



Levi Bradford, Staff Attorney  
Public Justice Center  
201 North Charles Street, Suite 1200  
Baltimore, Maryland 21201  
410-625-9409, ext. 272  
bradfordl@publicjustice.org

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**House Bill 198: School Systems - Reportable Offenses - Notification of Student as Suspect**  
**Hearing before the House Committee on Ways and Means, February 11, 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. The PJC's Education Stability Project is committed to making discipline responsive to students' behavioral needs, fair, and designed to keep youth on track to graduate.

PJC strongly opposes HB 198 because it treats students as if they are guilty until proven innocent and will result in many students being unnecessarily removed from school. This law gives school district administrators unprecedented access to confidential information about children that governments have historically sought to protect. Children have a long-recognized capability for change and redirection, so their ability to grow beyond mistakes they make in childhood has been intensely defended by the state for more than a hundred years. This bill undermines a student's ability to adjust their path by criminalizing them and putting them out of school even before there is substantial evidence they did what they were accused of.

This bill amends the reportable offense statute to provide a process for school administrators to remove students from school for simply being suspected of a crime. As a professional who has worked in school discipline in Maryland for years, my firsthand experience is that districts very rarely follow the reportable offense process properly. Most frequently, I see students being removed from school after notification of a reportable offense with no meeting, no chance to be heard, no consideration for the safety of the school, and no determination as to what is best for the student. An accusation of a crime is heavily stigmatized across the U.S. and deeply so in Maryland. Students who are accused, long before conviction, are treated like dangerous criminals when all district-level, state-level, and academic data show us they are among the least dangerous people involved in the criminal legal system. Maryland should be fighting to keep kids in school, not finding novel ways unsupported by evidence to keep them out.

PJC will also note that this law would be practically nonfunctional as "suspect" is not a category regularly tracked or reported by law enforcement. When a person is a suspect, there is insufficient evidence to even accuse that person of a crime, much less convict them of it. Maryland allows for criminal complaints to be submitted by civilians, so a student could become a "suspect" if someone who is not a government actor accuses them of a crime with no evidence. Further, for this bill to function at all, the student who is the "suspect" would have to be notified that they are being investigated by law enforcement. This confounds the

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very investigation the district is being notified of. The real purpose a law like this serves is, when law enforcement fails to uncover enough evidence to at least charge a student with a crime, they will have a new avenue to solicit punishment on that student: notify the district.

The reportable offense data from the 2023-2024 school year reveals stark racial disparities in Maryland's school discipline practices. Black students accounted for 65% of all reportable offense incidents, despite comprising just 33% of Maryland's student population. Black boys, in particular, are overrepresented, reflecting systemic biases in how schools and law enforcement handle discipline and referrals. Students with disabilities are disproportionately impacted at a rate **259% higher than students without disabilities**.

Federal and Maryland law both require student behavior to be considered on an individualized basis. The IDEA requires that a student's placement be determined by their IEP team. And Maryland discipline law requires that when determining if a student is a threat to the school environment, their individual context and risk factors must be considered. This bill violates the law as well as its underlying principles.

We cannot give up on our children; they are our responsibility. We cannot solve our problems by exiling children from their school communities.

For these reasons, the PJC strongly opposes House Bill 198.

**For more information, please contact:**

Levi Bradford, Staff Attorney  
Education Stability Project  
Public Justice Center  
410-625-9409, ext. 272  
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