



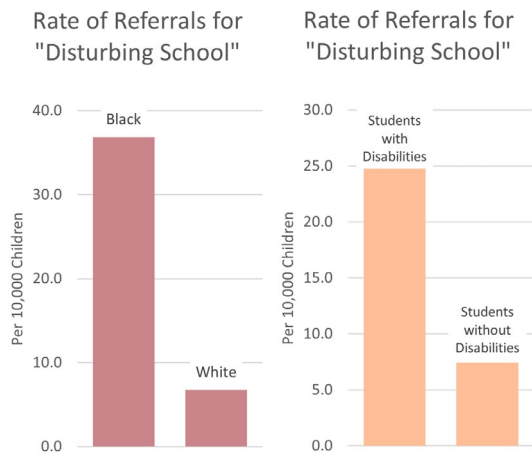
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House Bill 615: Education - Prohibited Behavior on School Grounds and Property - Application

Hearing before the House Committee on Ways and Means, February 14, 2024

Position: FAVORABLE

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, appropriate to the infraction, and designed to keep youth on track to graduate. PJC strongly supports HB 615, which decriminalizes the act of disturbing school for a student who attends the school in question.



The disparities based on race and disability-status of the “disturbing school” charge are alarming. Black children are **5.5 times** more likely to be referred to the Department of Juvenile Services for “disturbing schools” than white children. Children with disabilities are greater than **3 times** more likely to be referred than children without disabilities.

The “disturbing schools charge sits at a unique and concerning intersection of the data. In fiscal year 2022, it was the fourth most racially disparate juvenile offense. That same year, it was the fifth most common juvenile offense referred to DJS. But of those most common offenses, it was the **number one** most racially disparate offense.

One other unique aspect of this charge is that, in fiscal year 23, was never once actually useful. It is a “kitchen sink” charge, meaning it almost exclusively gets charged alongside other, more serious offenses. Last year, not a single referral where “disturbing school” was the only charge was formally filed. The charge that most frequently accompanies “disturbing school” is, by a wide margin, misdemeanor assault. This is already a chargeable offense. If we remove the ability to charge a student with disturbing school, at their own school,

prosecutors will not lose the ability to bring a case. The only thing they lose is the ability to leverage one charge against another in a game of pressuring children to accept a deal.

It is unacceptable for Maryland to continue criminalizing children for acting like children at school. The “disturbing school” charge pushes Black children and children with disabilities further and further along the school-to-prison pipeline and harms our kids.

For these reasons, the PJC strongly supports House Bill 615.

For more information contact:

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Data used in graphs drawn from a combination of Department of Juvenile Services Data Resource Guide (<https://djs.maryland.gov/Pages/Data-Resource-Guides.aspx>) and data provided by Department of Juvenile Services to authors in response to a request pursuant to the Maryland Public Information Act, Md. Code Gen. Prov. §§ 4-101-4-601. Received Nov. 30, 2023. Data available upon request.

Percent of Major Charges Given to Children of Color in Maryland, FY22

(Displaying only offense categories with 750+ charges, Children of Color population shown by vertical line)

