

# OFFICE OF THE PUBLIC DEFENDER

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April 3, 2025

## TESTIMONY OF THE OFFICE OF THE PUBLIC DEFENDER REGARDING:

**House Bill No. 5350 - ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE – SENTENCE AND EXECUTION,**

**House Bill No. 5297 – ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT – CORRECTIONS DEPARTMENT**

Chairman Craven and Members of the House Judiciary Committee:

The Office of the Public Defender supports HB5350 and HB5297, both of which recognize the importance of allowing individuals in correctional facilities to maintain contact with loved ones. Specifically, HB5350 seeks to repeal measures allowing the Department of Corrections to charge inmates for phone calls, instead mandating the provision of free communication services to inmates and juveniles held in detention centers. Additionally, we commend the proposed requirements in HB5350 that these facilities provide in-person contact visits and in HB5297 that married inmates be permitted conjugal visits.

The ability to communicate freely with loved ones is a fundamental right that should not be impeded because a person is indigent. Communication plays an essential role in maintaining familial bonds, fostering rehabilitation, and facilitating successful reintegration into society upon release. However, the imposition of fees for phone calls disproportionately burdens already marginalized individuals and undermines their ability to stay connected with their support networks.

Moreover, allowing conjugal visits can strengthen inmates' bonds with spouses, which has been shown to contribute positively to emotional well-being and mental health.<sup>1</sup> There is also some evidence that permitting conjugal visits can reduce prison violence among inmates.<sup>2</sup> The provision of free communication services, in-person contact visits, and conjugal visits also contribute to public safety by reducing recidivism. Individuals with strong family ties are less likely to reoffend and are more likely to succeed in reintegrating into society upon release.

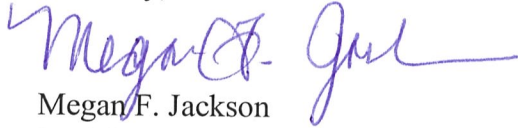
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<sup>1</sup> See Wyatt, Rachel, *Male Rape in U.S. Prisons: Are Conjugal Visits the Answer?*, 37 CWRJIL 579, 600 (2006).

<sup>2</sup> See *id.* at 601-04.

By ensuring access to these vital forms of contact, HB5350 and HB5297 align with principles of fairness, dignity, and rehabilitation. The Office of the Public Defender urges passage of these two bills.

Sincerely,

A handwritten signature in blue ink, appearing to read "Megan F. Jackson", with a long horizontal flourish extending to the right.

Megan F. Jackson

Legislative Liaison

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