

# **HOUSE BILL 198.pdf**

Uploaded by: Alison Healey

Position: FAV

## HOUSE BILL 198

ALISON M. HEALEY, HARFORD COUNTY STATE'S ATTORNEY

**POSITION: FAVORABLE FOR HB 198**

February 9, 2026

My name is Alison Healey. I am the State's Attorney for Harford County and a board member of the Maryland State's Attorney's Association (hereinafter MSAA). I am here today to offer my support for House Bill 198.

The intent of the reportable offense statute under Education § 7-303 is to provide effective notification and communication with our school systems regarding juvenile offenses by students in an effort to allow the school system to protect the safety of all of the children entrusted to their care every day. After a series of cases this year, it has become abundantly clear that amendments are needed to this statute to protect the many, many children in our schools.

A 17-year-old Defendant in Harford County brutally raped and murdered Kayla Hamilton in July of 2022. While he was the primary suspect in the case, and all investigation and evidence pointed to him being the suspect, law enforcement had to await DNA test results to file the charges against him. He was the sole and primary suspect in this case from the outset. During the time those results were pending, he was able to enroll in both Lansdowne High School and then subsequently, Edgewood High School. Neither of those school systems were aware of the potential danger that he presented to their schools and students due to notification only being permitted in juvenile cases upon arrest and disposition. Thus, we were unable under the current law to notify the schools of the danger he presented and that he was a suspect in this heinous crime.

In order to prevent this danger reoccurring in the future, H.B. 198 would give State's Attorneys the authority to notify the superintendent of a school system or his/her designee, and only those individuals, if a juvenile is the suspect in a felony or crime of violence. H.B. 198 permits the State's Attorney to do so, but does not mandate it. This allows State's Attorneys to use

discretion as to the reporting of these matters and to reserve it for cases where there is a true potential danger to the students in the school system.

You, as legislators, should be concerned with all students, not just those charged with crimes. The students charged in these types of violent crimes should not be more important than the remainder of the students in the school. You have to ask yourself if the information was available about a dangerous student and one of your children or family members was harmed because the information was not permitted to be shared with the schools, would that be ok with you? It certainly shouldn't be. All students should matter equally, and this bill simply seeks to consider all students in school environments.

Most notably, we are not dictating what the school must do with this information. Very simply, it is a bill of necessary notification and communication for the safety of all students. The schools need to have the information to make appropriate decisions for all students. We cannot put juveniles who commit crimes above the safety of the thousands and thousands of students in our schools. Very simply put, all of our children must be safe, and House Bill 198 helps to ensure that safety of ALL children.

For these reasons, **I respectfully request a favorable report for House Bill 198.**

# **HB 198 Testimony.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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Annapolis, Maryland 21401  
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THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

**H.B. 0198 – School Systems – Reportable Offenses – Notification of Student as Suspect**

Esteemed Members of the House Ways and Means Committee and the House Judiciary Committee:

I respectfully request a favorable report on H.B. 198: *School Systems – Reportable Offenses – Notification of Student as Suspect*.

In the summer of 2022, a young autistic woman named Kayla was brutally raped and murdered in Harford County by a juvenile. While law enforcement awaited DNA confirmation to move forward with charges, the juvenile suspect was permitted to return to high school. Due to existing State laws that prohibit a clear chain of communication, no one at the school or local education agency level was aware that a student was a suspect in a violent felony investigation. As a result, school administrators were unable to take proactive steps to ensure the safety of students, staff, or even the juvenile involved.

As a father of a special needs child enrolled in Harford County Public Schools, learning these details was deeply concerning. That concern is what brings me before you today to present this legislation. Under current Maryland law, school systems are not notified when a student is identified as a suspect in a felony or crime of violence, nor are they informed if a student is later cleared. This lack of communication presents risks not only to other students and school personnel, but also to the juvenile suspect themselves.

H.B. 198 addresses this gap by establishing a narrow, controlled notification pathway. The bill requires law enforcement agencies to notify the State's Attorney when a student is identified as a suspect in an act that would constitute a felony or crime of violence if committed by an adult. Upon receiving that notification, the State's Attorney is permitted, but not required, to notify the local superintendent or their designee. Importantly, if a student is later determined to no longer be a suspect, that update must also be communicated through the same channel.

This approach preserves prosecutorial discretion, respects juvenile confidentiality, and ensures that only a limited group of appropriate school officials receive this information. At the same time, it equips school systems with the knowledge they need to make informed decisions regarding safety, supervision, and educational programming while an investigation is ongoing.

Had this framework been in place during Kayla's case, school administrators would have been aware of the circumstances and able to take measured, preventative steps to protect students, while still safeguarding the juvenile's right to an education.

In closing, I believe we can all agree that student safety is paramount. Ensuring that a select group of individuals receives timely, appropriate information allows schools to fulfill their responsibility to protect students while maintaining fairness, discretion, and due process.

Thank you,

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

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

# **HB 198 - Reportable Offenses - Notification of Stu**

Uploaded by: Robert Cassilly

Position: FAV

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**ROBERT G. CASSILLY**  
Harford County Executive



**ROBERT S. McCORD**  
Director of Administration

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February 9, 2026

The Honorable J. Sandy Bartlett  
Chair, House Judiciary Committee  
100 Taylor House Office Building  
6 Bladen Street  
Annapolis, Maryland 21401

The Honorable Jheanelle Wilkins  
Chair, House Ways and Means Committee  
130 Taylor House Office Building  
6 Bladen Street  
Annapolis, Maryland 21401

RE: Letter in Support on HB 198 – Reportable Offenses – Notification of Student as Suspect

Dear Madam Chairs 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 the Harford County School system.

Before you today is legislation – HB 198 – 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 part of HB 951, this legislation before you today will allow that if a student is the subject of an investigation of an act that – if committed by an adult would be a felony or crime of violence – that law enforcement agency must notify the local State’s Attorney of that investigation within 24 hours of the identification of that student as a suspect, or otherwise as soon as practical.

At that point, the State’s Attorney has the authority to notify the local school system Superintendent (or the Superintendent’s designee) within 24 hours or as soon as practical of the State’s Attorney becoming aware of the investigation. If the investigating law enforcement agency determines that student is no longer a suspect under investigation, that local law enforcement agency shall advise the State’s Attorney of same within 24 hours of making that determination (or as soon as practical).

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The Honorable J. Sandy Bartlett and Honorable Jheanelle Wilkins

February 6, 2026

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Correspondingly, the State's Attorney shall then notify the Superintendent (or their designee) of such determination.

In addition, the Department of Education will expand in its currently required annual report to the Governor information relative to reportable offenses to include information relative to students that had been identified as a suspect in an applicable incident.

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

On behalf of the students in Harford County and all of Maryland, I respectfully request the Judiciary Committee issue a Favorable Report on HB 198.

Thank you.

Very truly yours,

  
Robert G. Cassilly

# **HB198 2026 MOPD Testimony \_Opposed.pdf**

Uploaded by: Abbie Flanagan

Position: UNF



**NATASHA DARTIGUE**  
PUBLIC DEFENDER

**KEITH LOTRIDGE**  
DEPUTY PUBLIC DEFENDER

**MELISSA ROTHSTEIN**  
CHIEF OF EXTERNAL AFFAIRS

**ELIZABETH HILLIARD**  
DIRECTOR OF GOVERNMENT RELATIONS

## POSITION ON PROPOSED LEGISLATION

**BILL: HB 198 – School Systems – Reportable Offenses – Alterations**

**FROM: Maryland Office of the Public Defender**

**POSITION: Unfavorable**

**DATE: February 11, 2026**

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The Maryland Office of the Public Defender (MOPD) respectfully requests that the Committee issue an unfavorable report on House Bill 198 (HB 198), which would require law enforcement to notify the State’s Attorney’s Office of every case in which a student is a “suspect” in an investigation for a crime of violence or felony; and would permit the State’s Attorney’s Office to notify the school system of a student’s “suspect” status. MOPD strongly opposes HB 198 as it is not necessary, does not make schools safer, and fundamentally violates basic due process rights. House Bill 198 would also cause significant disruption, placing students at academic risk, and would disproportionately harm Black students and students with disabilities.

**House Bill 198 violates the presumption of innocence and infringes on fundamental constitutional due process protections.** Under Maryland law, law enforcement may take a youth into custody only upon a determination of probable cause or pursuant to an arrest warrant issued by a court after such a finding. Under the existing reportable offense law, law enforcement may notify a school system only when a student has been charged with an offense subject to Maryland Code, Education § 7-303. House Bill 198 would dramatically expand this framework by authorizing State’s Attorneys to notify schools based solely on a student’s status **as a suspect** in a felony or crime of violence - triggering the reportable offense process without probable cause, arrest, or judicial involvement.

Rather than evaluating whether law enforcement is meeting its obligations under the current law, HB 198 imposes an additional notice requirement tied to a student’s unproven and preliminary suspect status, raising serious due process concerns.

House Bill 198 fails to address the implications of sharing information regarding a student’s suspect status - or the presumptions that inevitably follow - it is presumed that school systems would be permitted to remove students based on this notification from the State’s Attorney’s Office despite the absence of a formal arrest or charge. Pursuant to HB 198, school systems could potentially remove a student from their school placement based on the student’s status as a “suspect” without

any due process protections. The status of “suspect” does not require a probable cause required for an arrest, it does not require a formal issuance of charges, and it does not require any of the constitutionally afforded protections in a juvenile proceeding following an arrest. Absent any real due process altering a student’s right to their education based solely on mere police suspicion is an overreach of government authority, erodes the rights of students and parents, and must be rejected.

Sharing this type of information prior to a determination of probable cause and a formal arrest or charge also has the potential to irreparably damage a student’s reputation. The bias that attaches due to the initial suspicion can have lasting negative consequences. In *Goss v. Lopez*,<sup>1</sup> the U.S. Supreme Court recognized that students have a property interest in education and a liberty interest in their reputation - interests that cannot be denied without adequate due process.

**House Bill 198 has the very real potential of jeopardizing ongoing investigations.**

Investigations require confidentiality and the control of information. Allowing the State’s Attorney’s Office to share discreet and incomplete investigative information with school officials creates opportunities for compromised investigations and unauthorized disclosures. A student subject to a school removal under the reportable offense statute has a right to know why the school system is seeking removal, which would necessarily require informing the student that they are the subject of an ongoing investigation.

**House Bill 198 will disproportionately harm on Black students and students with disabilities, putting more students at risk of academic failure.** Maryland has a long history of implementing school discipline policies and procedures which disproportionately impact Black students.<sup>2</sup> House Bill 198 is yet another effort to exclude students from their regular educational environment and will disproportionately impact Black children - who are already overrepresented at every stage of the youth legal system - as well as students with disabilities. During the 2024-25 school year, Black students represented 64% of the reportable offense cases but only represented 37% of the statewide student population, while students with disabilities represented 32% of students arrested for reportable offenses, but are only 14% of the statewide student population.<sup>3</sup>

Sending children home or placing them in alternative schools based on a belief that they “may” have committed a crime jeopardizes any chance of success for students who may already be struggling academically. These actions further increase the risk of academic failure and exacerbate longstanding and well-documented educational inequities. House Bill 198 should therefore be rejected.

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<sup>1</sup> 419 U.S. 565 (1975).

<sup>2</sup> See Maryland Commission on the School-to-Prison Pipeline and Restorative Practices, *Final Report and Collaborative Action Plan* (December, 20, 2018), 23 - 25, <https://msa.maryland.gov/megafile/msa/speccol/sc5300/sc5339/000113/023600/023694/20190078e.pdf>.

<sup>3</sup> See Maryland State Department of Education, *Reportable Offenses Data: Maryland Public Schools, School Year 2024-2025* (Dec. 30, 2025), [https://dlslibrary.state.md.us/publications/Exec/MSDE/ED7-303\(j\)\\_2025.pdf](https://dlslibrary.state.md.us/publications/Exec/MSDE/ED7-303(j)_2025.pdf)

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue an unfavorable report on HB 198.

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

Authored by: Alyssa Fieo, Education Attorney/Assistant Public Defender  
[alyssa.fieo@maryland.gov](mailto:alyssa.fieo@maryland.gov)  
Abbie Flanagan, Education Attorney/Assistant Public Defender  
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**2026 Testimony on HB 198 UNFAVORABLE Cichowski.pdf**

Uploaded by: Carol Cichowski

Position: UNF

## House Bill 198

### School Systems – Reportable Offenses -Notification of Student as Suspect

Ways and Means – February 11, 2026

#### UNFAVORABLE

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**Thank you for the opportunity to present written testimony in opposition to HB 198.** I am a long-time resident of Montgomery County. I am a retired Federal employee who worked on education policy for more than three decades at the U.S. Department of Education. Recently, I served as a citizen member of the Montgomery County Commission on Juvenile Justice.

**I oppose HB 198 because it adds an exception to Maryland confidentiality records involving youth that is overly broad, counterproductive, and likely to disproportionately harm Black students.**

#### **Protecting Confidentiality for Youth.**

When separate systems for juvenile justice were first established more than a century ago, there was agreement that society's interest in public safety was best served by creating a system for juveniles that was focused on rehabilitation, not retribution. There was also recognition that rehabilitation could not be successfully achieved unless children accused of wrongdoing were protected from the stigmatization that was likely to accompany a label of delinquency. Early on states enacted laws that made police and court records involving youth confidential.

#### **Erosion of Confidentiality Protections.**

Over time states began to balance the need to keep schools safe from harm against the importance of protecting the privacy rights of young people, enacting exceptions to state confidentiality laws.<sup>1</sup> While exceptions vary from state to state, some provide for the release of information to schools about students who have been arrested in the community for specified offenses and others are more narrowly tailored to limit disclosure to students who have been adjudicated delinquent or students who are alleged to have committed the most serious offenses. What distinguishes Maryland is its very long list of reportable offenses for

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<sup>1</sup>K. Henning, "Eroding Confidentiality in Delinquency Proceedings: Should Schools and Public Housing Authorities Be Notified," N.Y.U. Law Review (May 2004), <https://www.nyulawreview.org/wp-content/uploads/2018/08/NYULawReview-79-2-Henning.pdf>; R. Saha Shah, "Future Interrupted: The Collateral Damage Caused by Proliferation of Juvenile Records," Juvenile Law Center (February 2016), [https://jlc.org/sites/default/files/publication\\_pdfs/Future%20Interrupted%20-%20final%20for%20web\\_0.pdf](https://jlc.org/sites/default/files/publication_pdfs/Future%20Interrupted%20-%20final%20for%20web_0.pdf)

which an arrest triggers notification to schools. The list includes non-violent offenses and those that are unlikely to have any nexus to school safety. **The changes that would be made by HB 198 would put Maryland at the forefront of confidentiality erosion in the name of school safety, a misguided effort that is totally at odds with the purpose of the juvenile justice system.**

### **Notification about Suspects –Overly Broad Exception**

**HB 198 would significantly weaken Maryland’s confidentiality protections for minors by permitting schools to be notified of students who have been *suspected*, but not arrested, of committing certain offenses.** Suspects are children for whom there is not enough evidence to arrest, who may never be arrested, and, if arrested, may never be adjudicated delinquent. The offenses for which disclosure to school officials would be allowed include felonies that would not appear to have a bearing on school safety, and some for which a possible threat to school safety would become apparent to school officials without the need for notification. The large number and nature of the offenses in HB 198 increase the risk of harm to children who are innocent of any wrongdoing or who do not pose any threat of harm to others in their school.

### **Putting Youth at Risk of Failure –Counterproductive**

**It is well-established that keeping young people engaged in learning is critical to the rehabilitation of justice involved youth and the prevention of justice involvement for at risk students.** Disciplinary approaches that remove students from a supportive learning environment, even temporarily, are counterproductive and short-sighted because they put students at risk of academic failure, dropping out, future justice involvement, and other long-term negative consequences.

However, putting students at risk is exactly what we are doing when we permit Maryland schools to make excessive use of exclusionary discipline to push out students who are regarded as problematic. That is what we are doing when we allow Maryland schools to misuse reportable offenses to send students to alternative schools or home for virtual learning—places where the opportunities to learn are not remotely comparable to in-person learning in the student’s regular school.<sup>2</sup> Finally, jeopardizing the future success of vulnerable youth is definitely what we would be doing should Maryland legislators approve HB 198 and

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<sup>2</sup> See Maryland State Board of Education, “Students Attending Alternative High Schools,” (2022), p. 18-30, <https://marylandpublicschools.org/stateboard/Documents/2022/0823/DataDeepDiveStudentsAttendingAlternativeHighSchoolsV5.pdf>; Duckworth, 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>

sanction yet another form of exclusionary discipline—the removal of students whose status as suspects would no longer be treated as confidential and could be regarded as a factor for removal.

Missing school for any reason results in learning loss. Being forced out of one’s regular school, particularly if it is seen as unjust, can have long-lasting effects on the student’s engagement with learning and result in a mistrust of authority figures, among other negative outcomes. In the case of HB 198, there is also the risk of a harmful impact on the student’s social and emotional well-being should school staff, peers, or others in the community learn of the student’s status as a suspect. **Our communities are made safer and healthier by ensuring that all students have an opportunity to learn and thrive in a school environment with trusted and supportive adults, not by depriving young people of perhaps the single most important protective factor they are entitled to have.**

### **Harmful Impact on Black Students.**

While no data seem to be available on the number or demographics of young people who are investigated as suspects for serious crimes in Maryland, what we do know suggests that Black youth are likely to be disproportionately harmed by HB 198. Black youth are overrepresented at all points in the juvenile justice system, beginning with arrests.<sup>3</sup> Black youth typically have more police contacts and stops than white youth, which can make them the focus of future police attention.<sup>4</sup> In school year 2024-2025, they were almost three times more likely to be suspended or expelled from school than white students in Maryland.<sup>5</sup>

Since there is no definition of “suspect” in HB 198 police would exercise considerable discretion in determining which children should be named as suspects for purposes of redisclosure. The State’s Attorneys would have discretion to determine which names to disclose to school officials. **There is no question that implicit bias would be at play in how Black youth would be seen and treated by these adults.**<sup>6</sup> Research tells us that Black students are perceived as more culpable than white students and are mistaken as years older than they are. In a report on four ground-breaking studies on Black youth, the authors

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<sup>3</sup> Governor’s Office of Crime Prevention and Policy, “Maryland’s Racial and Ethnic Disparities Plan for Federal Fiscal Year 2024, [https://gocpp.maryland.gov/wp-content/uploads/Final-Draft-FY24-R\\_ED-Plan.pdf](https://gocpp.maryland.gov/wp-content/uploads/Final-Draft-FY24-R_ED-Plan.pdf)

<sup>4</sup> A. McGlynn, R. Crutchfield, M. Skinner, and K. Haggerty, “The Usual, Racialized, Suspects: The Consequence of Police Contacts with Black and White Youth on Adult Arrest,” *Social Problems*, Vol. 69, Issue 2, May 2022, pages 299-315 (October 31, 2020), <https://pubmed.ncbi.nlm.nih.gov/37502756/>

<sup>5</sup> Maryland State Department of Education, “Suspensions, Expulsions, and Health Related Exclusions, Maryland Public Schools 2024-2025,” (October 2025), <https://marylandpublicschools.org/about/Documents/DCAA/SSP/20242025Student/2025-Student-Suspension-Expulsion-Publication-A.pdf>

<sup>6</sup>K. Henning, “The Reasonable Black Child: Race, Adolescence, and the Fourth Amendment,” 67 *Am. U. L. Rev.* 1513 (2018), <https://digitalcommons.wcl.american.edu/aulr/vol67/iss5/2/>

concluded that “although most children are allowed to be innocent until adulthood, Black children may be perceived as innocent only until deemed suspicious.”<sup>7</sup>

**If HB 198 were enacted, Black students would likely be disproportionately reported as suspects and overrepresented in the group of suspects whose names are provided to school officials and removed from school based on their status as suspects.** In the interest of racial justice alone, the General Assembly should not enact legislation that exacerbates the racial inequities in the treatment of young people in Maryland.

**For these reasons, I urge an Unfavorable report on HB 198.**

Carol Cichowski

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<sup>7</sup> P. Goff, C. Culotta, N. DiTomasso, M. Jackson, B. DiLeone, “The Essence of Innocence: Consequences of Dehumanizing Black Children,” *Journal of Personality and Social Psychology* (March 1, 2014), <https://www.apa.org/pubs/journals/releases/psp-a0035663.pdf>; A. Cooke and A. Halberstadt, “Adultification, Anger Bias, and adults’ different perceptions of Black and White children,” *National Library of Medicine* (2021), <https://pmc.ncbi.nlm.nih.gov/articles/PMC9248049/>



**JSEP Testimony HB 198 Unfavorable.pdf**

Uploaded by: Elizabeth Mills

Position: UNF



**Date:** February 11, 2026

**Bill Number/Title:** HB 198 - School Systems - Reportable Offenses - Notification of Student as Suspect

**Committee:** House Ways and Means Committee

**Board Position:** Unfavorable

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The Juvenile Services Education Board respectfully requests an unfavorable report to House Bill 198.

In 2021, the Maryland General Assembly passed SB 497/CH 147, which created the Juvenile Services Education Board and Program (JSEP). This law transferred the responsibility for educating youth in the custody of the Department of Juvenile Services (DJS) from the Maryland State Department of Education (MSDE) to the newly established, independent JSEP Board.

Currently, JSEP neither receives nor transmits any reportable offense records and does not store, record, request, or transmit any information regarding a student's alleged criminal activity.

HB 198 raises issues that extend beyond JSEP and are within the scope of ongoing statewide juvenile justice work through the Commission on Juvenile Justice Reform and Emerging and Best Practices. The Commission is charged with examining juvenile justice policy, equity impacts, system coordination, and making recommendations grounded in research.

The Commission on Juvenile Justice Reform and Emerging Best Practices is currently leading a collaborative process through its system process workgroup, focused on:

- Establishing a standardized statewide process for law enforcement to notify Local Education Agencies (LEAs) of arrests for reportable offenses, including cases where the arrest occurs outside the student's home school district;
- Developing a uniform protocol for State's Attorney notifications to LEAs regarding case dispositions across jurisdictions;
- Addressing information gaps when students transfer between LEAs or transition between DJS, JSEP, and community schools; and
- Standardizing the overall flow of information from arrest through disposition in a way that protects confidentiality while supporting school safety.

A JSEP Board member will represent JSEP as part of the workgroup process. The JSEP Board respectfully requests an unfavorable report on HB 198 and urges the Committee to allow the Commission on Juvenile Justice Reform and Emerging and Best Practices to convene and provide informed recommendations on this issue.

Contact: Dr. David Pinder, JSEP Superintendent, [david.pinder@maryland.gov](mailto:david.pinder@maryland.gov)



**CRSD HB198 UNF 2026.pdf**

Uploaded by: Kelly Quinn

Position: UNF

# MARYLAND COALITION TO REFORM SCHOOL DISCIPLINE

## House Ways and Means Committee

### House Bill 198:

### School Systems - Reportable Offenses - Notification of Student as Suspect

February 11, 2026

Position: Oppose

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. For more than a decade, we have been committed to making discipline responsive to students' behavioral needs, fair, appropriate to the infraction, and designed to keep youth on track to graduate. CRSD opposes House Bill 198. CRSD maintains that if law enforcement does not have enough information to charge a child, then the school certainly does not have enough information to punish, potentially putting a student out of school. While framed as a public safety measure, the bill will produce serious and lasting harm to children, families, and schools across Maryland, without improving safety. It is also a violation of two foundational principles in both the adult and youth legal systems in the United States: due process and rehabilitation.

HB 198 would exacerbate the overuse of school removal, disrupt students' educational continuity and engagement, and perpetuate deeply entrenched racial bias at every level of the reportable offense process. It would expand discretionary decision-making at the earliest and least reliable stage of the legal process—mere suspicion—where racial bias is most pronounced. This racial bias emerges, in part, because of adultification. Black children are often not viewed as children and their behaviors are often not viewed as typical of adolescent development.<sup>1</sup> Decades of research show that, in punitive systems where discretionary decisionmaking is a key facet, those discretionary decisions result in racial bias.<sup>2</sup> Racial disparities show up in full force in the use of reportable offenses in Maryland beginning even before arrest where Black children are subject to

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<sup>1</sup>Kristen Henning, *The Rage of Innocence*, The Rage of Innocence: How America Criminalizes Black Youth, New York: Pantheon Books, 2021.

<sup>2</sup> Nazgol Ghandnoosh, Ph.D. and Celeste Barry, *One in Five: Racial Disparity in Imprisonment — Causes and Remedies*, The Sentencing Project (Dec. 7, 2023) (showing racial bias present at various discretionary decision points, including parole decisions, sentencing, prosecution, and others)  
<https://www.sentencingproject.org/publications/one-in-five-racial-disparity-in-imprisonment-causes-and-remedies/>.

increased police contact, more stops by police, and increased police violence.<sup>3</sup> <sup>4</sup> This leads to Black children being more than 2.5 times more likely to be arrested than white children.<sup>5</sup> These layers of bias culminate in Black students being 4.1 times more likely to be reported to their school for a reportable offense than white students.<sup>6</sup> This disparity is greater than that of arrests, suggesting that officers and prosecutors make discretionary decisions to report greater numbers of Black students to their schools for reportable offenses. Expanding the law to permit State’s Attorneys to notify schools of students under investigation only increases the likelihood that these existing disparities will worsen.

There are other pernicious aspects of punishing children who are suspects. The youth legal system is designed to protect the confidentiality of minors. If this bill were to pass, students would have no meaningful opportunity to challenge a suspicion before educational consequences occur. By sharing information about a student who has not been charged or adjudicated, their fundamental right to privacy is invalidated. Supreme Court case *Goss v. Lopez* (1975) protects students’ rights to reputation and education by requiring public schools to provide procedural due process. The ruling mandates that students can challenge accusations, protecting them from arbitrary, reputation-damaging actions and ensuring their property interest in education is not wrongfully deprived.

Further, once reported to their schools, children who are suspects for these offenses—felonies or crimes of violence—may be placed in (unregulated) virtual learning environments with fewer protective supports, no access to specialized instruction or related services, and complete separation from their peers and other caring adults. This separation from their regular school environment harms children academically, as well as socially. Any expansion of the reportable offense law further entrenches the school-to-prison pipeline by reframing schools as punitive and operating as extensions of the youth legal system rather than places of care, stability, and learning.

We urge the committee to oppose House Bill 198. The General Assembly has already charged an expert commission with examining the reportable offense process and developing informed, evidence-based recommendations. The Commission on Juvenile Justice Reform and Emerging and Best Practices will make recommendations rooted in research, deliberate consideration with a team of experts in the youth legal system and education advocates.

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<sup>3</sup> Douglas Young, Christina Yancey, Sara Betsinger, Jill Farrell, *Disproportionate Minority Contact in the Maryland Juvenile Justice System*, University of Maryland College Park Institute for Governmental Service and Research (January 2011) (“African American youth are particularly subject to disparate levels of contact and are also significantly overrepresented at arrest (2.54), referral to DJS intake (2.44), and the case petitioning stage (1.41)”).

<sup>4</sup> Emanuella Grinberg, *Racial bias pervasive among Baltimore police, DOJ says*, CNN (Aug. 10, 2016) (“A Justice Department investigation found that the Baltimore Police Department engages in unconstitutional practices that lead to disproportionate rates of stops, searches and arrests of African-Americans, and excessive use of force against juveniles and people with mental health disabilities.”).

<sup>5</sup> See *supra* note 4.

<sup>6</sup> MSDE Division of Student Support and Federal Programs and Division of Assessment, Accountability, Performance Reporting & Research, *Reportable Offenses Data: Maryland Public Schools, School Year 2023-2024* (December 30, 2024) [https://dlslibrary.state.md.us/publications/Exec/MSDE/ED7-303\(j\)\\_2024.pdf](https://dlslibrary.state.md.us/publications/Exec/MSDE/ED7-303(j)_2024.pdf).

For these reasons, and to protect students' rights, privacy, and access to education, CRSD urges **an unfavorable report on HB 198**. For more information contact: [CRSDMaryland@gmail.com](mailto:CRSDMaryland@gmail.com)

- ACLU of Maryland
- Advance Maryland
- Center for Criminal Justice Reform, University of Baltimore School of Law
- Center for Violence Prevention, University of Maryland, Baltimore
- Disability Rights Maryland
- Ed Trust
- Maryland Alliance for Racial Equity and Justice
- Maryland Office of the Public Defender
- Maryland Center on Economic Policy
- League of Women Voters of Maryland
- Out for Justice
- Project HEAL (Health, Education, Advocacy, and Law), Kennedy Krieger
- Public Justice Center
- Racial Justice NOW
- The Sayra and Neil Meyerhoff Center for Families, Children and the Courts at the University of Baltimore School of Law
- Schools Not Jails
- Strong Schools Maryland
- The Choice Program

# **Gibson Banks Center Written Testimony on HB 198 UN**

Uploaded by: Kezia McDonald-McNeal

Position: UNF

**Testimony Concerning House Bill 198**  
**School Systems-Reportable Offenses-Notification of Student as Suspect**  
**Position: Unfavorable**

To: Delegate Jheanelle K. Wilkins, Chair  
Delegate Jessica Feldmark, Vice Chair  
Members of the Ways and Means Committee

From: Kezia McDonald-McNeal, Student Fellow, Monique L. Dixon, Executive  
Director and Michael Pinard, Faculty Director, Gibson-Banks Center for Race and  
the Law

Date: February 9, 2026

On behalf of the Gibson-Banks Center for Race and the Law (“Gibson-Banks Center”) at the University of Maryland Francis King Carey School of Law,<sup>1</sup> we appreciate the opportunity to submit written testimony raising substantial concerns about House Bill 198 (HB 198). HB 198 would expand Maryland’s reportable offense notification systems by requiring law enforcement agencies to notify the State’s Attorney within 24 hours whenever a student is identified as a suspect in an investigation of conduct that, if committed by an adult, would constitute a felony or crime of violence, and allowing the State’s Attorney to notify the local superintendent or designee of that status. The bill would also require the State’s Attorney to notify the school if the student is no longer determined to be a suspect.

We respectfully urge you to issue an unfavorable vote on HB 198 for two reasons. First, HB 198 would needlessly expose more students to school removal based on being identified as a “suspect” of a crime. Second, HB 198 will exacerbate existing racial, gender, and disability disparities among students who are arrested for reportable offenses and risk school removal.

The Gibson-Banks Center works collaboratively to re-imagine and transform institutions and systems of racial inequality, marginalization, and oppression. Through education and engagement, advocacy, and research, the Center examines and addresses racial inequality, including the intersection of race with gender or disability, and advances racial justice in a variety of issue areas, including the education and youth and criminal legal systems.

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<sup>1</sup> This written testimony is submitted on behalf of the Gibson-Banks Center and not on behalf of the University of Maryland Francis King Carey School of Law, the University of Maryland, Baltimore, or the University System of Maryland.

## **HB 198 Would Needlessly Expose Students to School Removal Merely Because Law Enforcement Suspects the Student Committed a Crime.**

Section 7-303 of the Maryland Education Code requires law enforcement agencies to timely and confidentially notify school officials of the arrest of and charge(s) filed against students for a reportable offense, including crimes of violence.<sup>2</sup> Upon receipt of this information, the school principal, in consultation with appropriate school staff, must consider whether the student should be removed from school because the student “presents an imminent threat of serious harm to other students or staff.”<sup>3</sup>

If the school principal believes the student presents a safety risk, then the principal must immediately work with the student, the student’s parent or guardian, and the student’s attorney (if the student has legal representation) to develop a plan that both provides for appropriate educational programming and services for the student and maintains a safe learning environment for all students.<sup>4</sup> This plan may include removing the student from a regular school program, but only after an individualized educational and safety assessment is performed.<sup>5</sup> Notably, this assessment is required because Maryland law makes clear that a reportable offense cannot be the *sole* basis for excluding a student from traditional in-person education.<sup>6</sup>

Students removed from the classroom lose instructional time, have reduced access to teachers and services, and are more likely to fall behind academically or disengage from school.<sup>7</sup> In practice, when students are removed from in-person instruction, schools often rely on “alternative” options such as virtual learning or home-based instruction. These options are not equivalent to classroom learning.

HB 198 would expand the pool of students exposed to school removal and the associated harms by allowing state’s attorneys to notify school officials when students are merely suspected of committing a crime. This notification would trigger the requirement that schools conduct an individualized educational and school safety assessment of that student, even though the student has not been charged or arrested. Indeed, it would be extraordinarily difficult for a school to determine that a student “presents an imminent threat of serious harm to other students and staff” if the student is only suspected of a crime. Because a criminal investigation may not result in arrest or charges, a suspect-based notification scheme will necessarily encompass students who ultimately are not charged or arrested. Yet those students may needlessly—and unfairly—be removed from school while investigations are pending.

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<sup>2</sup> MD. CODE ANN, EDUC. §7-303(b).

<sup>3</sup> See, COMAR 13A.08.01.17.D(1).

<sup>4</sup> See, COMAR 13A.08.01.17.C(3) – (5).

<sup>5</sup> See, COMAR 13A.08.01.17.D.

<sup>6</sup> See, COMAR 13A.08.01.17.D(2).

<sup>7</sup> See generally, Julia H. Kaufman and Melissa Kay Diliberti, *Divergent and Inequitable Teaching and Learning Pathways During (and Perhaps Beyond) the Pandemic Key Findings from the American Educator Panels Spring 2021 COVID-19 Surveys* (May 2021), [https://www.rand.org/pubs/research\\_reports/RRA168-6.html](https://www.rand.org/pubs/research_reports/RRA168-6.html).

## **HB 198 Would Likely Exacerbate Existing Racial, Gender, and Disability Disparities Among Students Accused of Reportable Offenses.**

In Maryland, Black students, students of two or more races, boys, and students with disabilities are disproportionately arrested for reportable offenses. HB 198's provision that allows state's attorneys to notify school officials of students suspected of reportable offenses will likely exacerbate these disparities. Specifically, during the 2023-24 school year:

- Black students and students of two or more races comprised 65% and 9% of students arrested for reportable offenses incidents<sup>8</sup> even though they represented only 32% and 5% of the statewide student population that school year.<sup>9</sup>
- Boys represented 73% of students arrested for reportable offenses incidents,<sup>10</sup> but 51% of the statewide student population.<sup>11</sup>
- Students with disabilities represented 39% of students arrested for reportable offenses incidents,<sup>12</sup> but 13% of the statewide student population during the 2023-24 school year.<sup>13</sup>

Although state data about the number of reportable offenses incidents that resulted in the alteration to or removal of students from regular school programs are not disaggregated by race, gender, or disability, the overrepresentation of these student groups among students who were arrested or charged for reportable offenses is concerning and would likely extend to students suspected of these offenses.

For the above reasons, we respectfully request that the Committee issue an unfavorable report on HB 198.

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<sup>8</sup> See, Maryland State Department of Education, *Reportable Offenses Data: Maryland Public Schools, School Year 2023-2024*, 10 & 18 (December 30, 2024), [https://dlslibrary.state.md.us/publications/Exec/MSDE/ED7-303\(j\)\\_2024.pdf](https://dlslibrary.state.md.us/publications/Exec/MSDE/ED7-303(j)_2024.pdf). [hereafter, *School Year 2023-2024 Reportable Offenses Data*].

<sup>9</sup> Maryland State Department of Education, Maryland State 2023-2024 School Report Card, Demographics/Enrollment (*2023-2024 Report Card, Demographics*) (2024), <https://reportcard.msde.maryland.gov/Graphs/#/Demographics/Enrollment/3/17/6/99/XXXX/2024>.

<sup>10</sup> *School Year 2023-2024 Reportable Offenses*, *supra* note 8, at 10 & 19.

<sup>11</sup> *2023-2024 School Report Card, Demographics*, *supra* note 9.

<sup>12</sup> *School Year 2023-2024 Reportable Offenses*, *supra* note 8, at 10 & 20.

<sup>13</sup> Maryland State Department of Education, Maryland State 2023-2024 School Report Card, Demographics/Student Group Populations <https://reportcard.msde.maryland.gov/Graphs/#/Demographics/StudentPopulation/1/2/99/XXXX/2024>

# **HB 198 Written Testimony.pdf**

Uploaded by: Levi Bradford

Position: UNF



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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

*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.*

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**.

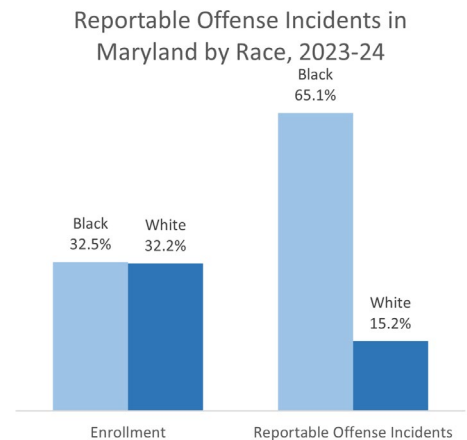
Federal and Maryland law both require student behavior to be considered on an individualized basis. The IDEA requires that a student's placement be determined by their IEP team. And Maryland discipline law requires that when determining if a student is a threat to the school environment, their individual 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  
bradfordl@publicjustice.org



# **EACtestimony.HB123.pdf**

Uploaded by: Logan Ewing

Position: UNF

# EDUCATION ADVOCACY COALITION FOR STUDENTS WITH DISABILITIES

## HOUSE WAYS AND MEANS COMMITTEE

House Bill 123 – School Systems – Reportable Offenses – Alterations

February 5, 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 123 because of the potential disproportionate harmful impact it will have on students with disabilities.

House Bill 123 expands the list of offenses that are considered a reportable offense. Current reportable offense law mandates timely communication between law enforcement and schools when a student is arrested for a reportable offense, including the most serious offenses, crimes of violence, as well as non-violent, low-level offenses.<sup>1</sup>

After notification of a reportable offense, school districts have broad discretion to decide the involved student's placement. We often see students being placed on a virtual school placement. For students with disabilities, changing educational placement can be profoundly harmful. When a student with a disability is removed from their placement, they often lose access to their specialized instruction, related services (speech, occupational, and physical therapy) and accommodations. Even short-term removals can cause regression in academic and social skills for these students.

The reportable offense data from the 2024-2025 school year demonstrates a disproportionality between disability status and involvement in reportable offenses. While students who receive special education services or have a Section 504 Plan comprise roughly 18 percent of Maryland's student population, they account for a far greater share of reportable offenses. The data shows that students who receive specialized education or have a Section 504 Plan account for forty-four percent (664 out of 1,488) of reportable offenses.<sup>2</sup>

For these reasons, the EAC opposes House Bill 123.

Respectfully submitted,

Selene A. Almazan, Selene Almazan Law, LLC  
Linda Barton, MSED, Education Consultant  
Beth Benevides, Autism Society of Maryland, Co-Chair, Education Advocacy Coalition  
Ellen A. Callegary, Attorney (Retired)

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<sup>1</sup>Md. Ann. Code, Educ. § 7-303; COMAR 13A.08.01.17.

<sup>2</sup> See Maryland State Department of Education, *Reportable Offenses Data* (December 2025)  
[https://dlslibrary.state.md.us/publications/Exec/MSDE/ED7-303\(j\)\\_2025.pdf](https://dlslibrary.state.md.us/publications/Exec/MSDE/ED7-303(j)_2025.pdf)

Education Advocacy Coalition Testimony: House Bill 123

Page Two

Stephanie Carr, SL Carr Education Consultants, LLC  
Melanie Carlos, Partnership for Extraordinary Minds (xMinds)  
Rich Ceruolo, Parent and Advocate  
Michelle R. Davis, M.Ed., ABCs for Life Success  
Jennifer Engel Fisher, M.Ed., JEF Consultants, LLC  
Lisa Frank, Special Kids Company  
Beth Ann Hancock, Charting the Course  
Morgan Durand Horvath, M.Ed., Abilities Network  
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, Law Offices of Joseph & Rabb  
Rebecca Rienzi, Pathfinders for Autism  
Ronnetta Stanley, M.Ed., Loud Voices Together  
Wayne Steedman, Steedman Law Group/Maryland Special Education Lawyers  
Guy Stephens, Alliance Against Seclusion and Restraint

# **HB198 Student Reportable Offenses.pdf**

Uploaded by: Zainab Chaudry

Position: UNF



## Council on American-Islamic Relations

CAIR Office in Maryland

6120 Baltimore National Pike, Suite 2D

Baltimore, MD 21228

E-mail: [mdoutreach@cair.com](mailto:mdoutreach@cair.com) URL [www.cair.com](http://www.cair.com)

Tele 410-971-6062 Fax 202-488-0833

February 11, 2026

Chair Jheanelle K. Wilkins  
House Ways and Means Committee  
131 Taylor House Office Building  
Annapolis, MD 21401

### **Re: Testimony Opposing HB 198 School Systems - Reportable Offenses - Notification of Student as Suspect**

Dear Chair Wilkins and Members of the House Ways & Means Committee:

On behalf of the Maryland office of the Council on American-Islamic Relations Maryland (CAIR), we respectfully urge an unfavorable report on House Bill 198. CAIR is the nation's largest Muslim civil rights and advocacy organization. Our mission includes protecting civil rights, promoting justice, and ensuring that all students regardless of background have equitable access to safe and supportive educational environments.

House Bill 198 expands existing reporting requirements by allowing school systems to be notified when a student is merely a suspect in a criminal investigation, even if no charges have been filed. This represents a significant departure from current policy, which generally focuses on arrests or verified offenses.

Allowing schools to receive and act upon information about students based solely on suspicion risks undermining the presumption of innocence and exposes students to disciplinary or academic consequences before any legal determination is made. Students can face altered school placements, exclusion from programs, or stigmatization based on incomplete or evolving investigations. Even when a student is later cleared, the educational and reputational harm may already be done.

Data consistently shows that students of color, immigrant students, and students with disabilities are disproportionately subject to law enforcement contact and criminal investigations. Expanding school notification to include students identified as suspects risks reinforcing existing disparities and accelerating the school-to-prison pipeline.

For many Black, Latino, immigrant, and minority families, law enforcement suspicion alone can carry significant stigma and fear. Policies that allow educational decisions to be influenced by unproven allegations risk deepening mistrust between families and schools and may discourage students from seeking help or engaging fully in their education.

While the bill includes confidentiality provisions, it still expands the number of individuals and institutions receiving sensitive investigative information about minors. Information about a student being a suspect - even temporarily - can influence disciplinary decisions, educational programming, and peer perception.

Children and adolescents are particularly vulnerable to long-term harm from premature labeling or stigmatization. Educational environments should prioritize student development, rehabilitation, and fairness, rather than extending law enforcement processes into school decision-making before cases are resolved.

[Washington D.C.](#)

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[Texas](#) [Washington](#)

Maryland law already requires notification when students are arrested for serious offenses, ensuring schools can respond to verified safety risks. HB 198 goes beyond these protections by lowering the threshold from arrest to suspicion. This expansion is unnecessary and risks harm without clear evidence that it improves school safety.

CAIR supports policies that protect school communities while respecting the constitutional rights and developmental needs of young people. School systems should focus on evidence-based safety strategies such as counseling, behavioral intervention, and restorative practices rather than policies that risk labeling students during early stages of investigations.

We respectfully urge the Committee to issue an unfavorable report on House Bill 198. Protecting school safety is essential, but it must be done in ways that uphold due process, protect student privacy, and prevent disproportionate harm to vulnerable student populations.

Thank you for your time and consideration.

Sincerely,

Zainab Chaudry, Pharm.D.  
Director, CAIR Maryland  
Council on American-Islamic Relations  
[zchaudry@cair.com](mailto:zchaudry@cair.com)

**Washington D.C.**

Alabama Arizona California Colorado Connecticut Florida Georgia Illinois Kansas Kentucky Maryland  
Massachusetts Michigan Minnesota Missouri New Jersey New York North Carolina Ohio Oklahoma Pennsylvania  
Texas Washington

# **HB 198 School Systems - Reportable Offenses Report**

Uploaded by: Mary Pat Fannon

Position: INFO



**PSSAM**  
Public School Superintendents' Association  
OF MARYLAND

Mary Pat Fannon, Executive Director  
1217 S. Potomac Street  
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BILL: HB 198  
TITLE: School Systems - Reportable Offenses - Notification of Student as Suspect  
DATE: February 11, 2026  
POSITION: Letter of Information  
COMMITTEE: House Ways and Means & Judiciary Committees  
CONTACT: Mary Pat Fannon, Executive Director, PSSAM

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The Public School Superintendents' Association of Maryland (PSSAM), on behalf of all twenty-four public school superintendents, provides this **Letter of Information** regarding House Bill 198.

This bill requires that a law enforcement agency notify the State's Attorney when a student is a suspect in an investigation of an act that, if committed by an adult, would be a felony or crime of violence, as specified, and makes conforming changes to reporting requirements related to reportable offenses. ([https://mgaleg.maryland.gov/2026RS/fnotes/bil\\_0008/hb0198.pdf](https://mgaleg.maryland.gov/2026RS/fnotes/bil_0008/hb0198.pdf))

The public education system in Maryland is responsible for providing a free and appropriate education for every student in the State. Local superintendents take this responsibility very seriously and balance the tremendous duty to educate, with the need to provide a safe and supportive educational setting for students and staff. To ensure the highest standards of safety for schools, it is imperative that information regarding students' criminal involvement and interactions with law enforcement is appropriately shared with school personnel. *The current flow of information between law enforcement and schools is disjointed and needs to be vastly improved.*

We appreciate the sponsor's keen interest in this issue and this legislation, but we believe the Legislature should take a more comprehensive approach on the issues of information sharing regarding students' criminal behavior. To that end, we are happy to support the workgroup on *Juvenile Justice Processes and Systems Coordination* that is part of the The Commission on Juvenile Justice Reform & Emerging Best Practices. This workgroup is actively taking up many of the concerns of PSSAM and our LEA partners on the issue of reportable offenses and information sharing.

Specifically, the workgroup has developed an action plan that is expected to address the following areas:

- Establishing a standardized statewide process for law enforcement notifications;
- Establishing a standardized statewide process for State's Attorney notifications;
- Addressing information gaps during student transfers; and,
- Standardizing the overall flow of information.

More specifically, the workgroup is focused on:

- Developing a uniform, statewide process for sharing reportable offense information from arrest through disposition;
- Recommending any statutory or regulatory changes needed to ensure information reaches the appropriate individuals in a timely and consistent manner; and,
- Ensuring the process appropriately protects confidentiality while supporting school safety, coordination, and student services.

Last session PSSAM advocated for the creation of such a workgroup and we are confident that the group's comprehensive stakeholder representation will facilitate thoughtful, collaborative work and result in consensus legislation for the 2027 legislative session.

Thank you for the opportunity to provide this **Letter of Information** on House Bill 198.

# **HB 198 - LOI - Reportable Offenses - Student As Su**

Uploaded by: Sam Mathias

Position: INFO

**BILL:** House Bill 198  
**TITLE:** School Systems - Reportable Offenses – Notification of Student as Suspect  
**HEARING DATE:** February 11, 2026  
**POSITION:** Letter of Information  
**COMMITTEE:** Ways and Means / Judiciary  
**CONTACT:** Sam Mathias, Legal & Policy Director ([smathias@mabe.org](mailto:smathias@mabe.org))

The Maryland Association of Boards of Education (MABE), representing all the state’s local boards of education, provides this informational letter for **House Bill 198 – School Systems - Reportable Offenses – Notification of Student as Suspect**.

House Bill 198 would require law enforcement to notify the State’s Attorney within 24 hours whenever a student between the ages of 5 and 22 is identified as a suspect in an investigation of conduct that would constitute a felony or crime of violence if committed by an adult, and would authorize the State’s Attorney to notify a local school system designee.

Unlike other reportable offense bills and the current law, this bill would trigger notification based solely on suspect status, rather than at arrest, formal charge, or adjudication, thus shifting information sharing to a very early stage of an investigation, when facts are often preliminary and subject to change. MABE notes the problematic nature of that threshold.

In addition, MABE respectfully notes that the issues raised in House Bill 198 are currently the subject of active, coordinated statewide review through the [Commission on Juvenile Justice Reform and Emerging Best Practices](#). Through its Juvenile Justice Processes and Systems Coordination Workgroup, which is comprised of members of the General Assembly, sheriffs, judges, school superintendents, mental health advocates, representatives of the Department of Juvenile Services, and other key stakeholders, the Commission is examining issues related to the reporting and sharing of information concerning student offenses.

As we understand, the workgroup continues to meet and is in the process of developing a work plan that to address, among other areas:

- Establishing uniform, statewide processes for law enforcement and State’s Attorney notifications;
- Creating a consistent framework for sharing reportable offense information from arrest through disposition;

- Addressing information gaps that arise during student transfers;
- Identifying any statutory or regulatory changes needed to support timely and consistent information sharing; and
- Ensuring that any recommended processes appropriately balance confidentiality protections with school safety, coordination, and student services.

MABE offers this information to make the General Assembly aware of the Commission's ongoing good faith work as legislation related to juvenile offenses and information-sharing is considered during this session. Given the complexity of these issues surrounding sharing sensitive information; the need to align education, juvenile justice, and law enforcement systems; and the good-faith, ongoing, collaborative work of the Commission, MABE respectfully encourages consideration to allow the Commission's work to proceed and inform any legislative action in this area.

# **MCPA MSA HB 198 -School Systems - Reportable Offen**

Uploaded by: Samira Jackson

Position: INFO



# Maryland Chiefs of Police Association

## Maryland Sheriffs' Association



### MEMORANDUM

TO: The Honorable Jheanelle Wilkins, Chair and  
Members of the Ways and Means Committee

FROM: Darren Popkin, Executive Director, MCPA-MSA Joint Legislative Committee  
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee  
Samira Jackson, Representative, MCPA-MSA Joint Legislative Committee

DATE: February 11, 2026

RE: **HB 198 - School Systems - Reportable Offenses - Notification of Student as Suspect**

POSITION: **LETTER OF INFORMATION**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) submit this letter of information regarding **HB 198**. Law enforcement recognizes the importance of ensuring that reportable offense information is communicated in a manner that supports school safety, student services, and effective coordination among agencies, while also respecting confidentiality requirements embedded in juvenile justice law.

We note that the Commission on Juvenile Justice Reform and Emerging Best Practices, through the Juvenile Justice Processes and Systems Coordination workgroup, is actively taking up the issue of reportable offenses. The workgroup is currently developing a statewide work plan focused on establishing standardized notification processes for law enforcement and State's Attorneys, addressing information gaps during student transfers, and improving the overall flow of information from arrest through disposition. This effort also includes consideration of any statutory or regulatory changes needed to ensure timely, consistent, and appropriate information sharing.

Given the Commission's ongoing review and the depth of work already underway, MCPA and MSA respectfully defer to the Commission's recommendations as they continue evaluating best practices for balancing confidentiality protections with the need for coordinated responses that promote school safety and student support.