**Correctional Services – Restrictive Housing – Limitations**

**What is Restrictive Housing?**

Restrictive housing is any form of physical separation in which the inmate is placed in a locked room or cell for approximately 22 hours or more out of a 24-hour period. This includes administrative segregation and disciplinary segregation

**Maryland overuses AND MISUSES RESTRICTIVE HOUSING**

***How many people are in restrictive housing?***

* Nationally, 4-5% of prisoners are in solitary—Maryland is roughly twice that, 8% of Maryland’s prison population is in solitary[[1]](#footnote-1)
* During 2016, 68% of Maryland’s prison population was placed in restrictive housing at some point.

***For how long?***

* According to the U.N. Special Rapporteur on Torture, there should be an absolute prohibition on restrictive housing in excess of 15 days[[2]](#footnote-2)
* In Maryland, the average length of stay in restrictive housing is about 2 months!

***What about re-entry?***

* In 2016, 269 persons were released directly to the community, after spending on average 2 months in restrictive housing.

***What about the mentally ill?***

* According the U.N. Special Rapporteur on Torture, the mentally ill should never be put in restrictive housing[[3]](#footnote-3)
* In 2016, 172 seriously mentally ill inmates were placed in restrictive housing in Maryland.

***What about safety?***

* Prisoners who pose a safety risk can be separated from the general population without being put in restrictive housing

**Overuse of restrictive housing is Unsafe**

* When a Mississippi facility transferred a large population of segregated prisoners to the general population, statistics showed an almost **70% drop in serious incidents**.[[4]](#footnote-4)
* A study of correctional systems in Illinois, Arizona, and Minnesota found that segregating some prisoners did little or nothing to lower overall violence across the system
* According to a study published by the Federal Bureau of Prisons, “States that have reduced segregation populations have found no adverse impact on institutional safety.”[[5]](#footnote-5)

**restrictive housing is Expensive**

* It is **three times more expensive** to hold a prisoner in segregation than in the general population.[[6]](#footnote-6)
* Colorado closed a 316-bed administrative segregation facility, which was projected to **save $13.6 million** in FY13-14.[[7]](#footnote-7)
* Illinois closed a supermax facility in 2013, saving about **$26 million per year**.[[8]](#footnote-8)
* In 2007, Mississippi saved about **$5.6 million per year**—without layoffs or furloughs—when it closed an entire unit after reducing its use of segregation.[[9]](#footnote-9)

**restrictive housing hurts prisoners, families, and communities**

***Prisoners Suffer.*** Prisoners in restrictive housing have sufferedphysical and psychological harms, such as psychosis, trauma, severe depression, serious self-injury, or suicide

***Families Suffer.*** When a prisoner is in restrictive housing, s/he has limited visits and calls from family—this not only punishes families, it breaks down the family ties that are crucial to re-entry.

***Communities Suffer.*** Many prisoners are released directly from restrictive housing into the community—this is poses a serious threat to public safety. During restrictive housing, prisoners often have limited opportunity to seek support from faith leaders and other sources of support, which may be instrumental in supporting the inmate during confinement, but also for safe re-entry upon release.

1. Letter from DPSCS to Hon. Bobby Zirkin re: Use of Restrictive Housing in Maryland’s Correctional facilities (Oct. 1, 2015) [↑](#footnote-ref-1)
2. Interim Report of the Special Rapporteur of the Human Rights Council on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. A/66/268 (August 5, 2011), par. 76. [↑](#footnote-ref-2)
3. Interim Report of the Special Rapporteur of the Human Rights Council on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. A/66/268 (August 5, 2011), par. 78. [↑](#footnote-ref-3)
4. Kupers et al., Beyond Supermax Administrative Segregation: Mississippi’s Experience Rethinking Prison Classification and Creating Alternative Mental Health Programs, p.7 (July 2009), available at <https://www.aclu.org/files/images/asset_upload_file359_41136.pdf>. [↑](#footnote-ref-4)
5. Federal Bureau of Prisons: Special Housing Unit Review and Assessment (Dec. 2014) (<http://www.bop.gov/resources/news/pdfs/CNA-SHUReportFinal_123014_2.pdf>) [↑](#footnote-ref-5)
6. Mears, Urban Institute, Evaluating the Effectiveness of Supermax Prisons 20 (2006), available at <https://www.ncjrs.gov/pdffiles1/nij/grants/211971.pdf>. [↑](#footnote-ref-6)
7. News Release, Department of Corrections, The Department of Corrections Announces the Closure of Colorado

   State Penitentiary II (March 19, 2012), available at <http://www.doc.state.co.us/sites/default/files/Press%20release%20CSP%20II%20close%20%20Feb%201%202013.pdf> . [↑](#footnote-ref-7)
8. Heather Rice: Close Tamms, limit use of solitary confinement, available at <http://www.sj-r.com/x221030937/Heather-Rice-Close-Tamms-limit-use-of-solitary-confinement>. [↑](#footnote-ref-8)
9. Vera Institute of Justice Blog, “Mississippi DOC’s Emmitt Sparkman on Reducing the Use of Segregation in

   Prisons,” October 11, 2011. [↑](#footnote-ref-9)