

ERASE

Solitary Confinement Act of 2023

Unlock the Box DC

September
2023

ERASESOLITARY.COM

Scope of Bill:



All current and future
DOC facilities

STRUCTURAL CHANGE IN REVISED BILL TEXT

Are residents receiving at least 8 hours out-of-cell time?

YES

Everyone Else (general and special pops)

Disciplinary Housing

Subject to punitive measures

NO

Safe Cells

- Max of 48 hours in safe cell before transfer to outside healthcare facility is required
- Max of 4 hours for use of restraints out of 48 hour period
- Not subject to punitive measures

Medical Isolation

- Can only be isolated until no longer contagious
- Not subject to punitive measures

New Rules - Property

If a resident is moved to:

Disciplinary Segregation

Any property taken by DOC must be returned within 6 hours unless it is contraband.

Medical Isolation

Residents get to keep all property unless a specific item is deemed by a qualified health professional to increase the likelihood of disease transmission.

Safe Cells

Residents get to keep all property unless a specific item is deemed by a qualified health professional to put the resident at increased risk of self harm.



New Rules - Healthcare



Everyone resident in DOC must have:

Appropriate medical and mental healthcare. If DOC can't provide it, they have to move you to a hospital or other healthcare setting.

New Rules -

IGPs & Private Right of Action



Everyone subject to segregated confinement in DOC can:

- File a special grievance with the DOC Director.
- The Director must send their final response within 5 days.
- After 5 days, if the grievance is not resolved, the resident can sue DOC for violation of the rules in this new law.

New Rules - Resident Education

DOC must share educational materials on:

- mental health and substance use disorders,
- stigma,
- treatment options available at DOC, and
- the law, regulations, and policy statements governing the use of prolonged confinement, medical isolation, suicide preclusion, and suicide watch,

any time a resident is placed in prolonged confinement, medical isolation, or under suicide precaution or suicide watch.



New Rules - Planning and Data

DOC must publish a plan to reduce the used of segregated confinement, prolonged isolation, and prolonged segregation.

DOC is also required to **collect and publish** data every three months on:

- How many residents are subject to segregated confinement, prolonged isolation, or prolonged segregation
- Who those people are
- The type of confinement used
- Location of the confinement
- Length of the confinement
- Reason for the confinement
- Grievances filed by residents who are confined
- Instances of self-harm, suicide, assalut by a resident, and use of force by a CO



Do you have questions or suggestions?



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