



**SB0774 - Correctional Services - Restrictive Housing –  
Reporting by Correctional Units and Requirements Relating to Minors**

Presented to the Hon. Bobby A. Zirkin and  
Members of the Senate Judicial Proceedings Committee  
February 21, 2019 12:00 p.m.

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POSITION: SUPPORT

NARAL Pro-Choice Maryland **urges the Senate Judicial Proceedings Committee a favorable report on SB0774**, Correctional Services - Restrictive Housing - Reporting by Correctional Units and Requirements Relating to Minors, sponsored by Senator Will Smith.

Our organization is an advocate for reproductive health, rights, and justice. We believe that incarcerated girls, in particular pregnant females, should not be involuntarily placed in restrictive housing as a routine form of punishment. Inmates of any age still have rights within the conditions of confinement that must be respected and forcing them into restrictive housing without access to adequate space, stimulation, or outside contact without any real medical or safety reason goes against those rights.

Restrictive housing cells can be as small as 6 feet by 9 feet, which is smaller than the average parking space<sup>1</sup>. It is common for inmates subjected to this form of segregation to be in their cells for 22 hours or more each day. While some occupants of restrictive housing have a cellmate, many do not and lack an adequate amount of interpersonal contact. Solitary confinement is a form of extended sensory and social isolation which can increase the risk of self-mutilation, suicidal thoughts, post-traumatic stress disorder, anxiety, depression, paranoia, and aggression. This can have a disastrous impact on the mental health of a minor by either exacerbating an already-existing mental condition or causing impairments that inhibit the youth's ability to successfully reintegrate into society after release<sup>2</sup>. Female juveniles carry a higher risk of adverse consequences when forced into involuntary forms of segregation since a high percentage report having been subjected to physical, sexual, and emotional abuse prior to incarceration.

A key provision in this bill is access to sanitary supplies for those who are, in a special instance, placed in restrictive housing. This ensures that girls are not made to endure menstruation without necessary supplies, something that would add to the stress already made by the restrictive housing situation. The sexual and reproductive health of inmates is of a particular importance as without proper access to sanitary products, girls can face issues such as bacterial vaginitis, urinary tract infections, and potentially fatal toxic shock syndrome when using other inappropriate means to stop menstrual flow.

With the passage of SB0774, restrictive housing will cease acting as a regular form of punishment for juveniles in Maryland. A smaller number will be placed into restrictive housing due to threats of physical harm or security risk reasons that meet clear and convincing evidence standards, yet will still receive routine health assessments, basic needs, and programming. We strongly support this effort to protect the rights, health, and dignity of youth in correctional facilities. For these reasons, **NARAL Pro-Choice Maryland urges a favorable report on SB0774**. Thank you for your time and consideration.

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<sup>1</sup> Dodd, C. (2018). *In Maryland prisons, solitary confinement is common and controversial*. [online] Fredericknewspost.com. Available at: [https://www.fredericknewspost.com/news/crime\\_and\\_justice/prison/in-maryland-prisons-solitary-confinement-is-common-and-controversial/article\\_9d4adc7c-657a-5319-8918-962fee6c4e4f.html](https://www.fredericknewspost.com/news/crime_and_justice/prison/in-maryland-prisons-solitary-confinement-is-common-and-controversial/article_9d4adc7c-657a-5319-8918-962fee6c4e4f.html) [Accessed 7 Feb. 2019].

<sup>2</sup> Clark, A. *Juvenile Solitary Confinement as a Form of Child Abuse* Journal of the American Academy of Psychiatry and the Law Online September 2017, 45 (3) 350-357; <http://jaapl.org/content/45/3/350>