



Testimony submitted to the Joint Committee on the Judiciary
In support of H.1475 - An Act to reduce recidivism, curb unnecessary spending, and ensure
appropriate use of segregation

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The League of Women Voters of Massachusetts (LWVMA) has lobbied for over 50 years for measures to protect the civil and individual rights of offenders, promote individualized treatment, provide humane living conditions, encourage gradual reintegration of prisoners into society, and allow a prisoner more freedom and responsibility as merited.¹ Therefore, we strongly support H.1475.

In Massachusetts mentally ill, pregnant, juvenile, deaf and blind prisoners, as well as prisoners assigned to protective custody, are held in segregated detention. This can mean isolation in a cell measuring 60-to-80 square inches for over 23 hours a day. In addition, Massachusetts is one of only three states that allow prisoners to be sentenced to segregated confinement for disciplinary issues for up to 10 years.

Human beings need social interaction, including touch and communication, or they can decline mentally.² I have heard from a former prison psychologist that she has seen prisoners in segregation act out violently just to be able to have human contact, even if it is just to be held in place by guards in full protective body gear. These individuals who are treated as too dangerous or too difficult to be integrated into the prison population can be released directly into the general population without reentry services.³

Since 95% of all incarcerated persons are released back into the community, it is disturbing to learn that prisoners can be released directly into the community from segregation without any reentry training. Therefore, we particularly appreciate that this bill allows for access to all reentry programming, even when prisoners are held in segregation for the final six months before their release. We are also heartened that this bill provides for oversight by a mental health professional on a daily basis and that it includes incentives so that prisoners can earn their way out of non-disciplinary segregation through positive behavior.

The ACLU has determined that the practice of segregation of prisoners is dangerously overused, costs too much, results in more violence in prisons, increases recidivism, and results in more mental health issues for prisoners.⁴

¹ <https://lwmva.org/wp-content/uploads/2014/03/Where-We-Stand.pdf>

² http://solitaryconfinement.org/uploads/sourcebook_02.pdf

³ http://www.aca.org/ACA_PROD_IMIS/Docs/Corrections%20Today/2015%20Articles/March%202015/Guest%20Editorial.pdf

⁴https://www.aclu.org/sites/default/files/assets/stop_solitary_briefing_paper_updated_august_2014.pdf

LWVMA feels that the provisions in H.1475 for oversight, special training for corrections officers, individualized treatment, allowances for emergency segregation for extreme cases, transparency for the inmate, mandated reentry training and data collection to make recommendations on how to decrease the segregation of prisoners are strong steps to decrease the inhumane treatment of prisoners, particularly those who are mentally, physically or otherwise disabled, and improve the prospects of decreasing the high rate of recidivism.

Thank you for your consideration.