

Testimony Prepared for the Senate Judicial Proceedings Senate Bill 1085
Corrections - Segregated Housing - Limitations
March 5, 2024
Position: Support

We write to you to urge a favorable report for SB1085, Corrections - Segregated Housing - Limitations, which restricts the use of solitary confinement in Maryland's state-run correctional facilities. The bill is consistent in principle with a [*Resolution of Witness Condemning Prolonged Solitary Confinement as a Form of Torture*](#) endorsed by the Central Atlantic Conference (CAC) of the United Church of Christ (UCC), a regional judicatory comprised of over 475 clergy and 160 congregations, including 64 congregations and over 9300 members in the State of Maryland. This same resolution was approved at the UCC's 34th General Synod in 2023.

The detrimental effects of solitary confinement (called "restrictive housing" in Maryland) cannot be overstated.

- **Isolated Persons Suffer.** Incarcerated persons placed in restrictive housing suffer physical and psychological harms, such as psychosis, trauma, severe depression, serious self-injury, or suicide.
- **Families Suffer.** When an individual is in restrictive housing, that person is often banned from getting visits and calls from family—this not only punishes families, it breaks down the family ties that are crucial to supporting people upon re-entry.
- **Communities Suffer.** Research shows that time spent in solitary may increase people's likelihood of post-release offending, especially violent re-offending. This is even worse when incarcerated people are released directly from restrictive housing into the community, causing a serious threat to public safety.
- **Solitary Confinement Costs More.** Housing people in solitary confinement costs more than housing them in prison generally, and restricting the use of solitary saves money. For example, Mississippi saved \$8 million after 2010, and Illinois saved \$26 million after 2013. In 2016-2017, California's Department of Corrections and Rehabilitation budget was projected to decrease by \$28 million if limitations were imposed on the use of solitary (Rodriguez, 2016).

In Fiscal Year 2022, the most recent year for which data have been released by the Department of Public Safety and Correctional Services:

- The use of solitary confinement increased by 39%.
- Individuals were subjected to solitary nearly 12,000 times, with a startling 25.8% of the prison population being placed in solitary at least once during the year.
- The average length of stay in solitary confinement was 42.5 days.
- There are significant racial disparities in the imposition of solitary confinement.
- Although the U.N. Special Rapporteur on Torture has found that mentally ill persons should never be placed in restrictive housing, 370 people with serious mental illness were placed in restrictive housing in Maryland.
- 135 people were released directly to the community, after spending an average of 59 days in restrictive housing.

Recent studies also show that people of color are over-represented in solitary confinement compared to the prison population in general and they receive longer terms in solitary confinement than white people for the same disciplinary infractions. In the United States, solitary confinement is disproportionately imposed on Black people, Latinx people, Native people, and other people of color, as well as transgender and gender non-conforming people, people with mental health needs, and young people.

The impacts of solitary confinement extend far beyond the individuals subjected to such conditions. For impoverished people and families in the U.S., the impact of the incarceration of a loved one is particularly devastating. Solitary confinement further exacerbates poverty in the families and communities of the estimated 500,000 people who are released from U.S. prisons and jails each year (U.S. Bureau of Justice Statistics).

In addition to barriers to employment and public assistance, very little is done to prepare those who have been in solitary confinement to transition back to families and employment and to repair the devastation of prolonged isolation to the mind, body, and spirit. Denied access to supportive services while incarcerated due to the isolation of solitary confinement, these people often leave prison with little more than a list of mental health facilities. Jobless and with little support to address the trauma and torture they have endured, many return to prison.

A group of leading criminologists coordinated by the American Academy of Arts and Sciences, as well as other scholars, have documented a prison to poverty pipeline linked to the widespread use of prisons and jails in the U.S. According to the Pew Charitable Trust, a formerly incarcerated person's earning potential is reduced by forty percent. The family impact of contact with the U.S. prison system is one of the largest contributors to poverty, hunger, and success for children of those who are incarcerated.

Given these stark realities, it is imperative for Maryland to take decisive action to curtail the use of solitary confinement. **We, therefore, respectfully urge a favorable report for Senate Bill 1085.**

On behalf of the ***Justice & Witness Action Network–Maryland*** (Central Atlantic Conference, United Church of Christ):
Rev. Marvin M. Silver, Associate Conference Minister