

House Bill 389 (Juveniles – Detention and Confinement – Limitations on Juvenile Contact with Incarcerated Adults)

House Judiciary Committee

Position: **FAVORABLE WITH AMENDMENTS**

February 5, 2026

Submitted by: **John Sexton**

Greetings and good day to each of you.

I would like to share a perspective with you regarding HB 389 as someone who was charged as an adult for a crime committed at 16 years of age and who spent 37 years in the Maryland prison system.

HB 389 is incredibly well intentioned, and there is certainly a desire among its sponsors and supporters to do the right thing for Maryland children that have lost their way. However, there is going to be a vast difference between what the creators of the Bill envision and what the practical effects the specific language of the Bill will produce.

There will invariably be a subset of juveniles that will either be charged as adults or that will be waived from the juvenile system into the adult system because of their demonstrated propensity towards errant behaviors. Under the proposed Bill, a facility housing such a juvenile will have no choice but to put that juvenile in complete seclusion and totally deny that juvenile of any meaningful opportunities to develop and grow as a human being. It seems that the intent of this bill would be to require all juveniles go to a juvenile facility until they turn 18. Even if that were the case (the legislation does not exactly require that) - the juvenile system will treat these 'adult' designated offenders as potential security threats because they are simply there awaiting the day they return to adult prison. They will be the 'others' - they will not be integrated as many have convinced themselves they would be.

The intent of HB389 is great - its purported way of achieving the ends of the intent are wishful thinking. The language should be changed.

Additionally, it has to be noted that yes indeed, juveniles in hard core adult environments can be overwhelmingly destructive and traumatizing. I can attest to that. But this Bill also dismisses the positive influences that older adults that have been down the same road so to speak can have on young people. I have had the privilege and honor of running a multitude of groups designed to put youth on a positive and life changing trajectory. The success is amazing when said youth can be given focus and an opportunity to achieve their potential. And that's the critical point here - not where they are housed - but putting them in

a position to succeed. As it stands, this HB 389 will deprive them of that opportunity because in both systems, they will be designated as liabilities and treated accordingly.

I implore this committee to reconstruct the language of this Bill and not unwittingly doom a whole subset of juveniles to the worst situation possible for them.

Thank you,

John Sexton