



TESTIMONY TO THE HOUSE JUDICIARY COMMITTEE

HB 0389 – Juveniles – Detention and Confinement – Limitations on Juvenile Contact With Incarcerated Adults

POSITION: FAVORABLE

By: Linda T. Kohn, President

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The League of Women Voters of Maryland strongly supports HB 0389. The League of Women supports a criminal justice system that is just, effective, equitable, transparent and that fosters public trust at all stages, including pre-trial and incarceration. The League has long maintained that community-based alternatives to confinement in correctional facilities is preferred and that detention of any juvenile in an adult correctional facility before trial or after conviction is in no way acceptable. As detailed by the [Equal Justice Initiative](#), juveniles confined to adult jails and prisons are at increased risk for sexual and physical violence, increased psychological trauma, and suicide compared to those who are confined to juvenile correctional facilities.

HB 0389 prohibits the detention or confinement of a juvenile who has been arrested, been convicted or is awaiting trial in any institution where the juvenile has contact with or comes within sight or sound of an incarcerated adult. This interdiction applies equally to juveniles deemed subject to adult criminal court jurisdiction and to those who are not.

HB 0389 further stipulates that juveniles may not be confined in an adult correctional facility, with one exception. Juveniles may be held temporarily for processing in an adult jail, or a correction or detention facility that does not have a restricted area dedicated to juvenile detention or confinement if they are separated by sight and sound from incarcerated adults and if they are held for a period not exceeding six hours, including time in the adult facility and time in transport to the nearest juvenile facility. This stipulation will hopefully decrease the chances that juveniles will be held in prolonged solitary confinement, a procedure too often followed by jurisdictions in their attempts to separate juveniles by sight and sound from incarcerated adults as noted by [The Sentencing Project](#).

Therefore, **the League of Women Voters of Maryland**, representing nearly 2,000 citizens throughout Maryland, **strongly urges you to issue a FAVORABLE report.**