

SB0268\_RichardKaplowitz\_FAV  
02/04/2026  
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**TESTIMONY ON SB#0268 - POSITION: FAVORABLE**  
**Correctional Services – Restrictive Housing – Individuals With Developmental or Intellectual Disabilities**

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

**FROM:** Richard Keith Kaplowitz

My name is Richard Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of SB#/0268, **Correctional Services – Restrictive Housing – Individuals With Developmental or Intellectual Disabilities**

The Safety + Justice Challenge has addressed *Reshaping the Justice System for People with Disabilities*<sup>1</sup>

The American criminal justice system, particularly its network of local jails, profoundly impacts the lives of millions of people. Often overlooked in discussions of incarceration are the unique and exacerbated challenges faced by people with disabilities and Deaf individuals.

A series of recent reports, supported by the [John D. and Catherine T. MacArthur Foundation's Safety and Justice Challenge](#), sheds critical light on these disparities and calls for new strategies to address them. These reports collectively argue that achieving a more just society requires moving beyond mere compliance with the Americans with Disabilities Act (ADA) and toward a human-centered approach rooted in the lived experiences of disabled people.

Maryland can and should strive towards that approach in its incarceration policies. This bill establishes that approach by authorizing an applicable clinical professional to assess, at the time of intake at a State correctional facility, a newly incarcerated individual for a developmental or intellectual disability; authorizing a certain clinical professional to make a certain recommendation about a certain incarcerated individual; prohibiting a State correctional facility from putting a certain incarcerated individual in restrictive housing for more than 15 consecutive days in a 30-day period unless the individual commits a certain prohibited act; etc.

Maryland should be a leader in humane policy towards those for whom incarceration may not be rehabilitative but only punitive without consideration of mitigating factors.

**I respectfully urge this committee to return a favorable report on SB0268.**

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<sup>1</sup> <https://safetyandjusticechallenge.org/blog/reshaping-the-justice-system-for-people-with-disabilities/>