

HOUSE BILL 921

E3, E4
HB 1107/25 – JUD

6lr1966

By: **Delegate Moreno**

Introduced and read first time: February 5, 2026

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Juvenile Law – Confinement and Restrictive Housing – Limitations**

3 FOR the purpose of limiting the circumstances under which an incarcerated minor may be
4 involuntarily placed in restrictive housing; authorizing the Department of Juvenile
5 Services to place a minor in restrictive housing at the minor's request; specifying
6 certain protocols for minors placed in restrictive housing; and generally relating to
7 the placement of minors in restrictive housing and the confinement of juveniles.

8 BY adding to

9 Article – Correctional Services
10 Section 9–614.3
11 Annotated Code of Maryland
12 (2025 Replacement Volume)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That the Laws of Maryland read as follows:

15 **Article – Correctional Services**

16 **9–614.3.**

17 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
18 INDICATED.

19 (2) “DEPARTMENT” MEANS THE DEPARTMENT OF JUVENILE
20 SERVICES.

21 (3) “RESTRICTIVE HOUSING” HAS THE MEANING STATED IN § 9–614
22 OF THIS SUBTITLE.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (B) THIS SECTION APPLIES TO A FACILITY OPERATED BY THE
2 DEPARTMENT.

3 (C) A MINOR MAY NOT BE PLACED IN RESTRICTIVE HOUSING SOLELY FOR
4 THE PURPOSES OF DISCIPLINE, PUNISHMENT, ADMINISTRATIVE CONVENIENCE,
5 RETALIATION, OR STAFFING SHORTAGES.

6 (D) (1) A MINOR MAY BE PLACED IN RESTRICTIVE HOUSING AS A
7 TEMPORARY MEASURE IF:

8 (I) THE MANAGING OFFICIAL OF THE FACILITY FINDS BY CLEAR
9 AND CONVINCING EVIDENCE THAT THERE IS AN IMMEDIATE AND SUBSTANTIAL
10 RISK:

2. TO THE SECURITY OF THE FACILITY;

14 (II) THERE ARE NO OTHER REASONABLE MEANS TO ELIMINATE
15 THE RISK;

16 (III) RESTRICTIVE HOUSING IS USED ONLY TO THE EXTENT
17 NECESSARY TO ELIMINATE THE IDENTIFIED RISK;

18 (IV) RESTRICTIVE HOUSING OCCURS UNDER THE LEAST
19 RESTRICTIVE CONDITIONS PRACTICABLE AND CONSISTENT WITH THE RATIONALE
20 FOR THE MINOR'S PLACEMENT IN RESTRICTIVE HOUSING;

21 (v) FACILITY STAFF PROMPTLY NOTIFIES THE MINOR OF THE
22 RATIONALE FOR THE MINOR'S PLACEMENT IN RESTRICTIVE HOUSING; AND

23 (VI) FACILITY STAFF DEVELOPS A PLAN THAT WILL ALLOW THE
24 MINOR TO LEAVE RESTRICTIVE HOUSING AND RETURN TO THE GENERAL
25 POPULATION AS SOON AS POSSIBLE.

4 (4) AT THE END OF THE TIME PERIOD DESCRIBED UNDER
5 PARAGRAPH (3) OF THIS SUBSECTION, THE DEPARTMENT SHALL:

(I) RETURN THE MINOR TO THE GENERAL POPULATION;

7 (II) TRANSPORT THE MINOR TO AN EMERGENCY DEPARTMENT;

10 (IV) PROVIDE SPECIAL INDIVIDUALIZED PROGRAMMING
11 OUTSIDE OF RESTRICTIVE HOUSING THAT MAY INCLUDE:

2. IN-PERSON PROVISION OF EDUCATIONAL SERVICES;

26 (E) (1) A MINOR MAY BE PLACED IN RESTRICTIVE HOUSING AT THE
27 MINOR'S REQUEST.

(2) A MINOR PLACED IN RESTRICTIVE HOUSING UNDER THIS
SUBSECTION MAY REVOKE A REQUEST TO BE PLACED IN RESTRICTIVE HOUSING AT

1 ANY TIME, AND, IF REVOKED, THE MINOR SHALL BE IMMEDIATELY RETURNED TO
2 THE GENERAL POPULATION.

3 (F) A MINOR PLACED IN RESTRICTIVE HOUSING SHALL BE PROVIDED:

4 (1) THE SAME STANDARD OF ACCESS TO THE FOLLOWING PRIVILEGES
5 AND CONDITIONS THAT ARE PROVIDED TO INCARCERATED INDIVIDUALS NOT IN
6 RESTRICTIVE HOUSING:

7 (I) PHONE CALLS;

8 (II) VISITS;

9 (III) MAIL;

10 (IV) FOOD;

11 (V) WATER;

12 (VI) SHOWERS;

13 (VII) SANITARY SUPPLIES;

14 (VIII) PROPERTY, INCLUDING CLOTHING AND BEDDING;

15 (IX) EDUCATIONAL SERVICES;

16 (X) EDUCATIONAL READING MATERIALS; AND

17 (XI) MEDICAL, MENTAL, AND DENTAL HEALTH CARE; AND

18 (2) UNLESS IT WOULD POSE A RISK OF PHYSICAL HARM TO THE MINOR
19 OR ANOTHER, MAXIMIZED ACCESS TO RECREATION, EDUCATION, AND
20 PROGRAMMING.

21 (G) IF A PRIVILEGE OR CONDITION DESCRIBED IN SUBSECTION (F) OF THIS
22 SECTION IS NOT PROVIDED TO THE MINOR, THE MANAGING OFFICIAL OR THE
23 MANAGING OFFICIAL'S DESIGNEE SHALL RECORD THE REASON IN THE MINOR'S
24 FILE.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2026.