

MARYLAND ALLIANCE FOR JUSTICE REFORM

Working to end unnecessary incarceration and build strong, safe communities



House Judiciary Committee
Senate Judicial Proceedings Committee

21 February 2017

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Bill Numbers: HB1001/SB1015

This is an important piece of legislation that sets limits on the use of restrictive housing in Maryland facilities and establishes a workgroup to oversee the use of restrictive housing across the state. The **Maryland Alliance for Justice Reform (MAJR)** joins with the **Interfaith Action for Human Rights (IAHR)** in supporting this first step in correcting a systemic problem in our correctional system.

Prisoners in restrictive housing have suffered physical and psychological harms, such as psychosis, trauma, severe depression, serious self-injury, or suicide. Extended exposure to social isolation clearly constitutes cruel and unusual punishment – in violation of the Eighth Amendment to the U.S. Constitution. Further, extended solitary confinement has been condemned as torture by the international community.

According to the U.N. Report on Torture, there should be an absolute prohibition on restrictive housing in excess of 15 days. In Maryland, the average length of stay in restrictive housing is 58 days! This bill limits the use of "segregated housing" to less than 20 days in a 60-day period. Best practices put into place in Germany, in Colorado, in Pennsylvania, and elsewhere demonstrate that prisoners who pose a safety risk can be separated from the general population without being put in restrictive housing. It is also possible to identify alternative sanctions (such as the temporary loss of privileges) that do not cause lasting psychological harm.

In 2016 the IAHR interviewed Rick Raemisch, the Director of Corrections in Colorado. The Governor of Colorado wanted to limit or eliminate extended solitary confinement and prepare people for release to their communities. Mr. Raemisch successfully oversaw changes that are working well. Similarly, Pennsylvania has taken steps to avoid exposing people with mental illness to solitary confinement, which can exacerbate their illness.

Maryland is now facing constitutional issues due to its policies on imprisoning people just because they are poor, and on incarcerating juvenile offenders for life in prison. It is important that this legislature take corrective action **now** to limit its exposure to further constitutional questions.

We **support** this legislation and urge that this committee consider HB1001/SB1015 favorably.

Respectfully,

James Rose for the
Maryland Alliance for Justice Reform (MAJR)