

# Maine PRISONER ADVOCACY Coalition



March 24, 2025

Senator Beebe-Center, Representative Hasenfus and distinguished members of the Criminal Justice and Public Safety Committee:

My name is Jan Collins, I am Assistant Director of Maine Prisoner Advocacy Coalition (MPAC) an organization committed to ethical, positive, and humane changes in Maine's prison system. I am here in support of [LD 405](#) An Act to Define "Solitary Confinement" for the Laws Governing Jails and Correctional Facilities.

As a response to Rep McIntyre question about other states definition. I decided I needed to do more research. Below please find a list of all 50 states and some basic information about solitary confinement. I could not find a comprehensive list and this information was gleaned by first trying the term solitary confinement then plugging various terms that are used in place of solitary confinement - special management unit, isolation unit, and restrictive housing. Under each state that I was able to find information about their practices. If it says "none" it means they either do not use the word solitary confinement or they use it but do not define it. If it does not say "none" the first sentence will be the definition of solitary used in that state. In states where another term is used instead of solitary, I indicate the alternative term usually "restrictive housing" and follow it with what restrictions they place on its use.

I hope this offers a general idea of what other states are doing in this area. There were some states for which I was unable to find any substantive information of their practices.

Here's a list of the 50 states along with information about whether their statutes contain a definition of "solitary confinement" or "restrictive housing" and restrictions on its use:

1. Alabama - none. Uses various other terms including restrictive housing, close custody etc. Requires Mental health eval, limits to duration, regular evaluation, access to services, protections for youth and those with mental illness. review and oversight, data collection and reporting.
2. Alaska - none. similar to Alabama.
3. Arizona - no definition in statute, but in DOC policy it is defined as "Confinement of an inmate in a cell alone for 23 hours a day."
4. Arkansas - none. Uses the term restrictive housing - requires mental health assessments, limits duration, prevents its use with vulnerable populations, requires access to services and collects data.
5. California - "A form of confinement in which a prisoner is isolated from the general prison population."  
Restrictions on the use of solitary confinement for individuals with mental illness and mandates for mental health evaluations before placement in restrictive housing.
6. Colorado - no definition in statute, but in DOC policy it is defined "Confinement of an inmate for 22 hours or more a day without meaningful human contact."  
Restricts the use of special management units for individuals under 18 years old and mandates regular reviews for those placed in such units.
7. Connecticut - "A form of confinement that restricts an inmate's ability to interact with other inmates."  
Bans the placement of juveniles in special management units and restricts the use of these units for individuals with mental health issues.
8. Delaware - none
9. Florida - none
10. Georgia - none. Uses the term restrictive housing. Requires mental health evaluations, duration limits, protections for juveniles and those suffering from mental health issues, access to services, review process, data reporting.
11. Hawaii - none
12. Idaho - none
13. Illinois - "Confinement of a prisoner in a cell for 22 hours or more per day."  
Prohibits placement in special management units for individuals with serious mental health concerns and mandates regular evaluations.
14. Indiana - none
15. Iowa - none
16. Kansas - "Confinement of an inmate alone in a cell for more than 20 hours per day."
17. Kentucky - none

18. Louisiana - "Confinement of a prisoner in a cell alone for 23 hours a day."  
Requires that inmates in special management units receive access to mental health services and limits the duration of confinement in such units.
19. Maine - none However,Limits the use of special management units and mandates that inmates have access to programs and services while in these units.
20. Maryland - "separation that has not been requested by the inmate."  
Prohibits the placement of juveniles and individuals with serious mental illness in special management units and requires a review process for placements.
21. Massachusetts - none. Use the term restrictive housing, prohibiting the use of restrictive housing for prisoners with serious mental illness and for pregnant prisoners, as well as on the basis of LGBTQ identification or for a prisoner's own protection, or within 120 days of release. Requires mental health screening before placement.
22. Michigan - "Confinement in a cell for a majority of the day without meaningful human contact."  
Limits the use of special management units and provides guidelines for mental health assessments prior to placement.
23. Minnesota - none. Use the term "restrictive housing" only for a prisoner who poses a "serious threat". Restrictions on use with vulnerable populations, duration. Reuters access to services, review process, reporting and transparency. Living conditions "approximate" to those provided in general population; the statute also mandates that lighting in cells be reduced at night. In addition, prisoners must be provided step-down management and incentives to accelerate their return to general population. Prisoners may not be directly released to the community if they are placed in restrictive housing for 60 days or more
24. Mississippi - none
25. Missouri - none
26. Montana - none. Uses the term restrictive housingas a response to the most serious and threatening behavior," and "for the shortest time possible," and with the "least restrictive conditions possible. Requires mental health evaluations, protects vulnerable populations(pregnant, youth or mental health), restricts duration, requires access to services, review, oversight, data collection, and reporting.
27. Nebraska - none
28. Nevada - none
29. New Hampshire - none
30. New Jersey - "Confinement of an inmate alone for more than 15 consecutive days."  
Prohibits the use of special management units for prisoners under age 22; over age 64; with mental illness, developmental disabilities, or a serious medical condition; who are pregnant or postpartum; who have a "significant auditory or visual impairment"; or who are "perceived to be" LGBTI and requires access to educational and mental health services. Restrictions on duration.
31. New Mexico - "Confinement to a cellar 22 or more hours without daily, meaningful and sustained human interaction"
32. New York - "A form of confinement that involves isolation from other inmates for a significant portion of the day."
33. North Carolina - "Confinement of an inmate to a cell for 23 hours or more per day."  
Mandates the use of alternatives to special management units for individuals with mental health needs and requires regular reviews of placements

34. North Dakota - none
35. Ohio - none
36. Oklahoma - none
37. Oregon - no definition found however, "Limits the use of solitary confinement for individuals with serious mental health issues and requires a review after 14 days of confinement.
38. Pennsylvania - none
39. Rhode Island - none. Uses the term "restrictive housing". Prohibits its use on people with "serious mental illness", limits duration to 30 days with 2 hours out daily, reg review process, requires access to services, data collection and reporting. A new step-down program, known as the "Restorative Housing Program" (RHP) can be used before return to general pop.
40. South Carolina - none
41. South Dakota - none
42. Tennessee - none
43. Texas - none. Uses the term "restrictive housing" bans its use with people who have mental health issues and juveniles, limits duration, regular reviews after certain periods, access to programs and services, review and oversight and data collection.
44. Utah - none
45. Vermont - no definition found however, Prohibits the use of solitary confinement for individuals with serious mental illness and requires regular assessments of inmates in restrictive housing.
46. Virginia - "special-purpose bed assignments operated under maximum security regulations and procedures, and utilized under proper administrative process, for the personal protection or custodial management of offenders."
47. Washington - "Confinement of a person in a cell alone for 20 hours or more." A second source said "the placement of an offender in a locked room or cell alone with minimal or no contact with persons other than guards, facility staff, and attorneys."
48. West Virginia - none
49. Wisconsin - no definition found, however- Limits the use of solitary confinement for juveniles and mandates that individuals with mental health issues receive appropriate treatment instead of placement in restrictive housing.
50. Wyoming - none

This list may not be exhaustive or current; it's recommended to consult each state's legal resources for the most accurate definitions and statutes regarding solitary confinement.

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