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# Kimberly Haven

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February 10, 2023

Chairman Luke Clippinger  
Vice Chairman David Moon  
House Judiciary Committee

House Bill 385 - Maryland Mandela Act  
Correctional Services – Restrictive Housing - Limitations  
**POSITION: FAVORABLE**

Members of the House Judiciary Committee,

My name is Kimberly Haven, and I am the Legislative Liaison for Interfaith Action for Human Rights, and ***I offer this testimony in support of HB 385 – the Maryland Mandela Act.***

This legislation is the culmination of several years of effort to reform Maryland’s use of Restrictive Housing. It has been referred to as the most inhumane of all treatment of our incarcerated population. It is not a corrective practice, it is not rehabilitative, it is quite simply torture.

Across the country there are efforts underway to bring about transformative change in U.S. prisons and jails. Maryland has the opportunity to be a leader in this effort – but Maryland must start with focusing on the human dignity of incarcerated people and staff. The use of solitary confinement—also known as segregation or restrictive housing—presents a major barrier to this change.

Advocacy and human rights groups, policymakers, health care professionals, faith-based organizations, and correctional leaders have condemned use of solitary confinement in our jails and prisons. The use of restrictive housing was originally intended to address dangerous, violent behavior in facilities – however, it has now become a tool for responding to all levels of misconduct—ranging from serious assaults to minor, nonviolent rule violations—and for housing vulnerable people.

In Maryland the use of restrictive housing is used as a weapon by our correctional system. The use, misuse and the ever present threat of placement in restrictive housing has detrimental and chilling effects.

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The argument that restrictive housing is used in order to make our facilities safer – however, all the research shows that the use of restrictive housing **does not** achieve its intended purpose—it does not make prisons, jails, or the community safer, and in fact it makes them less safe.

What this legislation will do, is create a “Best Practices” model for the Department of Correctional Services and Public Safety (DPSCS) to implement. This legislation recognizes the need for institutional security and safety, but it also recognizes the need for human dignity, alternatives to the use of restrictive housing, supports training for correctional staff to understand the impact and damage caused by its use and it provides guidance on how, when, and why the practice should be used.

Interfaith Action for Human Rights, our members, partners, supporters and allies, have come before this legislative body every year to bring about systemic reform – we have been successful in some areas (youth, pregnant and postpartum individuals) but now we must tackle its entirety.

The use of restrictive housing must ALWAYS be seen as a court of last resort – it must always be used only for the most egregious guilty findings and then only for the shortest amount of time. The mental, physical, emotional harm that being placed in a room that is the size of a parking space is documented and is permanent.

Reading the legislation, reading, and listening to the testimonies in support that are going to come before you is just one piece of understanding what restrictive housing/solitary confinement is –

BUT, simply google solitary confinement testimonies and read the stories – Visualize the stories that you read – feel the stories that you read. You will come to understand why it is time to implement these best practices.

This legislation is GOOD POLICY – it is BEST PRACTICES and it’s time for Maryland to reform the use of Restrictive Housing.

For these reasons and on behalf of Interfaith Action for Human Rights, their members, partners and supporters, ***we urge a favorable report on HB 385.***

Respectfully submitted,  
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