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To: House Judiciary Committee

The National Federation of the Blind of Maryland respectfully urge the House Judiciary Committee to give a favorable report to HB0310 incorporating the sponsor amendments. We are testifying as favorable instead of favorable with amendments because we understand the sponsor amendments have already been submitted to Bill Drafting. This legislation represents an important step toward protecting incarcerated individuals with developmental or intellectual disabilities from the disproportionate harm caused by prolonged restrictive housing.

As amended, HB0310 requires that, during the medical screening conducted on admission to a State correctional facility, a trained and/or licensed clinical professional shall assess each newly incarcerated individual for indicators of a developmental disability or an intellectual disability. Blindness, low vision, and deaf blindness are all considered developmental disabilities under Maryland law.

. This change from discretionary to mandatory screening is critical. By requiring assessment as part of the standard intake process, the bill ensures that disability is identified early, rather than after harm has already occurred.

The bill further provides that if a clinical professional recommends that an individual not be placed in restrictive housing for more than 15 consecutive days in a 30-day period, the correctional facility may not exceed that limit. This creates an enforceable safeguard tied directly to clinical judgment, rather than leaving vulnerable individuals subject solely to institutional convenience.

Restrictive housing is defined in the bill as physical separation in a locked room or cell for approximately 22 hours or more per day. In common terminology, we refer to this as segregation.

. Research and lived experience alike demonstrate that prolonged isolation can have devastating psychological effects on anyone. For individuals with developmental or intellectual disabilities, the impact can be even more severe. Many struggle with processing complex rules, understanding rapidly delivered verbal instructions, accessing printed written instructions, or communicating effectively in stressful environments. These challenges often lead to rule infractions that are more reflective of disability than of willful misconduct.

Incarcerated individuals with disabilities are disproportionately placed into administrative and disciplinary segregation for reasons that have little to do with safety. They may be targeted by other inmates because they are perceived as vulnerable. They may miss announcements or misunderstand written directives that are not provided in accessible formats. In an overburdened correctional system, segregation can become the default response because it is administratively easier than providing individualized accommodations.

The bill appropriately includes a narrow exception for serious “prohibited acts,” such as causing or attempting to cause serious physical injury, leading riots, or escaping. This ensures that institutional safety is preserved while still recognizing that disability alone should not justify prolonged isolation.

The National Federation of the Blind has previously taken legal action against the State of Maryland regarding the treatment of blind and low vision incarcerated individuals, resulting in a settlement that improved conditions and access. That experience demonstrated two things: first, that the system has too often failed people with disabilities, and second, that meaningful reform is possible. HB0310 continues that progress for individuals with developmental and intellectual disabilities.

We acknowledge that the bill does not cover every disability, and that even 15 days in restrictive housing within a 30–day period remains a significant deprivation. However, this legislation is a meaningful improvement over the status quo. Requiring screening, empowering clinical professionals, and creating enforceable limits will reduce unnecessary harm and move Maryland closer to a correctional system that recognizes disability as a factor requiring accommodation, not punishment.

For those reasons, we ask for a favorable report on HB0310. For questions, please contact me at CDanielsen@nfb.org or at 410-659-9314, extension 2330.