



FAVORABLE

HB647 – Correctional Services - Restrictive Housing
House Judiciary Committee
March 4, 2025

Dear Chair Clippinger and members of the Judiciary Committee,

The Trans Rights Advocacy Coalition (TRAC) is a Maryland-based, trans-led group working to ensure that all transgender and gender-expansive Marylanders are empowered to live safe and affirming lives. TRAC has a broad membership, including community members with lived experience, organizers, medical professionals, lawyers, researchers, religious leaders, allies, and more.

TRAC supports HB647, which would create much-needed limits to the use of solitary confinement. According to the United Nations, being placed in solitary confinement for longer than 15 consecutive days is a form of torture.¹

Maryland relies heavily on the use of solitary confinement, particularly for those who are transgender. According to a November 2023 report by the Department of Public Safety and Correctional Services, there were 78 individuals who the Department identified as transgender. Among those 78 individuals, there were 83 placements in administrative segregation and 98 placements in disciplinary segregation in 2023 alone. The average stay for those placed in disciplinary segregation was 52 days, significantly higher than the maximum recommended by the United Nations.² These trends are similar to national data, which show that nearly 90% of incarcerated transgender individuals have been placed in solitary confinement.³

HB647 would put in place necessary safeguards to protect vulnerable populations from the harms of repeated and prolonged placements in solitary confinement. This legislation is urgently needed to protect our communities.

We urge a favorable report on HB647.

¹ *United States: Prolonged solitary confinement amounts to psychological torture, says UN expert*, United Nations (Feb. 28, 2020), <https://www.ohchr.org/en/press-releases/2020/02/united-states-prolonged-solitary-confinement-amounts-psychological-torture>.

² The Department failed to track placement length for administrative segregation, despite legal requirements to report this data annually. Md. Code, Corr. Servs. § 9-614. For a copy of the report, see *Treatment of Transgender Incarcerated Individuals*, Department of Public Safety and Correctional Services (Nov. 2023), <https://dpscs.maryland.gov/publicinfo/publications/pdfs/Treatment%20of%20Transgender%20Incarcerated%20Individuals.pdf>.

³ *New Survey: Transgender People's Experiences in Prison and Their Calls for Policy Change*, Vera Institute (Feb. 20, 2024), <https://www.vera.org/newsroom/new-survey-transgender-peoples-experiences-in-prison-and-their-calls-for-policy-change>.