

HB 921 – Juvenile Law – Confinement and Restrictive Housing - Limitations

Judicial Proceedings Committee

April 1, 2026

Position: FAVORABLE

Mental Health Association of Maryland (MHAMD) is a nonprofit education and advocacy organization that brings together consumers, families, clinicians, advocates and concerned citizens for unified action in all aspects of mental health and substance use disorders (collectively referred to as behavioral health). We appreciate the opportunity to provide this testimony in support of HB 921.

HB 921 severely curtails the use of restrictive housing (solitary confinement) for minors. Solitary can only be used when a child poses a danger to themselves, others, or is at risk of escape. The bill also requires that a medical and behavioral health assessment of a minor who is placed in solitary confinement must be conducted within 30 minutes and then at regular intervals, and it codifies additional protections when a youth is in solitary. Such measures are critical.

Mental health conditions are prevalent among juvenile offenders. Some estimates suggest that the numbers are as high as 30% with depression or dysthymia, 30% with attention-deficit hyperactivity disorder, 7% with bipolar disorder, and 32% with posttraumatic stress disorder.¹

Placing youth in restrictive housing causes mental health distress and exacerbates existing mental health conditions. Studies have shown that placing adults in isolation for an extended time causes serious psychological damage, and the negative impact on juveniles is more profound. Solitary confinement can cause both neurological damage as well as psychological damage and can lead to suicide.² Accordingly, President Obama banned the use of solitary confinement for juveniles in the federal prison system in 2016. Two years later, Congress passed bipartisan legislation, the First Step Act (S. 756), to prohibit the use of solitary confinement on children in the federal system. The bill was signed into law by President Trump.

Maryland should follow the lead of the federal government and prohibit the use of solitary confinement for children. Until then, severe restrictions and protective measures must be put into place. HB 921 does this, therefore we urge a favorable report.

¹ Lee Underwood et.al. Mental Illness and Juvenile Offenders. International Journal of Environmental Research and Public Health (2018).

² Minors in custody - Solitary Confinement. Child Crime Prevention and Safety Center.
<https://childsafety.losangelescriminallawyer.pro/minors-in-custody-solitary-confinement.html>