



HB 1154 – Correctional Services – Restrictive Housing

MCAA Position: **OPPOSE**

TO: Government, Labor and Elections

DATE: February 24, 2026

FROM: Christopher Klein, President
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The Maryland Correctional Administrator’s Association (MCAA), representing local detention center wardens and administrators statewide, **STRONGLY OPPOSES House Bill 1154**. While the bill’s intent is commendable, its provisions are vague and create significant safety and legal risks.

The key concerns include ambiguous statutory language: 10-1001, Page 6, Terms such as “recently (Lines 7-8), “perceived” (Lines 10-11), and “longer than necessary (Line 16) lack clear definitions, creating liability for misinterpretation.

Local detention centers were never designed to implement restrictive housing as outlined in HB 1154. Compliance would require extensive and costly renovations – or even new construction – placing an unsustainable financial burden on counties. More critically, the bill undermines correctional administrators’ ability to maintain order and protect both staff and incarcerated individuals. Restrictive housing is a proven, essential tool for preventing violence, safeguarding vulnerable populations, and ensuring institutional stability.

Correctional administrators have a constitutional obligation under the Eighth and Fourteenth Amendments to protect incarcerated individuals from harm. Limiting restrictive housing could expose facilities to claims of deliberate indifference if administrators are unable to separate individuals who pose a clear threat to themselves or others.

By severely limiting this tool, HB1154 would force correctional administrators into untenable positions where they cannot mitigate known risks, jeopardize lives, and expose jurisdictions to significant legal and financial liability. The unintended consequences of this legislation would compromise safety, as Correctional Administrators will be unable to manage dangerous individuals or protect vulnerable individuals, and increase operational chaos.

MCAA is not fighting limitations; we just want to do this right, from the start. It is important to highlight that several states that have passed laws limiting restrictive housing have struggled to implement them effectively. New York, New Jersey, and Connecticut remain in the implementation phase, and the intent of their legislation—passed as early as 2019 and 2022—has yet to be realized in practice.

MCAA would like to emphasize that Maryland risks facing the same challenges unless we take a different approach. By establishing a workgroup to develop the necessary infrastructure and model policies from the outset, we can ensure successful, sustainable implementation.

Maryland has the opportunity to achieve what these states intended but have not yet accomplished: a safe, effective, and operationally workable system of limited restrictive housing. Together we can do so without increased litigation stemming from unmet mandates, without the reported rise in violence, and without relying on workarounds or loopholes that undermine the legislation's intent.

The benefits for Maryland are significant:

- Improved safety for staff and incarcerated individuals through well-structured housing practices.
- Reduced litigation **costs** by meeting mandates and avoiding compliance failures.
- Lower incidence of violence, which reduces medical expenses, workers' compensation claims, and overtime costs.
- Operational stability, minimizing disruptions that lead to costly emergency measures.
- Enhanced reputation as a leader in correctional reform, attracting potential federal funding and partnerships.
- Long-term cost savings by avoiding expensive retroactive fixes, lawsuits, and crisis-driven staffing needs.

With thoughtful planning and deliberate implementation, Maryland can set the national standard—proving that meaningful reform is achievable when done responsibly. Investing in proper planning today will prevent costly mistakes tomorrow.

While MCAA opposes this legislation, we strongly recommend establishing a workgroup to develop the necessary infrastructure and model policies. This proactive approach ensures that, should the legislation advance, Maryland is prepared to implement reforms effectively, avoiding the litigation, operational instability, and safety concerns experienced by other states. Our goal is not to resist reform, but to ensure it is done correctly, safely, and sustainably.

For these reasons, MCAA urges the committee to issue an **UNFAVORABLE report on House Bill 1154**. Protecting safety and security must remain the priority.