

# Maryland Alliance for Justice Reform

Working together for a criminal justice system that better serves our communities



## Testimony in Support of HB310

### Correctional Services – Restrictive Housing – Individuals With Developmental or Intellectual Disabilities

**Sponsored by:** Delegates Kaufman, Holmes, A Johnson, S Johnson, Shetty

**Hearing Date:** March 3, 2026 – 11:00 a.m.

**Committees:** Judicial Proceedings

**Cross-filed with:** SB0268

**To the Honorable Delegates of the House Judiciary Committee,**

I write on behalf of the Maryland Alliance for Justice Reform, an all-volunteer non-partisan organization, to strongly support the bill, *Correctional Services – Restrictive Housing – Individuals With Developmental or Intellectual Disabilities*, sponsored by Senator Henson.

This legislation represents a necessary, humane, and evidence-based reform to Maryland’s correctional system. By requiring clinical assessment at intake, authorizing professional recommendations, and placing firm limits on the use of restrictive housing for individuals with developmental or intellectual disabilities, the bill aligns correctional practice with both medical knowledge and fundamental principles of human dignity.

In 2024 (the most recent year for which data is published), DSPCS documented 13,910 restrictive housing placements — the highest single-year increase in restrictive housing in six years and also the highest percentage (39%) since this data was collected in 2018. In that year, 886 individuals with serious mental illness were placed in restrictive housing, 300 of whom were placed on administrative segregations and 586 on disciplinary segregation. A separate tally was not made for those individuals with an intellectual disability.

Overall, individuals with developmental and intellectual disabilities are uniquely vulnerable in carceral environments. They are more likely to experience confusion, fear, and miscommunication, and to exhibit behavioral responses that are misinterpreted as defiance or misconduct. In restrictive housing, these vulnerabilities are dramatically intensified. Extensive research and lived experience demonstrate that isolation exacerbates cognitive impairment, emotional distress, and psychiatric symptoms, often causing lasting psychological harm rather than promoting safety or rehabilitation.

This bill addresses these harms directly by:

- **Ensuring early identification** through clinical assessment at intake;
- **Centering professional judgment** in decisions affecting housing and care;

- **Limiting prolonged isolation**, except in clearly defined and necessary circumstances involving serious prohibited acts;
- **Promoting safety** not only for incarcerated individuals, but also for correctional staff and the broader institutional environment.

Rather than weakening institutional order, these protections strengthen it. Systems that rely on trauma-informed care, clinical assessment, and individualized decision-making are more stable, safer, and more effective. This bill recognizes that correctional policy must distinguish between willful misconduct and disability-related behavior, and respond appropriately to each.

As someone engaged in correctional education and in-prison peacebuilding work, I am very aware how individuals with cognitive and developmental disabilities are often punished for conditions they cannot control, rather than supported in ways that promote accountability, growth, and stability.

This bill moves Maryland away from punitive reflexes and toward evidence-based, ethical correctional practice. Our primary concern is implementation: to meet the bill's requirements, the system must ensure that sufficient qualified mental health professionals are hired and fully embedded within correctional facilities. DPSCS administrators acknowledge that restrictive housing is more staff-intensive and costly than ordinary housing. Although hiring additional mental health professionals carries a fiscal impact, the mental health benefits and consequent reduction in restrictive housing could help offset that expense.

Importantly, this legislation is not about excusing harmful behavior—it is about ensuring proportionate, clinically informed, and humane responses that protect both institutional safety and human dignity.

For these reasons, the Maryland Alliance for Justice Reform respectfully urges the Committee to issue a **favorable report** on this bill.

Thank you for your consideration and for your commitment to justice, safety, and humane correctional policy.

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On behalf of the  
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