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Bill: HB 389 – Juveniles – Detention and Confinement – Limitations on Juvenile Contact with Incarcerated Adults

Committee: House Judiciary

Position: Favorable

Date: February 3, 2026

The Maryland State Bar Association (MSBA) **supports** House Bill 389 – Juveniles – Detention and Confinement – Limitations on Juvenile Contact with Incarcerated Adults, altering and establishing certain provisions relating to the detention, confinement, and transportation of children arrested, convicted, or awaiting trial for certain offenses. MSBA represents more attorneys than any other organization across the state in all practice areas. Through its advocacy committees and various practice-specific sections, MSBA monitors and takes positions on legislation that protects the legal profession, preserves the integrity of the judicial system, and ensures access to justice for Marylanders.

MSBA supports this legislation as it continues much-needed substantive reforms in Maryland's juvenile justice system through a statewide standard of care and important safeguards: 1) preventing children in detention from coming within sight or sound of incarcerated adults, 2) barring the joint transport of children with adults charged with or convicted of crimes, and 3) time-limiting holding youth in an adult correctional facility, with limited exceptions. HB 389 preserves the physical and psychological safety of the state's vulnerable youth and reduces the trauma that comes from contact with incarcerated adults. The bill improves the operation of the courts and detention facilities, while providing fair and compassionate treatment to youth with a focus on rehabilitation. The bill safeguards the process through on-the-record judicial findings for any exceptions to the protocol, thereby preserving the integrity of judicial orders and reducing administrative burdens on the state for harms suffered by juveniles held in adult facilities.

MSBA supports HB 389 and urges a favorable report.

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