



Bill Title: Correctional Services - Restrictive Housing

Bill Number(s): HB1154/SB0908

Position: FAVORABLE

Date: February 23, 2026

Submitted by: Director Jeremy Browning on behalf of the Maryland Commission on LGBTQIA+ Affairs

To:

Senate Judicial Proceedings Committee

The Hon. William C. Smith, Chair
The Hon. J. Jeff Waldstreicher, Vice Chair

House Judiciary Committee

The Hon. J. Sandy Bartlett, Chair
The Hon. Debra Davis, Vice Chair

Testimony on behalf of the Maryland Commission on LGBTQIA+ Affairs:

The Maryland Commission on LGBTQIA+ Affairs, created by the Maryland General Assembly, works to serve LGBTQIA+ Marylanders by galvanizing community voices, researching and addressing challenges, and advocating for policies that advance equity and inclusion. The Commission envisions a Maryland where all LGBTQIA+ people can live full and authentic lives. As a vital resource, the Commission collaborates with public officials, agencies, and community partners to ensure the rights and dignity of LGBTQIA+ Marylanders are protected and respected.

The Commission strongly supports SB908/HB1154, which reforms the use of restrictive housing in correctional facilities by establishing clear limits and prohibiting its use for members of vulnerable populations, including individuals perceived to be lesbian, gay, bisexual, transgender, or intersex.

Restrictive housing, commonly referred to as solitary confinement, has been widely documented to cause serious psychological and physical harm. Extended isolation is associated with severe depression, anxiety, self-harm, and increased risk of suicide. These harms are especially acute for vulnerable populations.

For LGBTQIA+ individuals, restrictive housing has too often been used as a default response rather than a last resort. Transgender and gender-nonconforming individuals, in particular, are frequently placed in isolation under the guise of protective custody. While intended to address

safety concerns, this practice effectively punishes individuals for their identity and isolates them from programming, mental health services, and social interaction that are critical for rehabilitation and well-being.

SB908/HB1154 includes several important safeguards that will improve conditions for LGBTQIA+ individuals and other vulnerable populations in Maryland's correctional system. The bill:

- Prohibits the placement of vulnerable populations, including individuals perceived to be LGBTQIA+, in restrictive housing;
- Limits restrictive housing to no more than 15 consecutive days and no more than 20 total days within a 60-day period;
- Requires that individuals in restrictive housing be offered at least four hours out of their cells each day, including time for programming or treatment;
- Requires facilities to maintain the least restrictive environment necessary for safety and security; and
- Strengthens oversight by requiring the Correctional Ombudsman to review implementation and report on compliance.

These reforms reflect widely accepted public health and human rights standards recognizing that prolonged isolation is harmful and counterproductive. By limiting the use of restrictive housing and prohibiting its application to vulnerable populations, this legislation promotes safety, accountability, and more effective rehabilitation.

Solitary confinement has been overused and misapplied, particularly against vulnerable populations such as LGBTQIA+ individuals, people with disabilities, and those with serious mental health conditions. SB908/HB1154 represents an important step toward a more humane, effective, and equitable correctional system in Maryland.

For these reasons, the Maryland Commission on LGBTQIA+ Affairs respectfully urges a favorable report on SB908/HB1154.