



Department of Corrections

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The Honorable Carol Hagan McEntee
House Committee on Judiciary
82 Smith Street
Providence, RI 02903

April 2, 2026

Re: H8275– Relating to State Affairs and Government – Restrictive Confinement Oversight Act

Dear Chairperson McEntee:

This evening the House Committee on Judiciary will consider House Bill #8275, which will mandate the Rhode Island Department of Corrections (RIDOC) to change, expand and develop new corrections policies and practices that conflict with those implemented during the on-going mediations in the Federal Court. There are several provisions of this legislation that directly contradict and extend well beyond the policies RIDOC implemented in 2023. This legislation also fails to provide consideration to a variety of factors for which out of cell time may be altered such as security lockdowns, public health crises, inmate refusals, and more. Furthermore, similar legislative efforts in other states such as New York have led to an increase in violence and resulted in staff labor strikes ultimately leading to the suspension of such provisions of the law. Finally, RIDOC has yet to fully resolve the cases presently being mediated in Federal Court and cannot support any such efforts that may put the state in a position requiring it to choose between violating a potential Federal Court consent decree or violating Rhode Island General Law. For these reasons and others, RIDOC must continue to oppose this legislation.

The composition and responsibility of a restrictive housing oversight committee as outlined in this legislation remains concerning. Of the five members of this mandated committee, only one is required to have any correctional experience – the Director. This committee would also be responsible for hiring an ombudsperson “based on whatever procedure is determined by the committee,” which is overly broad and concerning as there are no clear statutory requirements for who would qualify for such a position, and the criteria for hiring such a person would be left to a committee with little correctional experience. The reporting mandate in this bill remains reasonable, and with minor modifications, is consistent with information that is already submitted to the Federal Court as part of the Department’s ongoing responsibility to work with the neutral court appointed experts auditing its compliance with the policies implemented in 2023.

The section of this bill regarding declaratory judgments also remains among RIDOC's top concerns. It is unnecessary and overly burdensome to carve into statute a method by which individuals may seek legal action against the State as many avenues of legal course are presently available to the population, avenues which are utilized on a frequent basis. As it relates to appeal of the bookings issued by Correctional Officers, the Department's discipline process, as was agreed to during Federal Court mediation, ensures the final decision on potential sanctions is made by a hearing officer who is not a uniformed staff member.

There is an array of other concerns with this legislation that have been covered extensively in previous years of testimony including but not limited to the amount of time an individual may be placed in a restrictive housing setting, a dangerous limitation of no more than a 15-day sanction in a 30-day period, a loose definition of auditory and visual impairments and serious medical condition. These provisions are burdensome, potentially dangerous and in some cases in direct contrast to the progress achieved through mediation in the Federal Court. While the Department has demonstrated its willingness to modernize the use of restrictive housing, it is critical that correctional systems have tools at their disposal that serve as a deterrent to ensure discipline can continue to be effective.

I would like to take a moment to provide an update on the progress we have achieved through mediation in Federal Court over the last year. On October 1, 2025, the Department implemented updates to existing policies related to behavioral health, healthcare for those in the Disciplinary Confinement Unit (DCU); the Restorative Housing Program (RHP); and the Serious and Persistent Mental Illness (SPMI) population, which aligned RIDOC's existing practices with the most current National Curriculum on Correctional Healthcare (NCCHC) standards and the American Correctional Association's (ACA) standards for accreditation. This was done in collaboration with the neutral court appointed experts, the Federal Court and the Counsel for Plaintiffs. We are now in the quality assurance phase of this implementation to determine how the Department can best achieve the objectives of the policies and identify areas of the policies that may need to be altered. I am proud of this latest milestone and the hard work done by correctional officers, security staff and civilian staff across all levels of the organization. For reference, I have attached policy 18.77 DOC, Behavioral Health Service to my testimony.

RIDOC has continuously demonstrated its commitment to safe and meaningful reform of restrictive housing practices through its policies that were implemented almost three years ago. While these significant changes have been a shift in RIDOC practices, we continue to review their impact and work with Plaintiffs' Counsel and the Federal Court to ensure such changes are effective and do not adversely impact the safety and security of the Adult Correctional Institutions (ACI) for RIDOC staff and the incarcerated population. Premature codification of any policies related to restrictive housing has the potential for lasting unintended consequences. We've seen this play out in real time over the last year in New York State where the Humane Alternatives to Long-Term (HALT) Solitary Confinement Act, which is often cited by those advocating for restrictive housing reform, has had several key elements suspended and was a sticking point during a strike of correctional officers that has resulted in required ongoing assistance of the National Guard. In fact, the New York State legislature has introduced legislation that would amend several of the reforms previously enacted.

Once again, as Director, I cannot abandon or change the policies that have implemented through mediation without notice to and approval of the Federal Court. While this restriction may inhibit our ability to quickly address issues identified, it also should continue to provide those advocating for additional reform confidence that we are operating in a safe and constitutional manner designed to rehabilitate those in our custody while ensuring the safety of staff and the incarcerated population.

Sincerely,

A handwritten signature in blue ink that reads "Wayne T. Salisbury Jr." The signature is written in a cursive style.

Wayne T. Salisbury Jr.
Director

cc: Honorable Members of the House Committee on Judiciary
The Honorable Leonela Felix
Nicole McCarty, Esq., Chief Legal Counsel to the Speaker of the House