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Governor

Usherla DeBerry
Director

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Lt. Governor



TO: Chair Smith, Vice Chair Waldstreicher, and the Members of the Judicial Proceedings Committee

FROM: Governor's Office of the Deaf and Hard of Hearing

SUBJECT: Testimony on SB268/HB310 (Correctional Services – Restrictive Housing – Individuals With Developmental or Intellectual Disabilities)

Position: Favorable

HEARING DATE: February 4, 2026

Dear Chair Smith, Vice Chair Waldstreicher, and the Members of the Judicial Proceedings Committee,

On behalf of the Governor's Office of the Deaf and Hard of Hearing (ODHH), I write to express strong support for Senate Bill 268 and to support the Department of Public Safety and Correctional Services' efforts to enhance assessment and placement practices for incarcerated individuals with developmental or intellectual disabilities.

Individuals who are Deaf, Hard of Hearing, DeafBlind, or who have hearing loss are disproportionately impacted within correctional settings, particularly when disabilities are unidentified or inadequately assessed. Senate Bill 268 represents an important step toward ensuring that incarcerated individuals with cognitive, developmental, or intellectual disabilities are appropriately identified and protected from placements that may exacerbate existing conditions or create additional barriers to communication, comprehension, and access to services.

The Governor's Office of the Deaf and Hard of Hearing recognizes and appreciates the Department of Public Safety and Correctional Services' current intake, medical, and mental

health screening processes, including ongoing clinical evaluations, referrals, and access to care. Senate Bill 268 complements these existing practices by strengthening the focus on developmental and intellectual disability assessments and by allowing clinical professionals to make informed recommendations regarding restrictive housing placements.

Restrictive housing can present significant challenges for individuals with communication disabilities or cognitive impairments, increasing the risk of isolation, misunderstanding, and adverse mental health outcomes. Ensuring that placement decisions are informed by appropriate clinical assessments aligns with best practices, promotes safety, and supports a more rehabilitative correctional environment.

For these reasons, the Governor's Office of the Deaf and Hard of Hearing supports Senate Bill 268 and respectfully urges the Committee to issue a favorable report.

Thank you for your consideration and continued commitment to equitable and humane treatment for all incarcerated individuals.

Director Usherla DeBerry, Ed.S.

Governor's Office of the Deaf and Hard of Hearing