



STATE of RHODE ISLAND
Executive Department
GOVERNOR'S COMMISSION ON DISABILITIES
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Legislative Impact Statement

To: Robert E. Craven, Chair House Judiciary Committee
From: Elisabeth Hubbard, Executive Secretary
Re: House 5927 AN ACT RELATING To STATE AFFAIRS AND GOVERNMENT –
RESTRICTIVE CONFINEMENT OVERSIGHT ACT

Thursday, April 03, 2025

The Governor's Commission on Disabilities' Legislation Committee has developed a Legislative Impact Statement on the bill listed below. The Commission would be pleased to present testimony to the committee. Please contact me (462-01110) if testimony is desired or for additional information.

The Commission finds this bill beneficial

This bill would create a committee to oversee the use of restrictive housing (solitary confinement). It also would define which persons would be considered a member of a “vulnerable population” and oversee the use of restrictive housing for those individuals. It also guarantees an incarcerated person the right to “basic necessities”, even when housed in restrictive housing.

The Commission supports the careful consideration of the use of restrictive housing for individuals with disabilities, particularly those with mental health or developmental disabilities. Extensive studies have shown that these populations are at risk because “mentally ill prisoners are generally more sensitive and reactive to psychological stressors and emotional pain. The harshness and severe levels of deprivation that they experience in solitary confinement are in many ways the antithesis of the kind of benign and socially supportive atmosphere that mental health workers seek to create in genuinely therapeutic environments. Not surprisingly, then, mentally ill prisoners are more likely to deteriorate and decompensate when they are subjected to the harshness, stress, and deprivations of solitary confinement.”¹

We are also supportive of the data collection, although we would suggest additional information be obtained. In addition to reporting on the number of vulnerable individuals who are housed in restrictive housing, we would also request that there be a report of

¹Hanley, Craig. *Restricting the Use of Solitary Confinement*, Annual Review of Criminology Vol. 1, 2018
<https://www.annualreviews.org/content/journals/10.1146/annurev-criminol-032317-092326>

any delay in access to basic necessities, particularly any mental health treatment, for those who are in restrictive housing. This would create accountability to ensure that these services are provided in accordance with this Act. It would also be in line with the guidance from the American Psychiatric Association, which states:

Prolonged segregation of adult inmates with serious mental illness, with rare exceptions, should be avoided due to the potential for harm to such inmates. If an inmate with serious mental illness is placed in segregation, out-of-cell structured therapeutic activities (i.e., mental health/ psychiatric treatment) in appropriate programming space and adequate unstructured out-of-cell time should be permitted. Correctional mental health authorities should work closely with administrative custody staff to maximize access to clinically indicated programming and recreation for these individuals.²

It has been confirmed by the Rhode Island Department of Corrections that they are the largest psychiatric treatment center in the state. Between 44% and 48% of its population is treated with psychiatric medications.³ If a goal of incarceration is to rehabilitate individuals so that they may be once again members of society, further trauma from solitary confinement would be counterproductive to this effort. We should instead be ensuring that these individuals receive treatment that is necessary for them to make their transition possible.

² Position Statement on Segregation of Prisoners with Mental Illness, American Psychiatric Association
<http://nrcat.org/storage/documents/apa-statement-on-segregation-of-prisoners-with-mental-illness.pdf>

³ *Rhode Island's largest psychiatric and substance abuse treatment center: The ACI, by the numbers.* RI News Today
[https://rinewstoday.com/rhode-islands-largest-psychiatric-and-substance-abuse-treatment-center-the-aci-by-the-numbers/#:~:text=According%20to%20Bouchard%20\(and%20confirmed,largest%20substance%20abuse%20treatment%20facility.](https://rinewstoday.com/rhode-islands-largest-psychiatric-and-substance-abuse-treatment-center-the-aci-by-the-numbers/#:~:text=According%20to%20Bouchard%20(and%20confirmed,largest%20substance%20abuse%20treatment%20facility.)