



## Legislation Summary:

### **An Act reducing recidivism, curbing unnecessary spending and ensuring appropriate use of segregation**

Initial bill number: [S1306/H3071](#) (Bill numbers will change as legislation proceeds.)

Sponsors: Sen. James Eldridge, Rep. Russell Holmes

This bill requires mental health screening and prohibits segregation (solitary confinement) for those who are pregnant, deaf, blind, under 21, over 65, have a serious medical condition, or are confined for being LGBTQ. It limits disciplinary confinement to 15 days, requires strict oversight and publicly-available data collection. It prohibits confinement unless an individual poses a threat to the safety of others or the operation of the facility. It provides preconditions for release on a given date. It also has rules for those in administrative segregation, so they can live in similar conditions to those in the general population. When nearing re-entry, segregation will not be used unless essential, so the individual has access to re-entry programming.

**Why is this good:** In Massachusetts, every day, prisoners are held in solitary confinement even if they are mentally ill, pregnant, underage, deaf or blind or are in protective custody. They can be sent to disciplinary segregation for up to ten years. We need to establish minimum humane standards for sending people to solitary lockup and not allow long-term solitary to be used as an enforcement measure. Segregation for violent prisoners can be limited by assessing dangerousness and having a plan for reentry into the general prison population if the individual can meet specified behavioral targets and have periodic reviews to evaluate the prisoner's progress.

**Bottom Line:** Segregation should be used [only as a tool of last resort](#). Social isolation has profound impacts on many human beings and can lead to serious health problems. The U.N. Special Rapporteur on torture considers it cruel, inhuman, and a violation of the inherent dignity of an individual and calls for it to be banned beyond a [maximum of 15 days](#).