

February 2025

To the Members of the Maryland Senate Judicial Proceedings Committee  
and Maryland House Judiciary Committee

Re: SB 702/ HB 647 - FAVORABLE - Restrictive Housing

Homewood Friends Meeting, of the Religious Society of Friends (Quakers) located in Baltimore, joins with many other voices in Maryland to strongly support passage of SB 702/HB 647, legislation to limit the use of restrictive housing in incarceration facilities operated by the State of Maryland during the current Maryland legislative session. The lead sponsors of this legislation are Senator Sara Love and Delegate N. Scott Phillips. These are identical, cross-filed bills to restrict the use of solitary confinement in Maryland's correctional facilities.

We applaud the sponsors of this legislation for seeking to limit the amount of time a person may be forced to live in any form of restrictive housing in Maryland prisons and to limit the bases on which a person may be placed in restrictive housing.

We believe that legislation in this area must also require that those in restrictive housing be afforded at least four hours of time out of their cells (and really out of their cells, not just moved temporarily into another small cage) and that programming be made available to such persons. We appreciate that the lead sponsors have separate legislation seeking to investigate the conditions applicable to all incarcerated people in Maryland and encourage enactment of reforms for all. But restrictive housing causes very specific trauma for those subjected to it, and mandating out of cell time and at least some programming is essential to mitigate such trauma. To achieve this, we support a minor amendment to the current legislation, to require the Department of Public Safety and Correctional Services to report, within 12 months, how they plan to implement out of cell time and programming access for those in restrictive housing.

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

- **Solitary Confinement Costs More.** Housing people in solitary confinement costs more than housing them in prison generally. 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).
- **Isolated Persons Suffer.** Incarcerated persons placed in restrictive housing suffer physical and psychological harms, as psychosis, trauma, severe depression, serious self injury, or suicide. These effects are both short and long term, persisting for years (or an entire lifetime) even after a person is released from incarceration.

- **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.

In Fiscal Year 2022, which is still 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.

Given these stark realities, it is imperative for Maryland to take decisive action to curtail the use of solitary confinement. The legislation presents an opportunity for our state to align with the growing number of states that have implemented substantial restrictions on solitary confinement practices.

We urge you to prioritize the passage of HB 647 and SB 702. If the changes to incorporate out of cell and programming requirements cannot be made during this session, we ask that the Department of Public Safety and Correctional Services be tasked with providing a report setting forth a plan by which those elements can be implemented. By supporting this legislation, you will not only uphold human rights and contribute to the creation of a more just and humane correctional system in Maryland but make our communities safer for everyone while saving the taxpayers money.

Thank you in advance for your support of this crucial legislation.

Interfaith Action for Human Rights

HOMWOOD FRIENDS MEETING (Quaker), Baltimore, by Sarah Bur, Clerk  
Baltimore Yearly Meeting Peace and Social Concerns Committee, Suzanne O'Hatnick and Annette Breiling, Co-Clerks

Center for Criminal Justice Reform at the University of Baltimore School of Law  
Doctors for Camp Closure Maryland  
Jewish Community Relations Council of Greater Washington  
Jews United for Justice  
John Wesley A.M.E. Zion Church  
Justice Policy Institute  
Latino Justice  
Maryland Alliance for Justice Reform  
Molly Finch, on behalf of Quaker Voice of Maryland  
National Religious Campaign Against Torture  
Office of Public Defender, Maryland  
Out for Justice  
Professor Olinda Moyd, Director, Decarceration and Re-Entry Clinic, American University  
Washington College of Law  
Seekers Church  
Sisters of Mercy of the Americas Justice Team  
St. Camillus Catholic Church Anti-racism Committee  
Unlock the Box