

# SENATE BILL 946

E4

6lr3396  
CF 6lr2363

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By: **Senators Gladden, Hough, Ferguson, Lee, McFadden, Muse, Nathan–Pulliam, Raskin, and Zucker**

Introduced and read first time: February 5, 2016

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Services – Restrictive Housing – Report**

3 FOR the purpose of requiring the Department of Public Safety and Correctional Services  
4 on or before a certain date each year to submit certain data to the Governor’s Office  
5 of Crime Control and Prevention relating to the use of certain restrictive housing in  
6 correctional facilities; requiring the Department to make certain information  
7 available on the Department’s Web site; defining a certain term; and generally  
8 relating to correctional facilities.

9 BY adding to

10 Article – Correctional Services  
11 Section 9–614  
12 Annotated Code of Maryland  
13 (2008 Replacement Volume and 2015 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
15 That the Laws of Maryland read as follows:

16 **Article – Correctional Services**

17 **9–614.**

18 **(A) IN THIS SECTION, “RESTRICTIVE HOUSING” MEANS A TYPE OF**  
19 **DETENTION THAT INVOLVES:**

20 **(1) REMOVAL OF AN INMATE FROM THE GENERAL INMATE**  
21 **POPULATION, WHETHER VOLUNTARY OR INVOLUNTARY;**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(2) PLACEMENT OF THE INMATE IN A LOCKED ROOM OR CELL,**  
2 **WHETHER ALONE OR WITH ANOTHER INMATE; AND**

3           **(3) THE INABILITY OF THE INMATE TO LEAVE THE ROOM OR CELL FOR**  
4 **THE VAST MAJORITY OF THE DAY, TYPICALLY 22 HOURS OR MORE.**

5           **(B) (1) ON OR BEFORE OCTOBER 1 EACH YEAR, THE DEPARTMENT SHALL**  
6 **SUBMIT DATA TO THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION,**  
7 **SHOWING, BY CORRECTIONAL FACILITY:**

8                   **(I) THE TOTAL POPULATION OF THE CORRECTIONAL FACILITY;**

9                   **(II) THE NUMBER OF INMATES WHO HAVE BEEN PLACED IN**  
10 **RESTRICTIVE HOUSING DURING THE PRECEDING YEAR BY AGE, RACE, ETHNICITY,**  
11 **CLASSIFICATION OF HOUSING, AND THE BASIS FOR THE INMATE'S PLACEMENT IN**  
12 **RESTRICTIVE HOUSING;**

13                   **(III) THE NUMBER OF INMATES WITH SERIOUS MENTAL ILLNESS**  
14 **THAT WERE PLACED IN RESTRICTIVE HOUSING DURING THE PRECEDING YEAR;**

15                   **(IV) THE DEFINITION OF "SERIOUS MENTAL ILLNESS" USED BY**  
16 **THE DEPARTMENT IN MAKING THE REPORT;**

17                   **(V) THE NUMBER OF INMATES KNOWN TO BE PREGNANT WHEN**  
18 **PLACED IN RESTRICTIVE HOUSING DURING THE PRECEDING YEAR;**

19                   **(VI) THE AVERAGE AND MEDIAN LENGTHS OF STAY IN**  
20 **RESTRICTIVE HOUSING OF THE INMATES PLACED IN RESTRICTIVE HOUSING DURING**  
21 **THE PRECEDING YEAR;**

22                   **(VII) THE NUMBER OF INCIDENTS OF DEATH, SELF-HARM, AND**  
23 **ATTEMPTS AT SELF-HARM BY INMATES IN RESTRICTIVE HOUSING DURING THE**  
24 **PRECEDING YEAR;**

25                   **(VIII) THE NUMBER OF INMATES RELEASED FROM RESTRICTIVE**  
26 **HOUSING DIRECTLY INTO THE COMMUNITY DURING THE PRECEDING YEAR;**

27                   **(IX) ANY OTHER DATA THE DEPARTMENT CONSIDERS RELEVANT**  
28 **TO THE USE OF RESTRICTIVE HOUSING BY CORRECTIONAL FACILITIES IN THE**  
29 **STATE; AND**

30                   **(X) ANY CHANGES TO WRITTEN POLICIES OR PROCEDURES AT**  
31 **EACH CORRECTIONAL FACILITY RELATING TO THE USE AND CONDITIONS OF**

1 RESTRICTIVE HOUSING, INCLUDING STEPS TO REDUCE RELIANCE ON RESTRICTIVE  
2 HOUSING.

3           **(2) THE DEPARTMENT SHALL MAKE THE INFORMATION SUBMITTED**  
4 **IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION AVAILABLE ON THE**  
5 **DEPARTMENT'S WEB SITE.**

6           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7 October 1, 2016.