

ACLU OF RI POSITION: SUPPORT

**TESTIMONY ON 25-H 5927,
RELATING TO STATE AFFAIRS AND GOVERNMENT -- RESTRICTIVE
CONFINEMENT OVERSIGHT ACT
April 3, 2025**

The ACLU of RI supports passage of this legislation, which would provide a statutory mandate limiting the use of solitary confinement in Rhode Island's prison system and provide external enforcement and review provisions to ensure compliance.

Solitary confinement is an expensive, fundamentally inhumane practice that jeopardizes, rather than increases, public safety. After extensive review, the Special Legislative Commission to Study and Assess the Use of Solitary Confinement at the Rhode Island ACI issued a report in June 2017. It recommended limiting solitary to no more than 15 days, more out-of-cell time, and exclusion of pregnant women, young offenders, and individuals with severe and persistent mental illness from such disciplinary confinement. It also recommended external oversight.

Despite these recommendations, RIDOC has been slow to change and has not fulfilled the promise of the Commission. After the report's release, solitary continued to be imposed for lengthy periods, including for a year and more. It is only because of ongoing court proceedings in which the ACLU is involved that RIDOC recently adopted administrative policies restricting solitary confinement. Even with the new policies, solitary can continue for up to 30 days, not 15, as this legislation would mandate. In addition, the new administrative policies contain no mandatory exclusions for vulnerable members of the prison population or a means to ensure compliance, as

this bill would require. The time has come for Rhode Island to stop relying on solitary confinement to correct behavior, and instead find new, more effective ways to ensure our communities remain safe and secure.

The vast majority of prisoners will be released back into the community, and normal human contact with the outside world is crucial to successful re-entry. It is in our best interest as a community to ensure that the time spent incarcerating someone is used to improve their connection with the community and maximize their chances at reintegrating successfully.

The effect of this isolation can be devastating. Solitary confinement can create or exacerbate pre-existing mental illnesses, and can have lasting psychological effects even on individuals who had no mental illness prior to their alienation. Long-term isolation thus often amounts to the essence of cruel and unusual punishment. Such a system does nothing to rehabilitate those we incarcerate, and leaves us all less protected. Because this bill would take some first steps in addressing this issue while efforts to protect the constitutional rights of incarcerated individuals facing this punishment also play out in the courts, the ACLU supports its passage.