



# **RACIAL EQUITY IMPACT NOTE**

DEPARTMENT OF LEGISLATIVE SERVICES  
MARYLAND ▪ GENERAL ▪ ASSEMBLY

2026 Session  
HB0921

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

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### **Bill Summary**

This bill limits the circumstances under which a minor may be placed in restrictive housing within a facility operated by the Department of Juvenile Services (DJS). The bill specifies the criteria for these placements, the duration of these placements, and services a minor must receive while in restrictive housing. The bill also establishes procedures DJS must follow when a minor's placement in restrictive housing expires.

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### **Racial Equity Impact Statement**

The bill limits restrictive housing practices within DJS facilities. Prior reports from State agencies and studies have identified punitive disciplinary practices, including restrictive confinement, as being associated with harmful outcomes for youth that may extend into adulthood. As a result, the bill's provisions may mitigate potential short and long-term harm to youth in DJS custody, particularly among groups that experience disproportionate involvement in the juvenile justice system. Black youth, in particular, would likely benefit from any meaningful reduction in restrictive housing as they make up over 80% of the DJS committed population. The specific impacts of the bill would ultimately depend on its implementation.

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### **Analysis**

The bill prohibits a minor from being placed in restrictive housing in a DJS facility solely for the purposes of discipline, punishment, administrative convenience, retaliation, or staffing shortages. A minor may be placed in restrictive housing as a temporary measure if certain requirements are met. The bill also provides procedures and requirements for mental health screenings, time limits on the use of restrictive housing, voluntary requests to restrict housing, and access to ordinary activities such as visits, phone calls, and medical care.

### *Current Law*

Under current law, a minor may not be placed in restrictive housing in a facility operated by a “correctional unit” unless the managing official of the facility finds by clear and convincing evidence that there is an immediate and substantial risk (1) of physical harm to the minor, other incarcerated individuals, or staff or (2) to the security of the facility.

“Restrictive housing” means a form of physical separation that has not been requested by the incarcerated individual, in which the incarcerated individual is placed in a locked room or cell for approximately 22 hours or more out of a 24-hour period. Restrictive housing includes administrative segregation and disciplinary segregation.

A minor placed in restrictive housing must be provided:

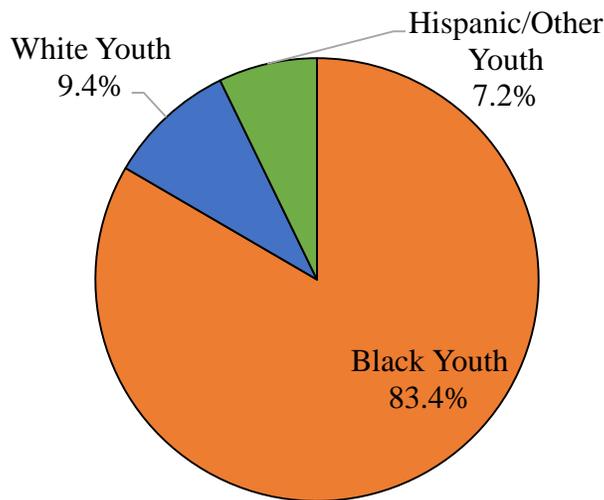
- daily physical and mental health assessments to determine whether the minor may be released from restrictive housing;
- the same standard of access that is provided to incarcerated individuals not in restrictive housing to specified items (*e.g.*, phone calls, visits, food, showers, and sanitary supplies) and medical care, mental health care, and dental health care; and
- unless it would pose a risk of physical harm to the minor or another, maximized access to recreation, education, and programming.

### *Impacts of the Bill*

The juvenile court may commit a youth into the care of DJS, thereby transferring legal custody to the department. A range of out-of-home program options has been developed for committed youth. Community-based program options include placement in a foster home, group home, or independent living program. Placements in noncommunity settings include residential treatment centers, DJS-operated youth centers, and secure confinement programs. In fiscal 2025, DJS had 373 youth in committed placements. As shown in **Exhibit 1**, Black youth comprised 83.4% of this total, while 9.4% were white youth and 7.2% were youth who are Hispanic or of another race or ethnicity.

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**Exhibit 1**  
**DJS Committed Placements**  
**Fiscal 2025**



Source: Department of Juvenile Services

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According to the American Academy of Child and Adolescent Psychiatry, solitary confinement has deleterious effects on all individuals, but children and adolescents in particular. Prolonged isolation from education, their peers, and the outside world worsens existing mental health conditions and disrupts cognitive development.

Many of the juveniles within the juvenile (or adult) justice system have a history of adverse childhood experiences (ACE) prior to entering the system. The Maryland Department of Health defines ACE as traumatic events that occur in a child's life. These events can include physical or sexual abuse, neglect, household dysfunction, substance abuse, or witnessing violence. These events directly impact the development of children and can lead to negative health and well-being outcomes in adulthood. In a 2024 national survey of incarcerated individuals who were sentenced as an adult for crimes committed as a minor, Maryland respondents reported experiencing an average of six ACE indicators as a child. The most common indicator cited was parental separation (87% of respondents), followed by household substance abuse (82%) and emotional and physical abuse (75% and 73%, respectively). Notably, 80% reported being held in solitary confinement before they turned 18 years of age.

In its Fourth Quarter and 2022 Annual Review report, the Juvenile Justice Monitoring Unit in the Office of the Attorney General reported that due to the punitive and compliance-oriented nature of the programming at DJS placement sites, youth are often threatened with disciplinary reports for failing to follow rules while administrators and staff ignore their responsibility to address the inadequate programming and services that are directly related to routine noncompliance. The report suggests that these practices are harmful to youth and undermine rehabilitation efforts.

In 2025, the Maryland Commission on Juvenile Justice Reform and Emerging and Best Practices reported that children placed under harsh punishment and confinement (*e.g.*, adult confinements) often lose valuable time and access to services, with research and stakeholder experience suggesting that these placements increase the risk of harm and recidivism. The report indicates that extended reliance on punitive placements without adequate access to age-appropriate therapy or education may negatively affect youth involved in the juvenile justice system.

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## Conclusion

The bill could potentially aid in reducing both the long-term and short-term harm to youth who experience restrictive housing in DJS controlled facilities. Various surveys and institutional data suggest that excessive punishment and harsh disciplinary practices are associated with significant harm to youth and have adverse outcomes that persist into adulthood. Black youth comprise over 80% of the committed population and would likely benefit the most from the bill to the extent that it results in meaningful reductions in restricted housing. The magnitude of the bill's impacts would ultimately depend on its implementation.

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**Information Sources:** Department of Juvenile Services; Maryland Department of Health; Office of the Attorney General; Governor's Office of Crime Prevention and Policy; American Academy of Child and Adolescent Psychiatry; Department of Legislative Services

**Analysis by:** Dr. Jasmón Bailey

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# Appendix – Maryland Demographics

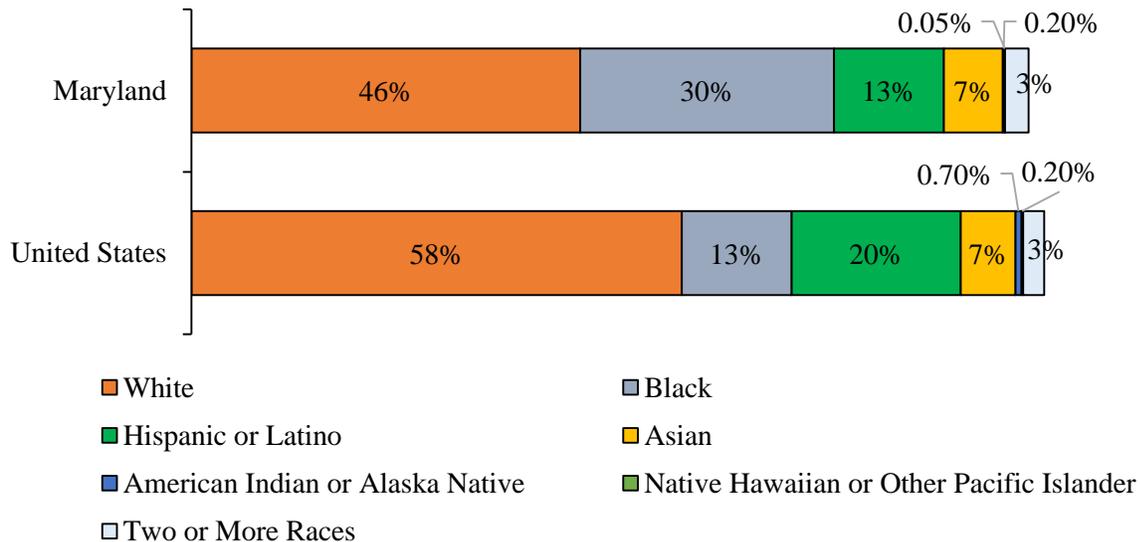
## *Race and Ethnicity of the Maryland Population*

Maryland’s 2020 census population is 6,177,244, a 7% increase from the 2010 census count and approximately 2% higher than the 2019 census population estimates. Maryland remains one of the most racially and ethnically diverse states in the nation and is ranked as the fourth most diverse state by the U.S. Census Bureau’s [Diversity Index](#). While no single racial or ethnic group constitutes a majority, racial minorities as a group constitute a majority of the State’s population. This diversity underpins the analytical framework used in racial equity impact notes (REIN), which seek to identify potential disparities that may be exacerbated or created by proposed criminal justice legislation.

## *Methodology Update*

Beginning in 2025, REIN will use annual population estimates from the U.S. Census Bureau’s Population Estimates Program (PEP) as the basis for disparity and disproportionality calculations. This methodological update reflects best practices in demographic analysis, as PEP data incorporate births, deaths, and migration to provide the most current population counts between censuses. Although the estimates are more temporally responsive, they do not materially change the proportionate racial and ethnic breakdown observed in the 2020 census. Instead, they conservatively reflect population changes since 2020 while preserving the overall demographic composition of the State.

**U.S. and Maryland Population by Race and Ethnicity  
2024 Population Estimates**



Note: Percentages do not total 100% due to rounding.

Source: U.S. Census Bureau