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SB0702

February 19, 2025

TO: Members of the Senate Judicial Proceedings Committee

FROM: Nina Themelis, Director of Mayor's Office of Government Relations

RE: Senate Bill 702 – Correctional Services - Restrictive Housing

POSITION: **Support**

Chair Smith, Vice Chair Waldstreicher, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** Senate Bill (SB) 702.

SB 702 creates limitations on the amount of time and reasons by which an incarcerated individual may be placed in restrictive housing, otherwise known as administrative or disciplinary segregation. The legislation would redefine restrictive housing to that of which an incarcerated individual is placed in a locked unit or cell for more than 17 hours a day. SB 702 would also limit the imposition of restrictive housing to no more than 15 days in a row or 20 days out of a 60-day period. Finally, SB 702 prohibits placing members of a vulnerable population into restrictive housing for any period of time. These provisions align Maryland policy with the limits the United Nations placed on the use of solitary confinement. In the revised Minimum Standards for the Treatment of Prisoners, at a minimum, all nations should restrict their use of solitary confinement to no more than 15 days at a time, and ban it altogether for children, pregnant women and new mothers, individuals with mental illness and physical disabilities, and other vulnerable populations. The United Nations established these guidelines as a result of findings that individuals placed in solitary confinement develop depression, anxiety, hypertension and other physical deterioration, and that they are far more likely to mutilate themselves or attempt or commit suicide.

According to the FY22 report of the use of solitary confinement by the Maryland Department of Public Safety and Correctional Services, Maryland prisons increased their use of restrictive housing by 39% (while the average length of confinement reported was 42.4 days), and individuals have reported being confined in restrictive housing for years. The limitations on restrictive housing placed by SB 702 would significantly reduce these statistics and eliminate the detrimental mental health effects of restrictive housing for people who are under 21 or over 55, pregnant or recently pregnant, living with mental or developmental disability, or members of the LGBTQIA+ community - all of whom are already at risk for mental health problems.¹

Additionally, due to the vast majority of Maryland's prison population being Black (72.4%), Maryland's overuse of restrictive housing is inherently inequitable in nature. According to the Maryland Department of Public Safety and Correctional Service FY22 report, of the men in restrictive housing, over 71% were black; 22% were white; of the women in restrictive housing, over 50% were black; and 45% were white. Therefore, the mental and physical harm done to those placed in restrictive housing exacerbates already prevalent racial inequities in Maryland's correctional system.

For the above stated reasons, the BCA respectfully request a **favorable** report on SB 702.

¹ Hastings, P., Guyer, A., & Parra, L. (2023, November). *Disadvantaged and marginalized individuals more likely to face mental health issues*. Center for Poverty and Inequality Research. <https://poverty.ucdavis.edu/post/disadvantaged-and-marginalized-individuals-more-likely-face-mental-health-issues>