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Patrick Moran - President

Testimony
HB 917 – Corrections – Restrictive Housing – Prohibition
Judiciary
March 2, 2021
Support with Amendment

AFSCME Council 3 supports the general provisions of HB 917.

This bill prohibits the placement of an inmate of a State correctional facility in restrictive housing unless (1) the inmate poses an immediate and substantial risk of physical harm to the security of the facility, to the inmate, or to others that is not the result of a serious mental illness; (2) all other less-restrictive options to address the risk have been attempted and exhausted; and (3) the inmate is in restrictive housing only for the minimum time required to address the risk, and for a period of time that does not compromise the mental and physical health of the inmate. For each incident when restrictive housing is used, the facility must (1) document the usage of restrictive housing, as specified, and (2) promptly post any such record, excluding any identifying information, on the website of the Department of Public Safety and Correctional Services (DPSCS).

AFSCME Council 3 represents correctional officers in our state's prisons. Our members see firsthand how the physical and social environment can have a systemwide impact upon the facilities' residents.

We do believe that there are individual circumstances where inmates self-select into restrictive housing. The legislation should be altered to allow for this option.

We would also point out that there is a critical need for enhanced mental health services for our prison population, and that increased quality forensic care through an expansion of our state psychiatric hospital centers is needed.

AFSCME Council 3 requests a favorable report of this legislation with amendment.

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An employee has the right to a union representative if requested by the employee.
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