

[SB45/HB385](#)
**Correctional Services – Restrictive Housing – Limitations
(Maryland Mandela Act)**

My name is Judith Lichtenberg. I am professor emerita of philosophy at Georgetown University. Since 2016, I've been teaching, tutoring, and mentoring at Jessup Correctional Institute as well as at the DC Jail. I'm on the executive committee of the [Maryland Alliance for Justice Reform](#) and co-chair its Behind the Walls Workgroup. Senator Alonzo Washington represents me in District 22.

Solitary confinement—known in Maryland as “restrictive housing”—was originally intended to separate the most dangerous prisoners from others and to keep vulnerable prisoners safe temporarily. But in Maryland and elsewhere, solitary is used far more widely. Prisoners who have committed minor rule violations, many of whom are mentally ill, are often put in isolation, sometimes for long periods. Incarcerated prisoners in solitary typically live in small cells for more than 22 hours a day—for weeks, months, or even years. Even the few hours a week that they are permitted out of their cells for recreation and bathing is often cut short.

There is strong evidence from a variety of sources that solitary confinement often causes irreparable physical and mental harm, both to the individual and to others with whom they may have contact.

The Maryland Alliance for Justice Reform ([MAJR](#)) joins with Interfaith Action for Human Rights ([IAHR](#)) in supporting the Maryland Mandela Act—named, obviously, for Nelson Mandela, who was imprisoned in South Africa for 27 years and who [said](#) that solitary confinement was “the most forbidding aspect of prison life.”

The Maryland bill was inspired by the [United Nations Nelson Mandela Rules](#) for the treatment of prisoners, adopted in 2015. “All prisoners shall be treated with the respect due to their inherent dignity and value as human beings. No prisoner shall be subjected to, and all prisoners shall be protected from, torture and other cruel, inhuman or degrading treatment or punishment...” Near-total isolation is cruel, inhuman, inhumane—and almost always unnecessary.

The Mandela bill would cap the use of solitary; prohibit it for vulnerable people; severely limit the practice for juveniles; and allow those put in restrictive housing to contest their confinement. In addition, it would require that staff involved with restrictive housing undergo substantial training and that state correctional facilities publish a monthly report with information about individuals in restrictive housing.

Solitary confinement is a dangerous practice that sometimes amounts to torture, more often to negligence. On behalf of MAJR, I urge you to give a favorable report to the Maryland Mandela Act.

Sincerely,
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