

February 25th, 2020

HB-1476 Independent Oversight and Review Board for Health Care of Inmates in State Correctional Facilities - SUPPORT

House Judiciary Committee

Luke Clippinger, Chair

Chair Clippinger and members of the committee,

My name is Robert Van Rens. I am resident of Legislative District 3 in Frederick County.

I had the honor to work as staffer in both the House of Delegates and the State Senate for representatives of my district. While serving in that role, I managed constituent issues, including correspondence from incarcerated persons and their families.

Working with the incarcerated is difficult and frankly unpopular. Their only means of contact with legislative offices is by US Mail, so any kind of information exchange takes days or weeks. Individuals in the penal system often have educational disadvantages that can make it hard for them to clarify exactly what problems they are experiencing.

The concern that came up in virtually every contact was severely substandard medical care. On multiple occasions, we were asked for help by someone who was being denied proper care for chronic conditions like diabetes or hypertension. We were informed of multiple instances of medications being withheld or improperly administered. We were on one occasion contacted by the family of an inmate whose health had deteriorated to the point where he was unable to write to our office himself. Inmates who had been prescribed psychotropics like SSRI inhibitors found themselves suddenly cut off from prescriptions that require steady dosing and careful monitoring, and suffered predictable deterioration of mental health as a consequence.

I came to understand that these occurrences were not extraordinary, but in fact were common, everyday occurrences. Nonmedical staff were acting as gatekeepers to medical services and prescriptions, with unqualified decision-makers endangering the health of the incarcerated. When inmates were allowed access to medical care, they frequently found staff overworked, unqualified or inadequately supervised, and with meager resources to address complex challenges. Records were often badly kept or lost, making chronic care more difficult. This system has little accountability for correctional staff and contractors, and no recourse for inmates.

It is not a popular view in our society that incarcerated individuals are entitled to the same considerations as everyone else. Our state has profoundly failed to uphold the basic rights entailed to even those it holds in custody. There should be no question that those in the custody of the penal system should be safe from medical negligence, malpractice, and deliberate malfeasance, but these occur all too often within the state's correctional facilities.

Thank you for your time.

Sincerely,

Robert Van Rens