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**TESTIMONY IN SUPPORT OF HB 921 BEFORE THE MARYLAND SENATE  
JUDICIAL PROCEEDINGS COMMITTEE**

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*April 1, 2026*

Dear Chair Smith and Members of the Maryland Senate Judicial Proceedings Committee:

Human Rights for Kids respectfully submits this testimony for the official record to express our support for HB 921. We are grateful to Delegate Moreno for his leadership in introducing this bill and appreciate the Maryland Legislature's willingness to address these important human rights issues concerning Maryland's children.

Over the years too little attention has been paid to the most vulnerable casualties of mass incarceration in America — children. From the point of entry and arrest to sentencing and incarceration our treatment of children in the justice system is long overdue for re-examination and reform.

Human Rights for Kids is a Washington, D.C.-based non-profit organization dedicated to the promotion and protection of the human rights of children. We work to inform the way the nation understands Adverse Childhood Experiences (ACEs) from a human rights perspective, to better educate the public and policymaker's understanding of the relationship between early childhood trauma and negative life outcomes. We use an integrated, multi-faceted approach which consists of research & public education, coalition building & grassroots mobilization, and policy advocacy & strategic litigation to advance critical human rights on behalf of children in the United States.

Human Rights for Kids supports HB 921 because it will end the shameful practice of placing children in solitary confinement while in the custody of the Department of Juvenile Services. The practice of placing youth in solitary confinement, or room seclusion as it's known in Maryland, is a clear human rights abuse. The United Nations Convention on the Rights of the Child (CRC) requires that children be protected from torture as well as cruel and unusual punishment, and the U.N. Committee on the Rights of the Child has deemed solitary confinement a violation of Article 37 of the CRC. The Committee against Torture and the Special Rapporteur on Torture have also classified the use of solitary confinement on children as cruel, inhumane, and degrading treatment. Because HB 921 will effectively ban the practice of

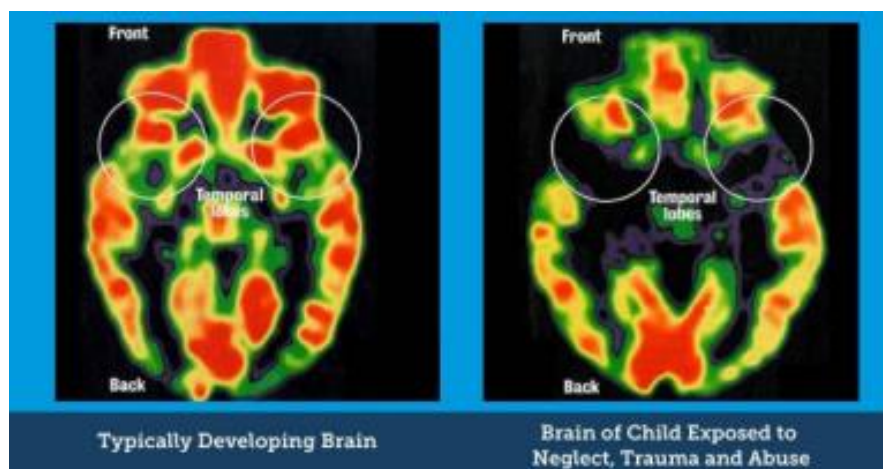
placing children in solitary confinement in Maryland’s juvenile justice system, we strongly urge the committee to issue a favorable report.

**Effects of Solitary Confinement**

Children placed in solitary confinement can experience profound negative physical, emotional and psychological effects, including but not limited to psychosis, depression, increased aggression and increased risk of suicide. The use of solitary confinement on children can also lead to their failure to develop positive social skills, limit their access to developmental and educational resources, and can cause stunted physical growth due to inadequate diet and exercise. For children who have experienced trauma and abuse prior to their detention, the harmful effects can be even more profound.

The sad reality is that the overwhelming majority of youth who cycle in and out of Maryland’s youth justice system have experienced significant trauma prior to their arrival. In 2024, HRFK released a report detailing the prevalence of ACEs among children tried as adults in Maryland where we observed an average ACE score of 6.4 out of 10. Nearly 74% had experienced physical abuse and around 40% experienced sexual abuse. The average age that this group of children first experienced abuse was just *six years old*. Notably, nearly **90%** of these children come from homes where one or both parents are absent. And in about 50% of those cases, parental absence is due to *parental incarceration*. These facts allow us to understand the contributing factors that lead children to become system involved in the first place.

Another important finding from our study was that 60% of respondents had prior involvement in the state’s juvenile justice system. Similar studies have confirmed high rates of trauma among youth adjudicated delinquent, with 90% of these youth experiencing 2 or more ACEs. Trauma exposure of this magnitude often leads to early onset PTSD which has been shown in brain scan imaging to impact brain development as detailed in the image below.



Approximately 42% of respondents in our study indicated that they had previously been hospitalized for a mental health issue and 80% had been placed in solitary confinement while under the age of 18.

### **National Consensus Against the Use of Solitary Confinement**

The United States Attorney General’s National Task Force on Children Exposed to Violence concluded that “[n]owhere is the damaging impact of incarceration on vulnerable children more obvious than when it involves solitary confinement.” This is perhaps why, as the DOJ has reported, more than half of suicides within juvenile correctional facilities occur when a child is in some type of isolation.

Major medical and mental health organizations, including the American Psychological Association, the American Academy of Child and Adolescent Psychiatry, the American Medical Association, and the American Public Health Association, recognize the risks of solitary confinement for youth and many categorically oppose its use. For example, the American Psychological Association, recommends that “solitary or room confinement of youth—involuntary isolation of a youth in a locked room or cell—be prohibited” except in truly emergency circumstances in response to an imminent danger. In 2012, the American Academy of Child and Adolescent Psychiatry (AACAP) issued a policy statement stating its concurrence with the United Nations standards and opposing the use of solitary confinement on minors.

Similarly, major correctional associations, including the American Correctional Association (“ACA”), National Commission on Correctional Health Care, and Council of Juvenile Correctional Administrators, oppose solitary confinement for youth.

In 2016, President Barack Obama instituted a ban on solitary confinement for children in the federal prison system, citing its overuse and “potential for devastating psychological consequences.” Two years later, Congress codified this prohibition for youth at the federal level through the passage of the First Step Act in 2018 (S. 756) which was signed into law by President Trump.

### **Why We Must Codify the Prohibition on Solitary Confinement**

Previous legislative efforts on this issue resulted in a new law directing DJS to develop regulations that prohibit the use of room seclusion for purposes of punishment. However, that law did not cover other circumstances such as administrative convenience or staffing shortages. Moreover, administrative mischief in the regulatory process resulted in several carve out exemptions that circumvented the legislature’s intent. For example, under Md. Code Regs. 16.18.02.03 subsection (c), a DJS officer may extend a child’s stay in solitary confinement up to 72 hours. But even this is not a hard and fast rule since the superintendent can declare an emergency and hold the youth in solitary confinement for even longer.

It is critically important that Maryland follow Congress’ lead by setting strict statutory guidelines for when and under what circumstances a child may be placed in temporary isolation. Deferring to administrative regulations is an invitation to mischief that will ultimately harm youth and open the state up to costly litigation.

### **HB 921**

Under HB 921, a child cannot be placed in isolation solely for punishment, convenience, retaliation, or staffing shortages. If isolation is used at all, it must be a temporary response to an immediate and substantial safety risk, with strict safeguards - including:

- A requirement that the facility justify the placement and use the least restrictive conditions practicable
- A mental health screening within half an hour, and access to needed services

These restrictions and carefully crafted exceptions follow standard best practices nationally.

**Redemption for Maryland**

Nelson Mandela once said, “*There is no keener revelation of a society’s soul than the way in which it treats its children.*” What does it say about our soul then if we allow our most vulnerable children, the vast majority of whom are Black, to be subject to this terrible form of torture?

With the passage of HB 921, Maryland can find redemption by recognizing the humanity in our system involved kids and ensuring that they never experience this type of cruel, degrading, or inhumane treatment ever again. **It is for the foregoing reasons that Human Rights for Kids respectfully requests that the Committee issue a favorable report on HB 921 by Delegate Moreno.** Thank you for your time and consideration.

Submitted by:

James Dold  
Chief Executive Officer & Founder  
Human Rights for Kids