

SENATE BILL 659

E4

7lr2487

By: **Senators Benson and Smith**

Introduced and read first time: February 3, 2017

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Task Force on Practices and Procedures on Solitary Confinement**

3 FOR the purpose of establishing the Task Force on Practices and Procedures on Solitary
4 Confinement; providing for the composition, chair, and staffing of the Task Force;
5 prohibiting a member of the Task Force from receiving certain compensation, but
6 authorizing the reimbursement of certain expenses; requiring the Task Force to
7 study and make recommendations on certain issues related to solitary confinement
8 in the correctional system of the State; requiring the Task Force to report its findings
9 and recommendations to the Governor and the General Assembly on or before a
10 certain date; providing for the termination of this Act; and generally relating to the
11 Task Force on Practices and Procedures on Solitary Confinement.

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

13 That:

14 (a) There is a Task Force on Practices and Procedures on Solitary Confinement.

15 (b) The Task Force consists of the following members:

16 (1) one member of the Senate of Maryland, appointed by the President of
17 the Senate;

18 (2) one member of the House of Delegates, appointed by the Speaker of the
19 House;

20 (3) the Secretary of Public Safety and Correctional Services, or the
21 Secretary's designee;

22 (4) the Attorney General, or the Attorney General's designee;

23 (5) the Public Defender, or the Public Defender's designee;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (6) one representative of the American Civil Liberties Union of Maryland,
2 selected by the American Civil Liberties Union of Maryland;

3 (7) one representative of the National Juvenile Defender Center, selected
4 by the National Juvenile Defender Center; and

5 (8) the following members, appointed by the Governor:

6 (i) two individuals who have spent substantial time in solitary
7 confinement in the correctional system of the State; and

8 (ii) one psychiatrist with experience treating individuals who have
9 spent time in solitary confinement in the correctional system of the State.

10 (c) The Governor's Office of Crime Control and Prevention shall designate the
11 chair of the Task Force.

12 (d) The Governor's Office of Crime Control and Prevention shall provide staff for
13 the Task Force.

14 (e) A member of the Task Force:

15 (1) may not receive compensation as a member of the Task Force; but

16 (2) is entitled to reimbursement for expenses under the Standard State
17 Travel Regulations, as provided in the State budget.

18 (f) The Task Force shall:

19 (1) study the use of solitary confinement as a disciplinary tool, and what
20 effect solitary confinement has on recidivism and reoffense;

21 (2) collect and analyze data regarding the reasons people are given solitary
22 confinement, the average duration an individual spends in solitary confinement, and
23 demographic statistics regarding what individuals are given solitary confinement; and

24 (3) recommend alternate means of punishment to be used instead of
25 solitary confinement and methods to reduce or eliminate the use of solitary confinement.

26 (g) On or before December 1, 2017, the Task Force shall report its findings and
27 recommendations to the Governor and, in accordance with § 2-1246 of the State
28 Government Article, the General Assembly.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
30 1, 2017. It shall remain effective for a period of 1 year and 1 month and, at the end of June

1 30, 2018, with no further action required by the General Assembly, this Act shall be
2 abrogated and of no further force and effect.