Neglect*, 105, 104043.

¹⁸ Letourneau & Armstrong, Recidivism Rates for Registered and Nonregistered Juvenile Sexual Offenders, 20 *Sexual Abuse: A Journal of Research and Treatment*, 393-408 (2008).

¹⁹ Letourneau, Bandyopadhyay, Sinha, & Armstrong. The influence of sex offender registration on juvenile sexual recidivism. *Criminal Justice Policy Review*, 20, 136-153 (2009).

²⁰ Batastini, A. B., Hunt, E., Present-Koller, J., & DeMatteo, D. (2011). Federal standards for community registration of juvenile sex offenders: An evaluation of risk prediction and future implications. *Psychology, Public Policy, and Law*, 17, 451-474.

²¹ Caldwell, M. F., & Dickenson, C. (2009). Sex offense registration and recidivism risk in juvenile sexual offenders. *Behavioral Sciences and the Law*, 27, 941-956.

²² Caldwell, M. F., Ziemke, M. H., & Vitacco, M. J. (2008). An examination of the sex offender registration and notification act as applied to juveniles. *Psychology, Public Policy, and Law*, 14, 89-114.

²³ Letourneau, Bandyopadhyay, Armstrong & Sinha, Do Sex Offender Registration and Notification Requirements Deter Juvenile Sex Crimes? 37 *Criminal Justice and Behavior*, 553-569 (2010)

²⁴ Sandler, Letourneau, Vandiver, Shields & Chaffin, Juvenile Sexual Crime Reporting Rates are not Influenced by Juvenile Sex Offender Registration Policies. 23 *Psychology, Public Policy and the Law*, 131 (2017).

²⁵ Letourneau, E. J., Shields, R. T., Nair, R., Kahn, G., Sandler, J. C., & Vandiver, D. M. (2019). Juvenile registration and notification policies fail to prevent first-time sexual offenses: An extension of findings to two new states. *Criminal Justice Policy Review*, 30, 1109-1123.

²⁶ Letourneau, E. J., Shields, R. T., Nair, R., Kahn, G., Sandler, J. C., & Vandiver, D. M. (2019). Juvenile registration and notification policies fail to prevent first-time sexual offenses: An extension of findings to two new states. *Criminal Justice Policy Review*, 30, 1109-1123.

In addition to failing to improve public safety in any way, there is a growing and harrowing evidence base that registration policies that target children are associated with significant harmful consequences, including increased risk of unwarranted charges; increased risk for mental health problems and problems with peers, school, and with living instability; and increased risk for suicide attempts and for sexual assault victimization.

Registered children are more visible to law enforcement and the public, which makes them more likely to be arrested. My colleagues and I found that one state's registration and notification policy was associated with increased risk of new charges but – crucially- not of new convictions.²⁷ Specifically, among youth adjudicated for sex crimes, registered youth were significantly more likely than nonregistered youth to be charged with misdemeanor offenses (e.g., public order offenses). Although it is possible that the burdens related to registration actually increase youth misbehavior, it is more likely that this increase in charges for low-level delinquent behavior reflects a surveillance or scarlet letter effect. Still, it is worth noting that policies that promote youth's concepts of themselves as irredeemable sex offenders will likely interrupt the development of a healthy self-identity as a valued member of society.^{28,29}

My colleagues and I surveyed 265 front-line practitioners from 48 states who provided mental health services to youth adjudicated or reported for sexual offending. These providers believed that youth who had offended sexually and were subjected to registration or notification were much more likely than youth who had offended sexually but were not registered to experience negative mental health outcomes, harassment from peers *and adults*, difficulty in school, and trouble maintaining stable housing. All of these effects are known to negatively impact the educational attainment of adolescents.³⁰ Again, we can comfortably predict similarly awful outcomes for children and youth excluded from in-person schooling.

Even more troubling are the results from our evaluation of the collateral consequences of registration on youth. We surveyed 251 male youth ages 12-17 years, all of whom were in treatment for problem sexual behavior. Compared to unregistered youth who were matched with registered youth in terms of age, race, and severity of offense, registered youth were four times more likely to report *having attempted suicide* in the past 30 days, five times more likely to report *having been approached by an adult for sex* in the past year, and twice as likely to report *having been sexually assaulted* in the past year.³¹

²⁷ Letourneau, E. J., Bandyopadhyay, D., Sinha, D., & Armstrong, K. S. (2009). The influence of sex offender registration on juvenile sexual recidivism. *Criminal Justice Policy Review*, 20, 136-153.

²⁸ Chaffin, Our Minds are Made Up - Don't Confuse us with the Facts: Commentary on Policies Concerning Children with Sexual Behavior Problems and Juvenile Sex Offenders, 13 *Child Maltreatment*, 110-121 (2008).

²⁹ Letourneau, E. J., & Caldwell, M. F. (2013). Expensive, harmful policies that don't work or how juvenile sexual offending is addressed in the U.S. *International Journal of Behavioral Consultation and Therapy*, 8, 25-31.

³⁰ Harris, A. J., Walfield, S., Shields, R., & Letourneau, E. J. (2016). Collateral consequences of juvenile sex offender registration and notification: Results from a survey of treatment providers. *Sexual Abuse: A Journal of Research and Treatment*, 28, 770-790.

³¹ Letourneau, E. J., Harris, A. J., Shields, R. T., Walfield, S. M., Ruzicka, A. E., Buckman, C., *Kahn, G. D., & Nair, R. (2018). Effects of juvenile sex offender registration on adolescent well-being: An empirical examination. *Psychology, Public Policy, and Law*, 24, 105-117.

In conclusion, the entire available body of published research fails to support any public safety effect of juvenile registration policies on sexual recidivism or on first-time sex crimes. This research includes empirically and methodologically rigorous evaluations of the federal Adam Walsh Act tiering system and the registration and notification policies of eight states; it comprises tens of thousands of youth sex crime cases and a study that involved a non-forensic community sample of youth, nearly half of whom who had engaged in registerable sexual offenses. Despite variation between federal and state policies and despite examining policy effects on three different outcome effects (sex crime reports, charges adjudications/convictions), and across forensic and non-forensic samples, results were completely consistent across studies: Youth sex offender registration and notification are failed policies that do nothing to improve public safety.

In my professional opinion and based on my research and research conducted by others, I find no scientific evidence that demonstrates any public safety benefit of subjecting those whose sex offenses were committed as juveniles to sex offender registration or notification requirements. Moreover, significant harm is caused to the youth and their families as a result of these registration and notification policies. These risks are not offset by any improvement in public safety. Youth who engage in illegal sexual behavior are unlikely to repeat their offenses and are likely to respond well to evidence-based interventions.

There are well-validated and evidenced-based interventions for youth with sex crime adjudications to ensure that the behaviors that caused harm to victims are not repeated. Sex offender registration and notification are not among these effective interventions. Instead, sex offender registration and notification are failed policies that have been shown to be unnecessary, wasteful, and harmful. Youth who are labeled as sex offenders are at increased risk for the worst possible outcomes, including suicide and sexual predation by adults, and will face innumerable barriers to successful prosocial development. None of this supports the recovery of victims, the prevention of harm, or the improvement of public safety.

HB 12 Written Testimony_Public Justice Center UNFA

Uploaded by: Ingrid Lofgren

Position: UNF



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House Bill 12: Juvenile Sex Offender Registry - Qualifying Offenses and Access
Hearing before the House Judiciary Committee
January 29, 2026

Position: UNFAVORABLE

The Public Justice Center (PJC) is a nonprofit legal services organization which advocates for social justice, and economic and racial equity in Maryland, including by upholding the rights of historically excluded and underserved students through individual representation, community outreach, and systemic advocacy.

House Bill 12 expands the reach of the nonpublic juvenile sex offender registry by removing the 14-year-old age limit and requires a young person to remain on the registry until 18 years of age, even when the court terminates jurisdiction. HB 12 would also 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).

PJC 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). HB 12 denies a child the right to receive in-person instruction, even when a court has determined based on extensive information about the incidence and the child, that the child is safe to be in the community. Maryland 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 return to the community. A court is better able to assess the risks posed by a child under its jurisdiction than a school administrator, or indeed the Legislature. HB 12 impedes the court's powers and runs afoul of the juvenile court's fundamental purpose—rehabilitation. Such a consequential deprivation of a child's fundamental right to education, which is guaranteed by the Maryland Constitution, is unwarranted given other mechanisms to ensure safety in schools.

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. There is no evidence to suggest that creating a wider ban will increase school safety—in fact, years of research has confirmed that treatment works for children with a sex offense. The recidivism rate is extremely low, below 3%, for offenses that are sexual in nature, making the need for a blanket ban on all children adjudicated of sex

offense unreasonable.¹ Further research shows that juvenile registries disproportionately impact children of color, children with disabilities and LGBTQ+ youth.²

House Bill 12 is not compatible with the requirements of federal law, including the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973. Under the law, a child's home is deemed the most restrictive setting for education, and HB 12 would restrict every child with a disability and an IEP on the registry to their home, significantly impacting their ability to access a free and public education. The reality is that virtual instruction is often inferior and not appropriate as a long-term placement, even for students without disabilities. There are no regulations that govern virtual instruction or guarantee families have access to the internet. Virtual instruction may leave a child unattended, without adult support, with no structure and isolated from peer interaction

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, support services and guidance that schools provide.

For these reasons, PJC strongly opposes HB 12.

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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/>

The Public Justice Center is a 501(c)(3) charitable organization and as such does not endorse or oppose any political party or candidate for elected office.

Late testimony

Uploaded by: Kelly Quinn

Position: UNF

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

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Uploaded by: Leslie Margolis

Position: UNF

EDUCATION ADVOCACY COALITION FOR STUDENTS WITH DISABILITIES

HOUSE JUDICIARY COMMITTEE

HOUSE BILL 12

Juvenile Sex Offender Registry- Qualifying Offenses and Access

January 29, 2026

POSITION: OPPOSE

The Education Advocacy Coalition for Students with Disabilities (EAC) is a coalition of nearly 50 organizations and individuals concerned with education policy for students with disabilities in Maryland. The (EAC) opposes House Bill 12 due to its significant impact on students with disabilities and its conflict with the Individuals with Disabilities Education Act (IDEA).

Md. Code, Criminal Procedure § 11-722(c) effectively prohibits children placed on the juvenile sex offender registry from attending public school in person. This prohibition is categorical and does not include any requirement for an individualized determination, time limitation, or consideration of a child's educational needs. As a result, students, including students with disabilities, are excluded from in-person public education based solely on registry status.

For students with disabilities, this exclusion conflicts with the IDEA. The IDEA requires that students with disabilities receive a free appropriate public education (FAPE) in the least restrictive environment (LRE) in which their individualized education programs (IEP) can be implemented. Placement decisions must be individualized and made by an IEP team based on the student's unique needs. Unilaterally excluding students from public school attendance removes them from their least restrictive environment without an individualized analysis and circumvents IDEA's procedural and substantive safeguards.

House Bill 12 expands the list of qualifying offenses that result in placement on the juvenile sex offender registry, thereby increasing the number of students subject to this blanket exclusion. As a result, more students with disabilities may be forced into alternative placements or virtual instruction programs that do not meet their educational needs and have not been determined through the IEP process.

In practice, placement in nonpublic schools is not a viable or immediate alternative for many students. Nonpublic schools in Maryland may deny admission based on a student's history or needs, and many state-approved nonpublic programs maintain lengthy waitlists.

When a student is excluded from in-person public school and cannot access a nonpublic placement, the student may be left without any appropriate in-person educational setting, resulting in prolonged denial of FAPE.

By expanding registry eligibility, HB12 risks increasing the number of students with disabilities who are removed from their least restrictive environment, denied individualized placement determinations, and left without timely access to appropriate educational services.

For these reasons, the EAC opposes House Bill 12.

Contact: Leslie Seid Margolis at lesliem@disabilityrightsmd.org or 443-692-2505.

Respectfully Submitted,

Selene Almazan, Attorney

Rene Averitt-Sanzone, Parents Place of Maryland

Linda Barton, Education Consultant

Beth Benevides, Autism Society of Maryland; Co-Chair, Education Advocacy Coalition

Melanie Carlos, Partnership for Extraordinary Minds (xMinds)

Rich Cerulo, Parent and Advocate

Jennifer Engel Fisher, JEF Consultants

Lisa Frank, Special Kids Company

Morgan Durand Horvath, Abilities Network

Beth Ann Hancock, Charting the Course

Mallory Legg, Project HEAL at Kennedy Krieger Institute

Rachel London, Maryland Developmental Disabilities Council

Leslie Seid Margolis, Disability Rights Maryland

Monica Martinez, Martinez Advocacy

Beth Nolan, Education Team Allies

Ellen O'Neill, Atlantic Seaboard Dyslexia Education Center

Ronza Othman, National Federation of the Blind of Maryland

Kate Rabb, Joseph & Rabb LLC

Jaime Seaton, BGS Law

Ronnetta Stanley, Loud Voices Together Educational Advocacy Group

Wayne Steedman, The Steedman Law Group

Guy Stephens, Alliance Against Restraint and Seclusion

DRM.HB12.Oppose.pdf

Uploaded by: Megan Berger

Position: UNF

HOUSE JUDICIARY COMMITTEE

House Bill 12 – Juvenile Sex Offender Registry – Qualifying Offenses and Access

January 29, 2026

POSITION: OPPOSE

Disability Rights Maryland (DRM), a non-profit legal advocacy organization, is the federally-mandated Protection and Advocacy agency for the State of Maryland, charged with defending and advancing the rights of persons with disabilities. We have been serving children, youth, and adults with disabilities in our state for over 40 years. DRM is a leader in Maryland’s educational advocacy community, working on issues such as school discipline, special education, and restraint and seclusion. DRM has significant experience representing students with disabilities statewide who have been suspended or expelled from school or are involved in the juvenile justice system.

DRM opposes HB 12 because it expands the number of students who will unilaterally be removed from in-person school and whose special education rights will be violated. DRM is mandated to defend the civil rights of *all* students with disabilities, which includes their education rights, and this bill erodes those rights. Students with disabilities can be both the victims and the actors in sexual offense cases and are sometimes both. When legislating, it is imperative that the rights of all students be considered and that the implications for all students be analyzed. School safety is of the utmost importance for all children, but it can be achieved without eliminating federally enshrined special education rights, the erosion of which starts a slippery slope upon which we now find ourselves.

During the 2024 legislative session, with House Bill 814, the legislature took the extreme step of prohibiting children on the nonpublic juvenile sex offender registry from attending public schools in person. See Md. Code, Crim. Pro. § 11-722(c). HB 12 goes *even further* by impacting children as young as 10 years old and ensuring that a child is permanently banned until 18 years of age from attending school in person even when a court has terminated jurisdiction after determining that the student is safe to be in the community and has met their treatment goals and the requirements of the court. This is the slippery slope. DRM sounded the alarm for HB 814, raising concerns about its illegal stripping of federal special education rights, and we again sound the alarm with HB 12, which is unnecessarily expansive and reaches to exclude even more students from in-person school. Under HB 12, a 10-year-old child with a disability (autism, ADHD, intellectual disability, learning disability) and an IEP could be unilaterally removed from in-person school and forced to attend virtual school or some other highly restrictive alternative for eight consecutive years, through the child’s 18th birthday. This is a flagrant violation of federal special education law and denies the student a free appropriate public education in the least restrictive environment.

For students with disabilities, the hallmark of federal special education law is an individualized approach by the IEP team in assessing the student's needs and determining how and where the student will receive a free appropriate public education in the least restrictive environment. Placement decisions must be individualized. HB 12 takes this critical responsibility away from the IEP team by permanently bootstrapping the placement decision for a child with a disability to the juvenile registry. This harms children and violates their rights.

We urge you to consider the following points in your decision-making process and oppose this bill:

Violation of IDEA, Section 504, ADA Rights: HB 12 directly contravenes the requirements and principles of the IDEA, which mandate that children with disabilities receive a free appropriate public education (FAPE) in the least restrictive environment (LRE), as well as Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination against individuals with disabilities in programs receiving federal financial assistance. Unilaterally excluding these children from in-person schooling without individualized review and due process and requiring them to attend alternative education at home either through virtual learning or home and hospital instruction or at a RICA undermines their fundamental right to education in the least restrictive environment and violates their rights to non-discrimination and reasonable accommodations under Section 504 and the Americans with Disabilities Act.

Existing Safeguards: Maryland's current reportable offense statute (Md. Code, Educ. § 7-303) and regulations already provide robust safeguards to address safety concerns while ensuring that children with disabilities are not unfairly and illegally deprived of their educational opportunities. The reportable offense statute and regulations allow for individualized, case-by-case evaluations and alternative placements if deemed necessary, maintaining a balance between school safety and educational rights.

Risk of Isolation, Harm, and Long-Term Consequences: Lack of in-person school attendance can lead to the isolation of children, depriving them of crucial social interactions, support services, and academic progress. This isolation increases the risk of mental health concerns, hinders their overall development, and creates a stigma for the child regarding their inability to attend in-person school. Excluding children with disabilities from in-person schooling without individualized consideration of their needs and circumstances can have long-lasting detrimental effects on their educational outcomes, social integration, and overall well-being.

Moreover, HB 12 denies children the number one protective factor in preventing youth from recidivism: education. Relegating children to an indefinite placement in a virtual school program, RICA, or home and hospital instruction (which requires a minimum of six hours a week of instruction and seldom amounts to more than 10 hours a week) isolates students and precludes critical educational opportunities that go beyond course subjects. During the pandemic, we learned that virtual school is an inferior form of education, especially for youth with learning disabilities or other educational deficits, and created an ongoing mental health crisis.

We urge you to prioritize the legal rights and educational needs of children with disabilities and oppose HB 12. We must stop the slippery slope and gradual erosion of our students' special education rights.

For more information, please contact Megan Berger at Disability Rights Maryland:
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MD Written Testimony - Juvenile Law Center opposit

Uploaded by: Riya Shah

Position: UNF

WRITTEN TESTIMONY
January 27, 2026

House Bill 12 (Griffith and Grammer) – OPPOSE
Juveniles - Sexual Offenses - Registration and Reporting Requirements

Chair J. Sandy Bartlett and Honorable Members of House Judiciary Committee:

Juvenile Law Center, The Gault Center, Youth First Justice Collaborative, Washington Lawyers' Committee for Civil Rights and Urban Affairs, Inc., Mid-Atlantic Region of the Gault Center, and The Georgetown Juvenile Justice Clinic and Initiative join in opposition to House Bill 12, which expands who is placed on the juvenile sex offender registry, thereby excluding more children from in-person attendance at school. As this Committee considers HB 12, we write to provide additional context on the harm this Bill will impose on Maryland children.

The organizations who join in this testimony are experts of and for young people impacted by the juvenile and criminal legal systems. We have decades of collective and individual experience applying scientific research to legal jurisprudence. Maryland law already recognizes the impacts of adolescent brain development on behavior and decision-making and their legal implications for youth punishment. We write to emphasize that the unique developmental characteristics of youth warrant distinct treatment under the U.S. Constitution, the harm of youth registration on children, and the immense cost to the state absent a significant public safety benefit.

Recognizing the critical developmental differences between youth and adults, laws, policies, and practices affecting youth must provide children with the protection and services they need to become healthy and productive adults. Core to this work is ensuring that all youth involved in the legal system are successfully reintegrated into their communities—efforts that are hindered when youth are labeled and stigmatized as sex offenders. Juvenile Law Center, along with colleagues across the country, has been involved in state and federal litigation on youth sex offender registration issues as well as efforts to reform juvenile sex offender registration laws in California, Delaware, Illinois, Indiana, Kansas, Louisiana, New Jersey, Ohio, Pennsylvania, Rhode Island, South Carolina, Washington, Wisconsin, West Virginia, and at the federal level

Under Maryland law, children are required to register as sex offenders if they were 14-years-old and adjudicated delinquent of certain enumerated sexual offenses. Md. Code. § 11-704.1(b). Maryland law requires that children's registration status not be available to the public, and children are currently removed from registration when the juvenile court no longer has jurisdiction over them. *Id.* at (c) and (d). Additionally, registered children are not permitted to attend in-person public or non-public elementary or secondary schools. Md. Code. § 11-722 (c).

House Bill 12 would expand the scope of offenses that require youth registration and would subject more youth to the state's ban on in-person education for those who must register. This subjects youth to further isolation and limits their opportunity to obtain an education. Excluding a child from school also means excluding them from all that school attendance includes – participation in sports, clubs, music, etc. This, in turn, negatively affects successful reintegration into the community. The child's absence from school and school activities also makes it more likely for members of the public to discern which youth are registered.

Registration Makes Communities Less Safe

HB 12 broadens the scope of registration to children who have already been discharged from court supervision and whom the juvenile court has already deemed no longer need to be monitored. The proposed Bill also contradicts existing evidence and research and will not aid law enforcement or the public in identifying future sex offenders or preventing future sex offenses. Expanding the scope of offenses for which registration is required and time period on the registry does not promote public safety; in fact, it makes communities less safe.

- **Registration and public notification about a youth's registration status put youths' physical safety in jeopardy.** Children on sex offender registries are four times more likely to report a recent suicide attempt than non-registered children who have engaged in harmful or illegal sexual behavior.¹ When registration information is accessible to the public or even a subset of individuals, registered youth also face the danger of vigilante justice: more than 50% of registered youth report experiencing violence or threats of violence against themselves or family members that they directly attribute to their registration.² Instead of protecting communities, registering youth puts children's safety at risk. Experts hypothesize that this increased risk may be tied to access to registrant information, including registrants' addresses or contact information listed on the registry, as well as the harmful misconception that a youth registrant is promiscuous.³
- **Registration isolates youth.** Labeling youth as "sex offenders" falsely communicates to the world that the youth is untrustworthy, possesses other negative character traits, merits punishment, or is likely to commit crimes in the future.⁴ Stigmatization from sex offender labeling frequently translates to real and concrete harm to accused youth, including social isolation and ostracism by peers, depriving youth of sources of psychological support at the precise time they most need community acceptance.⁵
- **Registration increases youths' risk of homelessness.** Because of stigma and residency restrictions, 44% of registered youth report experiencing homelessness.⁶ This further jeopardizes youths' safety by increasing the risk of exposure to physical and emotional harm.

Youth Registration Is Based On False Presumptions About Youth Who Have Committed Sex Offenses

Youth registration rests on several false presumptions about youth who commit sex offenses. In fact, requiring youth to register does not reduce sexual offending.

- **Study after study confirms that sex offense recidivism among youth is exceptionally low.**⁷ Individuals who commit sexual offenses in childhood are highly unlikely to commit a subsequent sex offense.⁸
- **Registration does not decrease recidivism.** As youth mature, better understand their sexuality, and naturally decrease impulsive behaviors, the behaviors behind sexual offenses stop.⁹ Multiple studies confirm that children who commit sexual offenses are motivated by impulsivity and sexual curiosity, not predatory, paraphilic, or psychopathic characteristics.¹⁰ Youth who commit sex offenses are no different from youth who engage in non-sexual delinquent behavior in that they mature and gain decision-making skills with time.¹¹
- **Evidence shows the severity of a youth's offense is not predictive of re-**

offense. A study comparing sexual recidivism rates of children assigned to three groups based on the severity of their offenses found no significant difference in the recidivism rates of the three groups.¹²

Youth Registration Is Expensive And Imposes High Costs On The Public

The cost of administering registries for youth far outweighs any perceived social benefit.

- **Studies estimate the annual cost of youth registries to be approximately \$2-3 billion**, which includes not only the cost to the government to maintain and enforce the registry, but also the cost to the youth's family.¹³
- **The public safety derived from youth registries is virtually nonexistent.** As explained above, youth engage in criminal conduct due to transitory factors such as their lack of maturity and the influence of circumstances and environments. And, youth are unlikely to recidivate with future sexual offenses. A better use of the Maryland funds required to maintain a youth registry would be to implement more tailored, evidence-based measures that support prevention of sexual offenses.

“Private” Registries Are Porous and Can Impose Significant Barriers to Children as They Grow Into Adulthood

Though the registry that Maryland children are placed on is considered a confidential registry and therefore not publicly accessible, making the registry accessible to the local superintendent or the superintendent's designee under HB 12, undermines that confidentiality. HB 12 would also make an individual's status of adjudication for a sexual offense more publicly accessible because it will carry the day-to-day consequence of excluding the child from school and all that school attendance includes – participation in sports, clubs, music, etc. Moreover, the increased punishment of being excluded from school will potentially last longer than the child's registration if the child is discharged from court supervision but still of school age.

- Even when individuals are placed on so-called “private” registries, scholars have reasoned that the information is never fully shielded from the public.¹⁴
- With no prohibition on resharing arrest information, *see* H.D. 638, 2025 Leg., 447th Sess. (Md. 2025.), school administrators can make an individual's information available to the public, post it online, or otherwise share with parents, faculty, and students.
- Once information is shared with the public, it is impossible to retrieve.¹⁵

Youth Registration Has Significant Constitutional Deficiencies

Registration was designed to be a public safety measure.¹⁶ Yet, the absence of empirical support that it advances public safety and the well-documented harms to registered youth prompt significant constitutional questions of youth registration. Evidence confirming that youth registration does not improve public safety due to the low rates of recidivism for youth adjudicated of sexual offenses makes youth registration attenuated from the purported purpose of registration. The punitive nature and harm of youth registration likewise contravenes the rehabilitative purposes of the juvenile court system. Maryland's juvenile court system must provide “a program of treatment, training, and rehabilitation consistent with the child's best interests and the protection of the public interest.” Md. Code Ann., § 3-8A-02(a)(4). Registration undermines this goal by harming youth while stagnating public safety. State and federal courts across the country have examined registration schemes against this backdrop.

- An increasing number of courts have held that harms caused by youth registration constitute punishment,¹⁷ in some cases in violation of the Eighth Amendment.¹⁸ A Maryland Appellate Court has held, for example, that registration requirements may be viewed as punitive and described lifetime registration as akin to the “punishment of shaming for life.”¹⁹
- Maryland youth are not only subject to the harsh stigmatization associated with registration but are also deprived of the opportunity to attend public and non-public elementary and secondary school, which for some youth could raise significant concerns under the Individuals with Disabilities Education Act (IDEA).
- The presumption of dangerousness inherent in the “sex offender” label and the imposition of lifetime registration without an opportunity for review have led courts in other jurisdictions to hold that youth registration violates substantive due process.²⁰ Similarly, the proposed Maryland statute requires registration upon adjudication for all children, with no inquiry into their risk of re-offense or opportunity for a hearing to rebut the presumption that registration is necessary. Maryland’s youth registration statute thus leaves open ample opportunity for constitutional challenges.
- The differences between state registration schemes and the immense difficulty youth face navigating those schemes unreasonably burdens a young person’s constitutionally protected freedom of movement, and the right to intrastate and interstate travel.²¹
- Despite being inaccessible to the public at large, the “private” registry in Maryland nevertheless could infringe on a child and their family’s right to privacy and reputation. In Pennsylvania, for example, the challenged youth registration statute required registration upon adjudication and all youth were placed on a private registry. Notwithstanding, the Pennsylvania Supreme Court found the registration scheme to be an unconstitutional restraint on the fundamental right to reputation and inviolate of children’s rights to due process.²²

Expanding sex offender registration is a failed practice that is not evidence-based. HB 12 harms youth, makes communities less safe, is costly to the public, and raises significant constitutional concerns. For the foregoing reasons, we urge you to oppose HB 12.

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on behalf of:

Juvenile Law Center
The Gault Center
Youth First Justice Collaborative
Washington Lawyers’ Committee for Civil Rights and Urban Affairs, Inc.
Mid-Atlantic Region of the Gault Center
The Georgetown Juvenile Justice Clinic and Initiative

¹ *Id.* at 10.

² HUM. RTS. WATCH, RAISED ON THE REGISTRY 56 (2013), https://www.hrw.org/sites/default/files/reports/us0513_ForUpload_1.pdf.

³ HUM. RIGHTS. WATCH, RAISED ON THE REGISTRY 58 (2013), https://www.hrw.org/sites/default/files/reports/us0513_ForUpload1.pdf.

⁴ Akiva M. Lieberman et al., *Labeling Effects of First Juvenile Arrests: Secondary Deviance and Secondary Sanctioning*, 52 CRIMINOLOGY 345, 349 (2014); PRESTON ELROD & R. SCOTT RYDER, JUVENILE JUSTICE: A SOCIAL, HISTORICAL, AND LEGAL PERSPECTIVE 167 (4th ed. 2014).

⁵ Judith V. Becker, *What We Know About the Characteristics and Treatment of Adolescents Who Have Committed Sexual Offenses*, 3 CHILD MALTREATMENT 317, 317 (1998).

⁶ HUM. RIGHTS. WATCH, RAISED ON THE REGISTRY 65 (2013), https://www.hrw.org/sites/default/files/reports/us0513_ForUpload_1.pdf.

⁷ Michael F. Caldwell, *Quantifying the Decline in Juvenile Sexual Recidivism Rates*, 22 Psych. Pub. Pol'y & L. 414, 419 (2016) (finding, among 33 studies conducted over the past 15 years, the mean sexual recidivism rate for juveniles is 2.75%, and juvenile sexual recidivism has declined by 73% in the last 30 years); Ashley B. Batastini et al., *Federal Standards for Community Registration of Juvenile Sex Offenders: An Evaluation of Risk Prediction and Future Implications*, 17 Psych. Pub. Pol'y & L. 451, 464 (2011); Michael Caldwell, et al., *Study Characteristics & Recidivism Base Rates in Juvenile Sex Offender Recidivism*, 54 INT'L J. OFFENDER THERAPY & COMP. CRIMINOLOGY 197, 198 (2010), <http://commissiononsexoffenderrecidivism.com/wp-content/uploads/2014/09/Caldwell-Michael-2010-Study-Characteristics-and-recidivism-base-rates-in-juvenile-sex-offender-recidivism.pdf>; Michael F. Caldwell, *Sexual Offense Adjudication and Recidivism Among Juvenile Offenders*, 19 SEXUAL ABUSE 107 (2007); Michael F. Caldwell et al., *An Examination of the Sex Offender Registration and Notification Act as Applied to Juveniles: Evaluating the Ability to Predict Sexual Recidivism*, 14 PSYCH., PUB. POL'Y, & L. 89 (2008); E.M. Driessen, *Characteristics of Youth Referred for Sexual Offenses*, unpublished doctoral dissertation, University of Wisconsin- Milwaukee (2002); Michael P. Hagan et al., *Eight-Year Comparative Analysis of Adolescent Rapists, Adolescent Child Molesters, Other Adolescent Delinquents, and the General Population*, 45 INT'L J. OFFENDER THERAPY & COMP. CRIMINOLOGY 314 (2001); Franklin E. Zimring et al., *Investigating the Continuity of Sex offending: Evidence from the Second Philadelphia Birth Cohort*, 26 JUSTICE Q. 58 (2009); Franklin E. Zimring et al., *Sexual Delinquency in Racine: Does Early Sex Offending Predict Later Sex Offending in Youth and Young Adulthood?*, 6 CRIMINOLOGY & PUB. POL'Y 507 (2007).

⁸ *Id.*

⁹ Michael F. Caldwell, *What We Do Not Know About Juvenile Sexual Re-Offense Risk*, 7 CHILD MALTREATMENT 291 (2002); Elizabeth Letourneau & Michael Miner, *Juvenile Sex Offenders: A Case Against the Legal and Clinical Status Quo*, 17 SEXUAL ABUSE 293, 331 (2005); Judith Becker & Scotia Hicks, *Juvenile Sexual Offenders: Characteristics, Interventions, & Policy Issues*, 989 ANN. N.Y. ACAD. SCI. 397, 399-400, 406 (2003); Michael Caldwell, et al., *Study Characteristics & Recidivism Base Rates in Juvenile Sex Offender Recidivism*, 54 INT'L J. OFFENDER THERAPY & COMP. CRIMINOLOGY 197, 197-98 (2010).

¹⁰ *Id.*

¹¹ Elizabeth Letourneau & Michael Miner, *Juvenile Sex Offenders: A Case Against the Legal and Clinical Status Quo*, 17 SEXUAL ABUSE 293, 313, 331 (2005); Michael F. Caldwell et al., *An Examination of the Sex Offender Registration and Notification Act as Applied to Juveniles: Evaluating the Ability to Predict Sexual Recidivism*, 14 PSYCH., PUB. POL'Y, & L. 89 (2008), <http://www.ncjfcj.org/sites/default/files/examinationofthesexoffender.pdf>.

¹² Franklin E. Zimring et al., *Sexual Delinquency in Racine: Does Early Sex Offending Predict Later Sex*

Offending in Youth and Young Adulthood?, 6 CRIMINOLOGY & PUB. POL'Y 507 (2007).

¹³ Richard B. Belzer, *The Costs and Benefits of Subjecting Juveniles to Sex-Offender Registration and Notification*, R

Street Policy Study No. 41, at 2 (2015), available at <https://www.rstreet.org/wp-content/uploads/2015/09/RSTREET41.pdf>.

¹⁴ Wayne A. Logan, KNOWLEDGE AS POWER: CRIMINAL REGISTRATION AND COMMUNITY NOTIFICATION LAWS IN AMERICA 138, 229 (2009).

¹⁵ *Id.*

¹⁶ See 42 U.S.C. 16901 (the Adam Walsh Child Protection Act of 2006 was intended “to protect the public from sex offenders and offenders against children”).

¹⁷ See *In re T.B.*, 489 P.3d 752, 769 (Colo. 2021); *In re C.K.*, 182 A.3d 917, 935 (N.J. 2018); *In re C.P.*, 967 N.E.2d 729, 750 (Ohio 2012).

¹⁸ *In re T.B.*, 489 P.3d 752, 772 (Colo. 2021); *In re C.P.*, 967 N.E.2d 729, 732 (Ohio 2012).

¹⁹ *Doe v. Dep't of Pub. Safety & Corr. Servs.*, 62 A.3d 123, 143 (Md. App. Ct. 2013)

²⁰ See *In re T.R.*, 80 P.3d 1276, 1281 (Nev. 2003) (holding Nevada’s discretionary youth registration scheme was void for vagueness because “the statute lacks explicit standards to guide the district court in reaching its decision, it is subject to arbitrary and discriminatory application); *In re J.B.*, 107 A.3d 1, 2 (Pa. 2014), (under the Pennsylvania Constitution, “SORNA’s registration require violates juvenile offenders’ due process rights through the use of an irrebuttable presumption”); *In re C.K.*, 182 A.3d 917, 919 (N.J. 2018) (holding that “[p]ermanently barring juveniles who have committed certain sex offenses from petitioning for relief from the Megan's Law requirements bears no rational relationship to a legitimate governmental objective” in violation of the New Jersey Constitution); *In re C.P.*, 967 N.E.2d 729, 750 (Ohio 2012) (holding that automatic tier III registration for serious youthful offenders “undercuts the rehabilitative purpose of Ohio's juvenile system and eliminates the important role of the juvenile court's discretion in the disposition of juvenile offenders and thus fails to meet the due process requirement of fundamental fairness”).

²¹ See *Shapiro v. Thompson*, 394 U.S. 618, 629 (1969), *overruled in part on other grounds by Edelman v. Jordan*, 415 U.S. 651 (1974) (“The nature of our Federal Union and our constitutional concepts of personal liberty unite to require that all citizens be free to travel throughout the length and breadth of our land uninhibited by statutes, rules, or regulations which unreasonably burden or restrict this movement.”).

²² *In re J.B.*, 107 A. 3d 1 (2014).