March 25, 2022

Good morning Sen. Winfield, Rep. Stafstrom and members of the Judiciary Committee. I would like to express my support for SB 445 AN ACT CONCERNING THE PROVISION OF EMERGENCY MEDICAL SERVICES TO AN INDIVIDUAL WHO IS IN THE CUSTODY OR CONTROL OF A PEACE OFFICER and SB 459 AN ACT CONCERNING THE COMMISSION FOR CORRECTIONAL OVERSIGHT, THE USE OF ISOLATED CONFINEMENT, SECLUSION, RESTRAINTS, STRIP SEARCHES, SOCIAL CONTACTS FOR INCARCERATED PERSONS, TRANSPARENCY FOR CONDITIONS OF INCARCERATION AND CORRECTIONAL OFFICER TRAINING..

SB 445 would require the provision of emergency medical services to an individual who experiences an emergency medical condition or is medically unstable while in the custody or control of a peace officer. This issue was brought to my attention by the Medical Civil Rights Initiative which was organized by a group of physicians at Massachusetts General Hospital and Brigham and Women's Hospital. Their goal is to address this statutory gap that leads to poor medical outcomes for persons who have pre-arrest encounters with law enforcement. The Initiative points out in an op-ed in the New England Journal of Medicine\(^1\) that "at present, there is no legal right in any U.S.:

\(^1\) n engl j med 385;6 nejm.org August 5, 2021
jurisdiction for a person in an encounter with police to request and be provided immediate emergency medical care by an objective clinical entity." We have all seen too many videos of police encounters in which a person in police custody cries out "I cannot breathe" before permanently ceasing to breathe. Obviously, there are many cases with less tragic endings that could have better outcomes with the provision of needed medical assistance. Police officers often (by necessity) have encounters with people who have either emergent physical health or emergent mental health needs and the officers do not always have sufficient training for these encounters. Creating this civil right would ensure that these medical needs are met by appropriately trained medical staff. Encouraging clinical interventions by medical staff would allow police officers to remain focused on public safety and allow emergent medical needs to be addressed by medical personnel.

SB 459 would ensure the humane treatment of prisoners in several ways. It would restrict the use of isolated confinement and restraints in correctional facilities, increase transparency concerning their use, and require a level of privacy in inmate searches. It would also establish a Commission For Correctional Oversight, and increase correction officer training.

The bill would essentially limit the use of solitary confinement and restraints to emergency situations and it would increase transparency on the use of these measures. By prohibiting extreme isolation (with a few specific exceptions), and abusive restraints, this bill would protect social bonds that will assist the incarcerated person while in prison and also when the person re-enters society. It would also establish the Commission for Correctional Oversight which would, among other things, create a system to receive
concerns of incarcerated persons and their families. SB 459 would promote the mental health of prisoners by granting them basic human dignity.

Thank you for hearing these important bills.