

HOUSE BILL 921

E3, E4
HB 1107/25 – JUD

6lr1966

By: ~~Delegate Moreno~~ **Delegates Moreno, Cardin, Phillips, Simmons, McComas,
Arikan, Taylor, Simpson, Moon, Conaway, Woods, and Williams**

Introduced and read first time: February 5, 2026

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 9, 2026

CHAPTER _____

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; altering certain~~
7 requirements for regulations adopted by the Department of Juvenile Services
8 relating to the placement of a minor in restrictive housing and confinement; and
9 generally relating to the placement of minors in restrictive housing and the
10 confinement of juveniles.

11 ~~BY adding to~~
12 ~~Article – Correctional Services~~
13 ~~Section 9–614.3~~
14 ~~Annotated Code of Maryland~~
15 ~~(2025 Replacement Volume)~~

16 BY repealing and reenacting, with amendments,
17 Article – Human Services
18 Section 9–227(b)(2)
19 Annotated Code of Maryland
20 (2019 Replacement Volume and 2025 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 ~~Article—Correctional Services~~

4 ~~9-614.3.~~

5 (A) (1) ~~IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS~~
6 ~~INDICATED.~~

7 (2) ~~“DEPARTMENT” MEANS THE DEPARTMENT OF JUVENILE~~
8 ~~SERVICES.~~

9 (3) ~~“RESTRICTIVE HOUSING” HAS THE MEANING STATED IN § 9-614~~
10 ~~OF THIS SUBTITLE.~~

11 (B) ~~THIS SECTION APPLIES TO A FACILITY OPERATED BY THE~~
12 ~~DEPARTMENT.~~

13 (C) ~~A MINOR MAY NOT BE PLACED IN RESTRICTIVE HOUSING SOLELY FOR~~
14 ~~THE PURPOSES OF DISCIPLINE, PUNISHMENT, ADMINISTRATIVE CONVENIENCE,~~
15 ~~RETALIATION, OR STAFFING SHORTAGES.~~

16 (D) (1) ~~A MINOR MAY BE PLACED IN RESTRICTIVE HOUSING AS A~~
17 ~~TEMPORARY MEASURE IF:~~

18 (i) ~~THE MANAGING OFFICIAL OF THE FACILITY FINDS BY CLEAR~~
19 ~~AND CONVINCING EVIDENCE THAT THERE IS AN IMMEDIATE AND SUBSTANTIAL~~
20 ~~RISK:~~

21 1. ~~OF PHYSICAL HARM TO THE MINOR, OTHER~~
22 ~~INCARCERATED INDIVIDUALS, OR STAFF; OR~~

23 2. ~~TO THE SECURITY OF THE FACILITY;~~

24 (ii) ~~THERE ARE NO OTHER REASONABLE MEANS TO ELIMINATE~~
25 ~~THE RISK;~~

26 (iii) ~~RESTRICTIVE HOUSING IS USED ONLY TO THE EXTENT~~
27 ~~NECESSARY TO ELIMINATE THE IDENTIFIED RISK;~~

28 (iv) ~~RESTRICTIVE HOUSING OCCURS UNDER THE LEAST~~
29 ~~RESTRICTIVE CONDITIONS PRACTICABLE AND CONSISTENT WITH THE RATIONALE~~
30 ~~FOR THE MINOR’S PLACEMENT IN RESTRICTIVE HOUSING;~~

1 ~~(V) FACILITY STAFF PROMPTLY NOTIFIES THE MINOR OF THE~~
2 ~~RATIONALE FOR THE MINOR'S PLACEMENT IN RESTRICTIVE HOUSING; AND~~

3 ~~(VI) FACILITY STAFF DEVELOPS A PLAN THAT WILL ALLOW THE~~
4 ~~MINOR TO LEAVE RESTRICTIVE HOUSING AND RETURN TO THE GENERAL~~
5 ~~POPULATION AS SOON AS POSSIBLE.~~

6 ~~(2) (I) A HEALTH CARE OR MENTAL HEALTH CARE PROVIDER~~
7 ~~SHALL CONDUCT A MENTAL HEALTH SCREENING OF A MINOR PLACED IN~~
8 ~~RESTRICTIVE HOUSING UNDER THIS SUBSECTION WITHIN 1 HOUR OF THE MINOR'S~~
9 ~~PLACEMENT.~~

10 ~~(II) FOLLOWING THE MENTAL HEALTH SCREENING CONDUCTED~~
11 ~~UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE DEPARTMENT SHALL~~
12 ~~PROVIDE THE MINOR WITH ANY NECESSARY MENTAL HEALTH SERVICES.~~

13 ~~(3) A MINOR PLACED IN RESTRICTIVE HOUSING UNDER THIS~~
14 ~~SUBSECTION SHALL BE HOUSED IN RESTRICTIVE HOUSING FOR THE SHORTEST~~
15 ~~AMOUNT OF TIME NECESSARY, NOT TO EXCEED 6 HOURS.~~

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

18 ~~(I) RETURN THE MINOR TO THE GENERAL POPULATION;~~

19 ~~(II) TRANSPORT THE MINOR TO AN EMERGENCY DEPARTMENT;~~

20 ~~(III) TRANSFER THE MINOR TO THE MEDICAL UNIT IN THE~~
21 ~~FACILITY; OR~~

22 ~~(IV) PROVIDE SPECIAL INDIVIDUALIZED PROGRAMMING~~
23 ~~OUTSIDE OF RESTRICTIVE HOUSING THAT MAY INCLUDE:~~

24 ~~1. IN PERSON SUPERVISION BY AND INTERACTION WITH~~
25 ~~STAFF MEMBERS;~~

26 ~~2. IN PERSON PROVISION OF EDUCATIONAL SERVICES;~~

27 ~~3. INVOLVEMENT OF THE MINOR IN OTHER ASPECTS OF~~
28 ~~THE FACILITY'S PROGRAMMING, UNLESS THE INVOLVEMENT THREATENS THE~~
29 ~~SAFETY OF THE MINOR OR STAFF OR THE SECURITY OF THE FACILITY;~~

1 4. ~~DEVELOPMENT OF AN INDIVIDUALIZED PLAN TO~~
2 ~~IMPROVE THE MINOR'S BEHAVIOR, CREATED IN CONSULTATION WITH THE MINOR,~~
3 ~~MENTAL HEALTH CARE OR HEALTH CARE STAFF, AND THE MINOR'S FAMILY~~
4 ~~MEMBERS, THAT IDENTIFIES THE CAUSES AND PURPOSES OF THE NEGATIVE~~
5 ~~BEHAVIOR AND ESTABLISHES CONCRETE GOALS THAT THE MINOR CAN WORK~~
6 ~~TOWARD IN ORDER TO BE REMOVED FROM SPECIAL PROGRAMMING; AND~~

7 5. ~~DAILY REVIEW WITH THE MINOR OF THE MINOR'S~~
8 ~~PROGRESS TOWARD GOALS OUTLINED IN THE INDIVIDUALIZED PLAN.~~

9 (E) (1) ~~A MINOR MAY BE PLACED IN RESTRICTIVE HOUSING AT THE~~
10 ~~MINOR'S REQUEST.~~

11 (2) ~~A MINOR PLACED IN RESTRICTIVE HOUSING UNDER THIS~~
12 ~~SUBSECTION MAY REVOKE A REQUEST TO BE PLACED IN RESTRICTIVE HOUSING AT~~
13 ~~ANY TIME, AND, IF REVOKED, THE MINOR SHALL BE IMMEDIATELY RETURNED TO~~
14 ~~THE GENERAL POPULATION.~~

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

16 (1) ~~THE SAME STANDARD OF ACCESS TO THE FOLLOWING PRIVILEGES~~
17 ~~AND CONDITIONS THAT ARE PROVIDED TO INCARCERATED INDIVIDUALS NOT IN~~
18 ~~RESTRICTIVE HOUSING:~~

19 (I) ~~PHONE CALLS;~~

20 (II) ~~VISITS;~~

21 (III) ~~MAIL;~~

22 (IV) ~~FOOD;~~

23 (V) ~~WATER;~~

24 (VI) ~~SHOWERS;~~

25 (VII) ~~SANITARY SUPPLIES;~~

26 (VIII) ~~PROPERTY, INCLUDING CLOTHING AND BEDDING;~~

27 (IX) ~~EDUCATIONAL SERVICES;~~

28 (X) ~~EDUCATIONAL READING MATERIALS; AND~~

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

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

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

Article - Human Services

9-227.

(b) The Department shall:

(2) adopt regulations applicable to residential facilities it operates that:

(i) prohibit the use of locked door seclusion and restraints as punishment [and describe the circumstances under which locked door seclusion and restraints may be used], FOR CONVENIENCE, AS A STAFFING SUBSTITUTE, OR IN RETALIATION;

(II) SPECIFY THAT LOCKED DOOR SECLUSION AND RESTRAINTS MAY BE USED ONLY WHEN ALL LESS RESTRICTIVE MEASURES HAVE BEEN EXHAUSTED;

(III) LIMIT THE USE OF LOCKED DOOR SECLUSION AND RESTRAINTS TO THOSE INSTANCES WHERE THERE IS AN IMMEDIATE AND SUBSTANTIAL RISK OF PHYSICAL HARM TO THE CHILD OR OTHERS, OR IMMINENT RISK OF ESCAPE;

(IV) REQUIRE THAT THE USE OF ANY LOCKED DOOR SECLUSION:

1. BE TRAUMA-INFORMED, DEVELOPMENTALLY APPROPRIATE, AND TIME-LIMITED;

2. REQUIRE VISUAL INSPECTION OF THE CHILD BY DIRECT CARE STAFF IN INTERVALS OF LESS THAN 15 MINUTES;

3. REQUIRE AN INITIAL MEDICAL AND BEHAVIORAL HEALTH ASSESSMENT OF THE CHILD TO BE CONDUCTED NOT LATER THAN 30 MINUTES AFTER THE INITIATION OF THE LOCKED DOOR SECLUSION;

1 **4. REQUIRE REPEATED MEDICAL AND BEHAVIORAL**
2 **HEALTH ASSESSMENTS AT REGULAR INTERVALS FOLLOWING AN INITIAL MEDICAL**
3 **EXAMINATION UNDER ITEM 3 OF THIS ITEM;**

4 **5. PROVIDE SCHEDULED MEALS AND SNACKS, ACCESS**
5 **TO WATER, BATHROOM ACCESS, ACCESS TO EDUCATIONAL SERVICES AND**
6 **MATERIALS, AND ACCESS TO HYGIENE ITEMS;**

7 **6. BE TERMINATED IMMEDIATELY ONCE THE**
8 **IMMEDIATE AND SUBSTANTIAL THREAT HAS PASSED; AND**

9 **7. BE FOLLOWED BY A DEBRIEFING WITH A BEHAVIORAL**
10 **HEALTH REVIEW TO PREVENT FUTURE USE FOR THE CHILD; and**

11 **[(ii) (v) prohibit abuse of a child; and**

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.