



MONTGOMERY COUNTY, MARYLAND
WOMEN'S DEMOCRATIC CLUB

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**Senate Bill 1085 Corrections – Segregated Housing – Limitations
Judicial Proceedings Committee - March 6, 2024
Support**

Thank you for this opportunity to submit written testimony concerning an important priority of the **Montgomery County Women's Democratic Club (WDC)** for the 2024 legislative session. WDC is one of Maryland's largest and most active Democratic Clubs with hundreds of politically active members, including many elected officials.

Senate Bill 1085 limits the use of restrictive housing in Maryland prisons. Solitary confinement, or restrictive housing, as it is called in Maryland, includes isolating a person in a cell for upwards of 22 hours a day, for days, weeks, months and often years. The impact of days in solitary can be devastating to mental and physical health - people locked up in this way suffer depression, anxiety, hypertension and other physical deterioration, and they are far more likely to mutilate themselves or commit or attempt suicide.

The United Nations included strict limits on the use of solitary in its revised Minimum Standards for the Treatment of Prisoners, known as the Nelson Mandela Rules. The standards demand that, at a minimum, all nations restrict their use of solitary to no more than 15 days, and ban it altogether for children, pregnant people and new mothers, individuals with mental illness and physical disabilities, and other vulnerable populations. New York recently passed legislation, known as the HALT Act, which comes close to meeting this standard. This bill is similarly influenced.

The general population in Maryland prisons suffers from bad food, filth, fledgling rehabilitative services, and inane, nerve bracing rules. You might expect that a person in this environment who is then sent to solitary confinement did something terrible to deserve the decidedly worse treatment. This is not so. People are placed in solitary for running afoul of administrative rules, for mental health issues, for their own protection, because of sexual orientation - things that have nothing to do with violent acts that might arguably lead officials to engage in such an extreme and damaging response. The last Dept. of Public Safety and Corrections report on the use of solitary confinement covering fiscal year 2022 revealed that Maryland prisons *increased* their use of restrictive housing by 39%, experienced by almost 26% of the overall population.¹ The average length of confinement reported was 42.4 days. The majority of men and women placed in isolation were Black.

What this bill seeks is a change in the culture of prison disciplinary procedures that considers the extreme nature of restrictive housing and the damage it does to the people isolated in this

¹ DPSCS. FY22 Restrictive Housing Report. (2022). https://goccp.maryland.gov/wp-content/uploads/MSAR10904_FY-22-Restrictive-Housing-Report.pdf

way. It encourages prison administrators to identify and use other approaches to maintaining discipline.

The bill also allows taxpayer dollars spent on prisons to be used more effectively. The extensive use of isolation has significant costs beyond the social failure of relying on inhumane practices. There are the hidden costs such as increased medical care² and the cost of increased recidivism.³ There are also the more direct construction costs⁴ and the cost of increased supervision.⁵ Estimated savings for New York state level correctional facilities, as a result of its limits on the use of solitary confinement, are \$114 million annually.⁶

As Marylanders, we are responsible for what happens to those we place in prison. We need to assure that people are not returned home wounded by the treatment they receive. Restrictive housing is destructive and a poor use of our investment as taxpayers. We expect humane treatment of those who are incarcerated, and a focus on practices promising rehabilitation and public safety.

Senate Bill 1085 encourages the development and use of effective approaches to maintaining safety and order in our prisons. In sum, it moves Maryland in the direction it needs to go regarding management of its prisons.

We ask for your support for SB 1085 and strongly urge a favorable Committee report.

Tazeen Ahmad
WDC President

Carol Cichowski and
Margaret Martin Barry
WDC Criminal Justice Reform
Subcommittee

Cynthia Rubenstein
Co-Chair, WDC Advocacy

² Partnership for the Public Good, *Save Money, Save Lives: An Analysis of the Fiscal Impact of the HALT Solitary Confinement Act*, (Buffalo, NY: Partnership for the Public Good, 2020),18, https://ppgbuffalo.org/files/documents/criminal-justice/incarceration/save_money_save_lives.pdf

³Ibid.

⁴The Maryland Correctional Adjustment Center was built at a cost of \$21 million in 1989 to house 288 inmates at a cost of over \$72,000 per bed. If prisons continue to rely heavily on the use of isolation, the need for such expenditures will rise.

⁵In the federal prison system, segregated housing units have an average inmate-to-correctional-officer ratio of 41:1 compared to 124:1, meaning solitary confinement requires more than three times the amount of staff to operate. US Government Accountability Office (GAO), *Improvements Needed In Bureau Of Prisons' Monitoring And Evaluation Of Segregated Housing*, GAO-13-429, (Washington, DC: Government Accountability Office, 2013), 29-32.

⁶ Partnership for the Public Good, *Save Money, Save Lives: An Analysis of the Fiscal Impact of the HALT Solitary Confinement Act* (November 2020) at 7, https://ppgbuffalo.org/files/documents/criminal-justice/incarceration/save_money_save_lives.pdf