



February 19, 2021

The Honorable Luke Clippinger  
House Judiciary Committee  
Room 101, House Office Building  
Annapolis, Maryland 21401

RE: Oppose – HB 851: Corrections - Restrictive Housing - Serious Mental Illness

Dear Chairman Clippinger and Honorable Members of the Committee:

The Maryland Psychiatric Society (MPS) and the Washington Psychiatric Society (WPS) are state medical organizations whose physician members specialize in diagnosing, treating, and preventing mental illnesses, including substance use disorders. Formed more than sixty-five years ago to support the needs of psychiatrists and their patients, both organizations work to ensure available, accessible, and comprehensive quality mental health resources for all Maryland citizens; and strives through public education to dispel the stigma and discrimination of those suffering from a mental illness. As the district branches of the American Psychiatric Association covering the state of Maryland, MPS and WPS represent over 1000 psychiatrists and physicians currently in psychiatric training.

Though MPS and WPS recognize that House Bill 851: Corrections - Restrictive Housing - Serious Mental Illness (HB 851) is very well-intentioned, the Societies must oppose the bill as it would have foreseeable adverse effects on prisoners and would create a lower standard of care than what the Maryland prison system currently practices.

An individual with serious mental illness, whose symptoms are in remission, may break institutional rules and consequently would be subject to the same disciplinary procedures as any other prisoner. Exempting such an individual from disciplinary procedures is counterproductive to rehabilitation in that it reinforces the perception that a person with serious mental illness is incapable of mature, responsible behavior. All segregated prisoners are already monitored and observed regularly in a manner consistent with accreditation standards promulgated by the National Commission on Correctional Healthcare.

Similarly, if a prisoner is imminently dangerous to himself or others due to mental illness, that person would be admitted to a psychiatric infirmary within the prison system rather than placed in segregated housing. Daily rounds, the level of observation proposed in this bill, would be inappropriate for a psychotic prisoner. Continuous observation would be the usual practice for a disorganized and aggressive psychotic person held in a seclusion room of an inpatient unit or prison psychiatric infirmary.



**Washington  
Psychiatric Society**

Finally, at the end of 15 days on segregation HB 815 would require that a prisoner who is imminently dangerous due to a serious mental illness be moved to a general population tier where he or she would represent a danger to a cellmate or peers on the unit.

For all the reasons stated above, MPS & WPS ask the committee for an unfavorable report. If you have any questions with regard to this testimony, please feel free to contact Thomas Tompsett Jr. at [tommy.tompsett@mdlobbyist.com](mailto:tommy.tompsett@mdlobbyist.com).

Respectfully submitted,  
The Maryland Psychiatric Society and the Washington Psychiatric Society  
Joint Legislative Action Committee