

Maryland Alliance for Justice Reform

Working together for a criminal justice system that better serves our communities



To: Chair Sandy Bartlett and Judiciary Committee members
From: Bill Carlson and Jenny Zito, MAJR Executive Committee
Subject: **FAV - HB0389 - Juveniles - Detention and Confinement - Limitations on Juvenile Contact with Inarcerated Adults**

February 5, 2026

The Maryland Alliance for Justice Reform (MAJR - www.ma4jr.org) supports HB0389, a bill to limit the contact between juveniles and incarcerated adults in all Maryland detention and confinement institutions. This bill would help correct the existing policy that puts Maryland out of alignment with best practices for public safety and national laws.

National awareness of the adverse impacts of holding juveniles in adult jails and prisons has led to changing policies and laws in most states. These changes have produced a steady decline in the total number of juveniles held within adult facilities across the U.S. from a high of 10,420 (2008) to 2,250 (2021) according to a report on [2002-2021 statistics](#) by the Bureau of Justice Statistics of the U.S. Department of Justice. However, Maryland has been one of the slowest states to make changes in its policies to align with evidence-based best practices.

Some of the most detrimental consequences of putting juveniles in adult jails and prisons (while they are awaiting trial or serving time) is the lack of access to services that juvenile facilities provide.. These services include education, drug abuse programs, and mental health services.

In the juvenile system, a youth will be provided with continuing education, whereas in the adult system they typically go months without education. These young people are much more likely to drop out of school before completing their high school education. A [study](#) found that the lack of educational programs in adult facilities leads to increased recidivism rates, and that minors who serve sentences in adult facilities are 34% more likely to reoffend than their counterparts in the juvenile justice system.

Adolescent offending and substance use [are strongly connected](#). A majority of court-involved adolescents report recent use of illegal substances, and more serious and chronic adolescent offenders report using more substances and are more likely to qualify for a diagnosis of a substance use disorder ([Teplin, et.al.](#); [Wilson, et.al.](#)). Also, studies of community youth show a strong association between reported serious offending and substance use ([Johnston, et.al.](#)). The Maryland juvenile justice system drug treatment programs are significantly better than those provided in adult facilities. Untreated drug abuse leads to a cycle of crime for many youthful offenders.

This [study](#) found that the suicide rate of juveniles in adult jails is 7.7 times higher than that of juvenile detention centers. In stark contrast, the survey also found that the juvenile institution suicide rate was lower than that of the general population. Close to [ten percent](#) of the youth interviewed reported they had been sexually assaulted or raped in the adult prisons, while only about one percent reported the same in the juvenile institution.

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Federal standards require that juveniles in adult facilities be kept from the “sight and sound” of incarcerated adults. The construction of facilities make this hard to achieve, so in many cases juveniles are kept in “restrictive housing,” which means they are locked in a cell, usually all but one hour per day. This is not punishment for violating a prison rule, which is a normal use of “restrictive housing.” Instead, this is the only way the prison can achieve the “sight and sound” standard.

Another important aspect of HB0389 is that it brings Maryland law into compliance with US national standards. As the 2025 [Commission on Juvenile Justice Reform and Emerging and Best Practices](#) points out, Maryland is the worst in the nation in the number of violations (over 1600) of the Juvenile Justice and Delinquency Prevention Act. As the commission points out, most of these violations are due to the provisions of Maryland law that force jurisdictions to violate the federal standards. These provisions are precisely the ones that HB0389 brings up-to-date. Many other states have adopted these standards. Maryland should too.

The Maryland Alliance for Justice Reform is a nonpartisan, all-volunteer organization of nearly 2000 Marylanders who advocate for sensible, evidence-based legislative and policy changes in Maryland's correctional practices. MAJR thanks you for the opportunity to provide input on this important legislation and urges the committee to give HB0389 a favorable report.

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