

## SUPPORT HB 647 - Restrictive Housing

**MARYLAND ALLIANCE FOR JUSTICE REFORM**  
Working to end unnecessary incarceration and build strong, safe communities



To: Chair Luke Clippinger & House Judiciary Committee  
From: MAJR Executive Committee  
Date: March 4, 2025

Maryland Alliance for Justice Reform ([www.ma4jr.org](http://www.ma4jr.org)) strongly supports passage of HB647 to limit the use of restrictive housing in incarceration facilities operated by the State of Maryland during the current Maryland legislative session. *Since local detention facilities face different circumstances & have less resources, MAJR also supports an amendment to exclude local detention from HB647.*

Restrictive housing can cause substantial mental injury for those subjected to it, so mandating out of cell time and at least some programming is essential to mitigate such trauma. *Additionally, we support a minor amendment to the current legislation, to require the Department of Public Safety and Correctional Services to report, within 12 months, how they plan to implement out of cell time and programming access for those in restrictive housing.*

Negative impacts of restrictive housing in Maryland occur at many levels:

- **Restrictive housing costs more** than housing people in prison generally. By comparison, among other states that have reduced restrictive housing: Mississippi saved \$8 million after 2010, and Illinois saved \$26 million after 2013. In 2016-2017, California's Department of Corrections and Rehabilitation budget was projected to decrease by \$28 million if limitations were imposed on the use of solitary (Rodriguez, 2016).
- **Isolated Persons Suffer.** Incarcerated persons placed in restrictive housing suffer physical and psychological harms, as psychosis, trauma, severe depression, serious self-injury, or suicide. These effects are both short and long term, persisting for years (or an entire lifetime) even after a person is released from incarceration.
- **Families Suffer.** When an individual is in restrictive housing, that person is often banned from getting visits and calls from family—this not only punishes families, it breaks down the family ties that are crucial to supporting people upon re-entry.
- **Communities Suffer.** Research shows that time spent in solitary may increase

people's likelihood of post-release offending, especially violent re-offending. This is even worse when incarcerated people are released directly from restrictive housing into the community, causing a serious threat to public safety.

In Fiscal Year 2022, which is still the most recent year for which data have been released by the Department of Public Safety and Correctional Services:

- The use of solitary confinement increased by 39%,
- Individuals were subjected to solitary nearly 12,000 times, with a startling 25.8% of the prison population being placed in solitary at least once during the year
- The average length of stay in solitary confinement was 42.5 days
- There are significant racial disparities in the imposition of solitary confinement.
- Although the U.N. Special Rapporteur on Torture has found that mentally ill persons should never be placed in restrictive housing, 370 people with serious mental illness were placed in restrictive housing in Maryland.
- 135 people were released directly to the community, after spending an average of 59 days in restrictive housing.

Given these stark realities, MAJR urges Maryland to take decisive action to curtail the use of solitary confinement. The legislation presents an opportunity for our state to align with the growing number of states that have implemented substantial restrictions on solitary confinement practices.

If the changes to incorporate out of cell and programming requirements cannot be made during this session, we ask that the Department of Public Safety and Correctional Services be tasked with providing a report setting forth a plan by which those elements can be implemented. By supporting this legislation, you will not only uphold human rights and contribute to the creation of a more just and humane correctional system in Maryland but make our communities safer for everyone while saving the taxpayers money.

Please give a favorable vote to HB647, as amended, in 2025!

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*Please note: Phil Caroom files this testimony for MAJR and not for the Md. Judiciary or any other unit of state government.*