

February 10, 2023

The Honorable Luke Clippinger  
Room 101  
6 Bladen Street  
Annapolis, MD 21404

RE: Letter in Support of HB0385 – Correctional Services – Restrictive Housing – Limitations  
(Maryland Mandela Act)

Dear Chairman Clippinger and the Members of the House Judiciary Committee:

On behalf of the Maryland Alliance for Justice Reform (“MAJR”) (“Commission”), I write to express our strong support of HB0385 – Correctional Services – Restrictive Housing – Limitations (Maryland Mandela Act) (cross-filed with SB0459) and to urge the Committee to issue a favorable report on this bill. I am Donna Rojas, executive committee member and co-chair of the Behind the Walls Workgroup in MAJR.

As a reentry expert and former provider of direct services to justice-involved individuals, I have witnessed the impact restrictive housing can have on an incarcerated individual. Cruel and excessive use of restrictive housing can negatively affect those experiencing mental illness and even those with relatively healthy minds. Being locked down without programming or social interaction for 23 hours daily can contribute to cognitive regression, physical muscular loss, and atrophy health issues. In addition, this could impact effective and successful reentry as individuals must deal with post-incarceration syndrome going from solitary to the streets.

Proper procedures and policies and adequate training of staff working in the restrictive housing area benefit those who may have a serious or violent infraction. However, they should not be “locked down” for weeks and months at a time without opportunity for socialization. Depending on the offense, there should be some “cooling down” period with a trained professional (social worker, case manager, or trained officer) to assist the individual in recognizing what transpired and working through things and then a step-down program moving them to less restrictive housing and increased programming. If individuals are a danger to themselves, the staff, or others, equipped with mental health training may be needed as jails and prisons are not equipped with adequate mental health staffing. Our jails and prisons are not mental health facilities.

Vera Institute advocates for rethinking restrictive housing as it can have significant adverse effects, and there is no proof that it improves safety. Organizations such as the American Correctional Association, the National Commission on Correctional Health Care, the U.S. Department of Justice, The National Institute of Justice, and the United Nations have all had meetings to discuss revamping policies around restrictive housing. Now is the time for Maryland to change the trajectory related to these predatory practices and vote in favor of this bill.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Donna Rojas". The letters are cursive and connected, with a prominent loop on the 'D' and a long tail on the 's'.

Donna Rojas