



LAW ENFORCEMENT ACTION PARTNERSHIP

ADVANCING JUSTICE AND PUBLIC SAFETY SOLUTIONS

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Date: January 26th, 2021

Re: HB 131 (Correctional Services - Restrictive Housing - Direct Release)

Position: **SUPPORT**

To: The Maryland House Judiciary Committee

From: Major Neill Franklin (Ret.), Maryland State Police and Baltimore
Police Departments, The Law Enforcement Action Partnership (LEAP)

Distinguished Members of the Committee,

Thank you for the opportunity to testify today. As a thirty-four year police veteran, I represent myself and the Law Enforcement Action Partnership (LEAP). LEAP is a nonprofit group of police, prosecutors, judges, and other criminal justice professionals who speak from firsthand experience. Our mission is to make communities safer by focusing law enforcement resources on the greatest threats to public safety, addressing the root causes of crime, and working toward healing police-community relations.

I spent years conducting investigations within Maryland's correctional system as a Detective Sergeant with the Division of Corrections Investigative Unit, so my perspective isn't just based on personal opinion, but facts. Our current practice of releasing inmates from restrictive housing straight into our communities without an adjustment period is setting them up for failure and making us less safe.

Colorado is one state showing us the way forward on this issue. In 2011, when Tom Clements was hired as Director of the Colorado Department of Corrections, 1500 people – nearly seven percent of the state's prisoners – were in solitary confinement. Tom Clements wanted to change the state's use of restrictive housing, but he didn't get the chance to complete his work. On March 19, 2013, he opened the door of his home and was murdered by a man who had recently been released directly to the community from solitary confinement.¹

Today, no one in Colorado is released directly from solitary to the community. Instead, the state has developed a graduated step-down program to prepare people for their return home.

Maryland should not wait for tragedy to strike before following suit.

Between 2017 and 2020, we released 834 people directly from isolation in Maryland correctional facilities after they spent an average of 60 days in restrictive housing.² Without any preparation, resocialization, transition coordination, or reentry services, we discharge those least likely to successfully and safely reintegrate. This practice puts the individual at risk of relapsing into criminal behavior and endangers community members who may be victimized by them.

This legislation seeks to end this unsafe practice by preventing placement in restrictive housing within six months of release, barring clearly delineated extenuating circumstances. For individuals in restrictive housing within 180 days of their anticipated release date, the bill would establish a transitional process for providing them with reentry planning services, including housing and public benefit assistance.

On behalf of myself and the Law Enforcement Action Partnership, I ask you to vote favorably on HB 131.

Respectfully,


Maj. Neill Franklin (Ret.)

Maryland State Police and Baltimore Police Departments
Law Enforcement Action Partnership (LEAP)

¹ I. Susan Rose. "Interview with Rick Raemisch." Interfaith Action for Human Rights.

https://www.interfaithactionhr.org/interview_with_rick_raemisch

² Maryland Department of Public Safety and Correctional Services. Reports on Restrictive Housing, Fiscal Years 2016-2018.