



## TESTIMONY BY JULIA RASMUSSEN

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### HB 1107

#### *Juvenile Law - Confinement and Restrictive Housing - Limitations*

*Wednesday, February 26, 2025*

Chair Clippinger and members of the Judiciary Committee thank you for the opportunity to submit testimony in strong support of HB 1107. I am Julia Rasmussen with the Justice Policy Institute (JPI), a national nonprofit organization founded in 1997 dedicated to developing practical solutions to problems plaguing juvenile and criminal legal systems. With over 25 years of experience, JPI has played a crucial role in national reform initiatives.

As a 19-year-old, it is deeply concerning how my peers are being treated in the Maryland juvenile justice system. JPI and I support House Bill 1107, which would restrict the use of solitary confinement on children. This bill aims to protect children by promoting their mental health, reducing racial disparities, and promoting public safety.

#### **Negative Impacts of Solitary on Children**

The use of solitary confinement on children is detrimental to their development and future success. According to a report published by the [American Academy of Child & Adolescent Psychiatry](https://www.aacap.org/AACAP/Policy_Statements/2012/Solitary_Confinement_of_Juvenile_Offenders.aspx), solitary confinement has prolonged psychiatric consequences when applied to children including depression, anxiety, and psychosis.<sup>1</sup> Children are particularly vulnerable to the impacts of solitary confinement as they undergo key developmental stages that cause them to be particularly sensitive to their environments. HB 1107 would reduce this risk by limiting the amount of time children spend in solitary confinement and the situations in which solitary can be used.

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<sup>1</sup>Juvenile Justice Reform Committee, "Solitary Confinement of Juvenile Offenders," American Academy of Child & Adolescent Psychiatry, 2017, [https://www.aacap.org/AACAP/Policy\\_Statements/2012/Solitary\\_Confinement\\_of\\_Juvenile\\_Offenders.aspx](https://www.aacap.org/AACAP/Policy_Statements/2012/Solitary_Confinement_of_Juvenile_Offenders.aspx).

These psychiatric impacts have real consequences. According to a report by the [Department of Justice](#), 62 percent of youth who died by suicide while incarcerated had a history of solitary confinement.<sup>2</sup> While in solitary, youth are often left with no access to mental health care services, contact with family members, educational programming, or recreation. Suicidal behavior is rampant in the juvenile justice system. Worse, there is no evidence that solitary confinement is an effective safety strategy.<sup>3</sup> HB 1107 would greatly reduce this risk by requiring a mental health screening of the child soon after they are placed in solitary confinement.

### **Unjust Impacts on Vulnerable Children**

Troubling disparities exist in the application of solitary upon Children. The use of solitary confinement unnecessarily targets youth of color, youth with existing mental illness, and LGBTQ youth. In 2023, 89 percent of youth placed in detention facilities in Maryland were non-white, with the vast majority being Black.<sup>4</sup> This means that the use of solitary confinement in Maryland unjustly impacts youth of color, especially young Black men. HB 1107 would help target this disparity, ensuring that solitary is not utilized as a means of punishment or retaliation. Rather, specialized treatment can be applied to help address underlying issues and ensure the future success of these youth.

According to a report by the [Juvenile Law Center](#), other vulnerable populations such as LGBTQ youth and youth with disabilities are more likely to be placed in solitary confinement.<sup>5</sup> These populations are already likely to have experienced trauma and abuse that solitary confinement can worsen. Using solitary confinement to “protect” these children is counterproductive. Maryland must enact HB 1107, ensuring that already vulnerable youth are treated fairly while incarcerated.

### **Examples on the Federal and State Level**

There has been a wave of reforms on both the federal and state levels. These reforms specifically target the use of solitary confinement for children in custody as it is deeply damaging and inhumane. These reforms showcase the importance of eliminating solitary confinement for

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<sup>2</sup>Lindsay Hayes, “Juvenile Suicide in Confinement a National Survey Report” (US Department of Justice, 2009), <https://www.ojp.gov/pdffiles1/ojridp/213691.pdf>.

<sup>3</sup>Alison Shames, Jessa Wilcox, and Ram Subramanian, “Solitary Confinement,” Vera Institute of Justice, May 7, 2020, <https://www.vera.org/publications/solitary-confinement-common-misconceptions-and-emerging-safe-alternatives>.

<sup>4</sup>Maryland Department of Juvenile Services, “Section III: Detention” (Maryland Department of Juvenile Services, 2023), <https://djs.maryland.gov/Documents/DRG/Detention.pdf>.

<sup>5</sup>Juvenile Law Center, “Solitary Confinement & Harsh Conditions,” Juvenile Law Center, November 17, 2019, <https://jlc.org/issues/solitary-confinement-other-conditions>.

youth and the possible alternatives that produce positive outcomes. Through HB 1107, Maryland will join a host of other states and the federal government in protecting children.

As shown in a report published by JPI in collaboration with the Center for Children's Law and Policy, Council of Juvenile Correctional Administrators, and Center for Juvenile Justice Reform at Georgetown University as part of the Stop Solitary for Kids Campaign in 2019 titled "[Not in Isolation](https://www.stopsolitaryforkids.org/wp-content/uploads/2019/06/Not-In-Isolation-Final.pdf)," several states have eliminated the use of solitary on children with positive outcomes.<sup>6</sup> For example, in Massachusetts, the Department of Youth Services developed a system to limit the use of solitary confinement by emphasizing skill-building rather than punishment, consistently assessing youth's risks of self-harm, making clear exit strategies before youth were placed in solitary, focusing on individualized treatment, and allowing youth to form positive relationships with staff. As a result of these reforms, the rates of suicidal behavior among incarcerated youth are now much lower. [Similar programs in other states](#) have also seen decreases in violence among incarcerated youth.<sup>7</sup> By following in the footsteps of other reforms, the implementation of HB 1107 has the potential to reduce violence and self-harm amongst incarcerated youth by emphasizing rehabilitation over punishment.

In 2018, the federal government passed the First Step Act, a bipartisan reform that allowed for a wide variety of criminal legal reforms including the elimination of solitary confinement for children in federal custody. Unfortunately, however, the majority of incarcerated youth are housed in state systems and not federal ones.<sup>8</sup> Maryland should enact HB 1107 to protect youth who enter the criminal legal system, joining the federal government in recognizing youth solitary confinement as a human rights violation.

For these reasons, I encourage you to vote **favorably** for the **Juvenile Law - Confinement and Restrictive Housing HB 1107**.

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<sup>6</sup>Justice Policy Institute et al., "Not in Isolation," Stop Solitary for Kids, June 2019, <https://www.stopsolitaryforkids.org/wp-content/uploads/2019/06/Not-In-Isolation-Final.pdf>.

<sup>7</sup>Jessica Feerman, Karen Lindell, and Natane Eaddy, "UNLOCKING YOUTH Legal Strategies to End Solitary Confinement in Juvenile Facilities" (Juvenile Law Center, 2017), [https://jlc.org/sites/default/files/attachments/2018-03/JLC\\_Solitary\\_ReportFINAL.pdf](https://jlc.org/sites/default/files/attachments/2018-03/JLC_Solitary_ReportFINAL.pdf).

<sup>8</sup>Beth Schwartzapfel, "There Are Practically No Juveniles in Federal Prison — Here's Why," The Marshall Project, January 27, 2016, <https://www.themarshallproject.org/2016/01/27/there-are-practically-no-juveniles-in-federal-prison-here-s-why>.