



Working to end sexual violence in Maryland

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Testimony Supporting House Bill 389
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February 5, 2026

The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute which provides direct legal services for survivors across the State of Maryland. We urge the Judiciary Committee to report favorably on House Bill 295.

House Bill 389 – Sexual Abuse Prevention
Prohibiting Juveniles from Contact with Adult Inmates

House Bill 389 would ensure juveniles are separated from incarcerated adults by sight, sound, and location.

The federal Prison Rape Elimination Act (PREA) was passed unanimously by Congress in 2003 and sought to document and curtail the incidence and effects of prison rape in federal, state, and local institutions. Important to this effort was the recognition that juveniles are at higher risk of sexual assault and that this risk increases when they are housed with adult inmates. PREA standard § 115.14 regarding youthful inmates, juveniles and youthful detainees seeks to reduce this risk. The purpose of the standard is described as:

To protect inmates who are under the age of 18 (“youthful inmates”) and living in adult correctional facilities from sexual abuse or sexual harassment they might experience from adults by:

- Prohibiting agencies from placing youthful inmates in housing units where they may have sight, sound, or physical contact with adult inmates
- Limiting opportunities for youthful inmates to interact with adult inmates in unmonitored ways by requiring agencies to keep young people and adults “sight and sound” separated outside of housing areas or employing direct staff supervision in instances where youthful and adult inmates are co-mingled (e.g., during a group program)

HB389 seeks to codify and enhance these provisions in an effort to strengthen protections against sexual abuse for detained juveniles.

**The Maryland Coalition Against Sexual Assault urges the
Judiciary Committee to
report favorably on House Bill 389**