



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Sponsor Testimony

HB310 - Correctional Services - Restrictive Housing - Individuals with Developmental or Intellectual Disabilities

Delegate Aaron Kaufman

Hearing Date: 03/03/2026

Good afternoon Chair Bartlett, Vice Chair Davis, and members of the committee. My name is Delegate Aaron Kaufman, and I am here to respectfully request a favorable report on HB310 Correctional Services - Restrictive Housing - Individuals With Developmental or Intellectual Disabilities, as amended

I want to begin by acknowledging that solitary confinement has caused real harm to people and families in our State. No one deserves to sit in isolation for extended periods of time. At this moment, however, Maryland law does not establish a statutory limit on how long someone with I/DD may be placed in restrictive housing. There is simply no guardrail in place. Examples of IDD include but are not limited to autism, cerebral palsy and down syndrome.

I have worked closely with the medical team at the Department of Public Safety Correctional Services (DPSCS), as well as advocates in the disability community, to find a path forward that is both humane and workable. Through that collaboration, DPSCS has agreed to screen every incarcerated individual for indicators of I/DD during the standard medical intake process. If indicators are found, a clinical professional may recommend to limit an inmate's time in restrictive housing to no more than 15



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consecutive days in a 30 day period. That means no one will be overlooked at intake, and vulnerability will be identified through a process that already exists.

Research regarding the association of restrictive housing during incarceration with mortality after release from the National Library of Medicine shows that prolonged restrictive housing causes measurable harm, particularly for individuals with I/DD. A large-scale study of more than 229,000 formerly incarcerated individuals found that people who spent time in restrictive housing were 24 percent more likely to die within one year of release and were more than twice as likely to reactivate¹. The same study shows higher rates of self-harm and behavioral crises among individuals placed in isolation compared to those in therapeutic or clinically informed settings.²

Maryland's Behavioral Health and Public Safety Center of Excellence has identified the overrepresentation of individuals with I/DD in the correctional system and has called for trauma-informed, disability-responsive practices and reduced reliance on isolation. This bill responds directly to those recommendations.³

In my experience working in the disability field for decades, people with developmental disabilities have more sensory issues than the general population, which can be exacerbated in prison, and in many cases

¹ Association Of Restrictive Housing During Incarceration With Mortality After Release, National Library of Medicine (Brinkley-Rubinstein et al. 2019), <https://pmc.ncbi.nlm.nih.gov/articles/PMC6784785/?utm>

² Association Of Restrictive Housing During Incarceration With Mortality After Release, National Library of Medicine (Brinkley-Rubinstein et al. 2019), <https://pmc.ncbi.nlm.nih.gov/articles/PMC6784785/?utm>

³ Maryland's Behavioral Health And Public Safety Center Of Excellence, Strategic Plan (2023), <https://gocpp.maryland.gov/wp-content/uploads/Maryland%E2%80%99s-Behavioral-Health-and-Public-Safety-Center-of-Excellence-Strategic-Plan-7-24-23.pdf>

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have less of an understanding of why what they did was wrong. That is what makes passage of this bill essential. HB310 may not resolve every concern surrounding restrictive housing, but it is a meaningful step in the right direction. Today, we have the opportunity to establish a clear guardrail where none currently exists.

Supporters include the Department of Public Safety and Correction, Governor's Office of Deaf and Hard of Hearing, Maryland Alliance for Justice Reform, National Federation of the Blind, among others.

For these reasons, I respectfully request a favorable report on HB310 Correctional Services - Restrictive Housing - Individuals with Developmental or Intellectual Disabilities, as amended.

Thank you, and I am happy to answer any questions.