



House Bill 389

Juveniles - Detention and Confinement - Limitations on Juvenile Contact With Incarcerated Adults

MACo Position: **SUPPORT**

To: Judiciary Committee

Date: February 5, 2026

From: Sarah Sample

The Maryland Association of Counties (MACo) **SUPPORTS** HB 389. The bill would limit the long-term holding of a juvenile in an adult detention center, including all local detention centers.

This bill wisely recognizes that adult detention centers operated by both the State and counties are not suitable for the holding of minors under any circumstances. In prohibiting the long-term holding of minors in these facilities, not only are local detention centers relieved of a substantial operational burden, but the minors in question will also be placed in an environment better suited to manage their needs and vulnerabilities.

“Sight and sound separation” mandates were signed into federal law as The Juvenile Justice Reform Act of 2018. This standard requires an incarcerated juvenile to be shielded from visual or audible exposure to any incarcerated adult within a detention center. In local facilities – typically far smaller in physical space than state facilities – such segregation options may simply be unavailable, in the instances of longer-term detention, due to the simple logistics of smaller buildings. Local detention centers have gone to great lengths to comply with the mandate in the rare instances when they have juveniles in custody, but adjusting physical structures and procedures to account for these standards has been inconsistent and sometimes impossible. The resulting incomplete care and liability exposure in those instances should be avoided.

An even more worrisome challenge arises when a local detention center has only one juvenile in custody, and their means of confinement are necessarily restrictive housing. To avoid the individual being safely separated but not alone, local detention centers have regularly coordinated with one another, and devised strategies to find alternative local facilities where other juveniles are being held. Despite this being a complicated process, local facilities have gone to these lengths to ensure the minor can feel safe but also not isolated. While an honorable task, HB 389 relieves facilities of this unintended challenge and the juvenile from the potential fear of unwarranted isolation, particularly while they experience what is likely great personal and emotional hardship.

This bill rightly considers the impractical effects of having juveniles housed in smaller facilities in each county and additionally recognizes that adult facilities are simply inappropriate for juvenile placement. For these reasons, MACo urges a **FAVORABLE** report for HB 389.