

**ACY\_FAV\_SB858**

Uploaded by: Doggett, Atty Jack

Position: FAV

# EQUITY FOR ALL KIDS



To: Judicial Proceedings Committee  
From: Jennifer Bevan-Dangel, Executive Director  
Re: SB858, Procurement and Correctional Facilities - Employment Opportunities for Formerly Incarcerated Individuals  
Date: February 26, 2020  
Position: Support

Advocates for Children and Youth supports SB 858, which would promote hiring of individuals returning to their communities by companies seeking State contracts.

This legislation would have a significant impact on youth. In 2019 Maryland arrested 21,417 youth. Black youth are arrested at 3 times the rate of white youth, and the majority of their charges are misdemeanors; 58.9% of youth in out-of-home placement are there for misdemeanors, primarily misdemeanor assault and misdemeanor theft. In addition, Maryland has the largest incarcerated African American emerging adult population – those 18 to 24 – in the country.

We know that economic factors influence, and often drive, recidivism. For youth or emerging adults who enter the justice system, their ability to complete their education and launch their careers are interrupted if not halted completely. Upon release, youth are less likely to re-enroll into school and struggle to find employment. Providing jobs for these youth or emerging adults upon their return to their communities is critical for supporting them into a more secure, sustainable trajectory.

A 2015 study by the Manhattan Institute showed how much impact employment has on recidivism. The study found that employment reduces recidivism by as much as 20% for non-violent offenders. Interestingly, the report also found that the sooner ex-offenders are employed, the less likely they will commit future crimes.<sup>1</sup>

Supporting our youth and emerging adults into stable economic pathways is critical for their success. ACY supports SB 858 and urges a favorable vote.

<sup>1</sup> [https://www.realclearpolitics.com/articles/2015/06/11/immediate\\_access\\_to\\_employment\\_reduces\\_recidivism\\_126939.html](https://www.realclearpolitics.com/articles/2015/06/11/immediate_access_to_employment_reduces_recidivism_126939.html)

**AEC\_Fav\_SB858**

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**ALLEGHENY EAST CONFERENCE CORPORATION**  
of Seventh-day Adventists®

February 25, 2020

Delegate Shane E. Pendergrass, Chair  
Delegate Joseline A. Pena-Melnyk, Vice Chair  
House Health and Government Operations  
Committee, Room 241  
House Office Building  
Annapolis, Maryland 21401

Senator Paul G. Pinsky, Chair  
Senator Cheryl C. Kagan, Vice Chair  
Senate Education, Health, and Environmental  
Affairs Committee  
2 West - Miller Senate Office Building  
11 Bladen Street  
Annapolis, Maryland 21401

Delegate Luke Clippinger, Chair  
Delegate Vanessa E. Atterbeary, Vice Chair  
House Judiciary Committee, Room 101  
6 Bladen Street - House Office Building  
Annapolis, Maryland 21401

Senator William C. Smith, Jr., Chair  
Senator Jeff Waldstreicher, Vice Chair  
Senate Judicial Proceedings Committee  
2 East - Miller Senate Office Building  
11 Bladen Street  
Annapolis, Maryland 21401

**RE: FAVORABLE – SB-858/HB-1524 – Health Standards – Plant-Based Meals in Prisons and Hospitals**

Dear Chairs, Vice Chairs and Committees:

The Allegheny East Conference of the Seventh-Day Adventist Church (AEC) operates and oversees 170, churches, 34 companies and 9 missions with a membership of over 40,000 that reside in the states of Delaware, Maryland, Virginia, Northern New Jersey and Washington, D.C. In Maryland alone we have approximately 174 SDA churches that represent approximately 60,000 members that include churches in the Columbia Union of churches. We are Bible-believing Christians who base faith, hope, and the future in Jesus Christ. The name 'Seventh-day' indicates our adherence to the Biblical Sabbath of Friday sundown to Saturday sundown, while 'Adventist' means we anticipate the promised return of Christ.

While our Church teaches hope in Christ, the foundation of our mission work to reveal the character of God, is rooted in the principle of teaching people how to make “right choices” by studying Christ’s life of right choices. The Bible verse that demonstrates this point is in Joshua 24:15 where the call to each person on this planet is made to “choose you this day whom ye will serve”. According to the Bible, it was one bad “choice” that changed forever what was created as a perfect world into world of pain, suffering, heart break.

Consequently, AEC for 40 years has grown a robust prison ministry program called Bread of Life (BOL) Ministries wherein our members on a weekly basis enters Maryland’s MCI Jessup and MCIW facilities to conduct prison seminars and programs. Under the direction of the Louis Williams, President of the AEC Prison Ministry Federation, which operates the BOL program in four states, our Church serves as a direct line of contact with inmate that want to learn to make better choices. In 2019, 1,559 inmates attended BOL training programs in MCI and MCIW that encouraged them to make right choices. Also, the BOL ministry has worked with hundreds of returned citizens during their transition process on matters regarding housing, food, clothing, housing and employment. However, the most difficult challenge in serving returned citizens is filling the employment gap.

Therefore, AEC is in full support of SB-858/HB-1524, which will incentivize employers with contract correctional agencies to hire returned citizen. Second, having a single online website resource where employers can search for returned citizens to hire, will make our work as transition supporters easier because

We at AEC believe that the right to work is a God given right and a having a tool like the Workforce Exchange will ensure that Returned Citizens can live up to their God given potential by getting hired for a job. Your passage of this bill will not only increase the hope of Returned Citizens that they can find and get hired for a job.

Mr. Williams, however, will share more about the need for SB-858/HB-1524 through a testimony of his 40 years of work in the prisons.

It is for these reasons that AEC requests a favorable report on SB-858/HB-1550.

Sincerely,

*Jackson M. Doggette, Jr., Esq.*

Jackson M. Doggette Jr., Esq., CNE, CDE, CNC, CSPG, CLC  
General Counsel

**AEC\_Favorable\_SB-858**

Uploaded by: Doggett, Atty Jack

Position: FAV



**ALLEGHENY EAST CONFERENCE CORPORATION**  
of Seventh-day Adventists®

February 25, 2020

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**RE: FAVORABLE – SB-858/HB-1524 – Health Standards – Plant-Based Meals in Prisons and Hospitals**

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It is for these reasons that AEC requests a favorable report on SB-858/HB-1550.

Sincerely,

*Jackson M. Doggette, Jr., Esq.*

Jackson M. Doggette Jr., Esq., CNE, CDE, CNC, CSPG, CLC  
General Counsel



**Jack\_Fav\_SB-768**

Uploaded by: Doggett, Atty Jack

Position: FAV



**ALLEGHENY EAST CONFERENCE CORPORATION**  
of Seventh-day Adventists®

February 25, 2020

Delegate Shane E. Pendergrass, Chair  
Delegate Joseline A. Pena-Melnyk, Vice  
Chair  
House Health and Government Operations  
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Chair Senator Jeff Waldstreicher,  
Vice Chair Senate Judicial  
Proceedings Committee  
2 East - Miller Senate Office Building  
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Annapolis, Maryland 21401

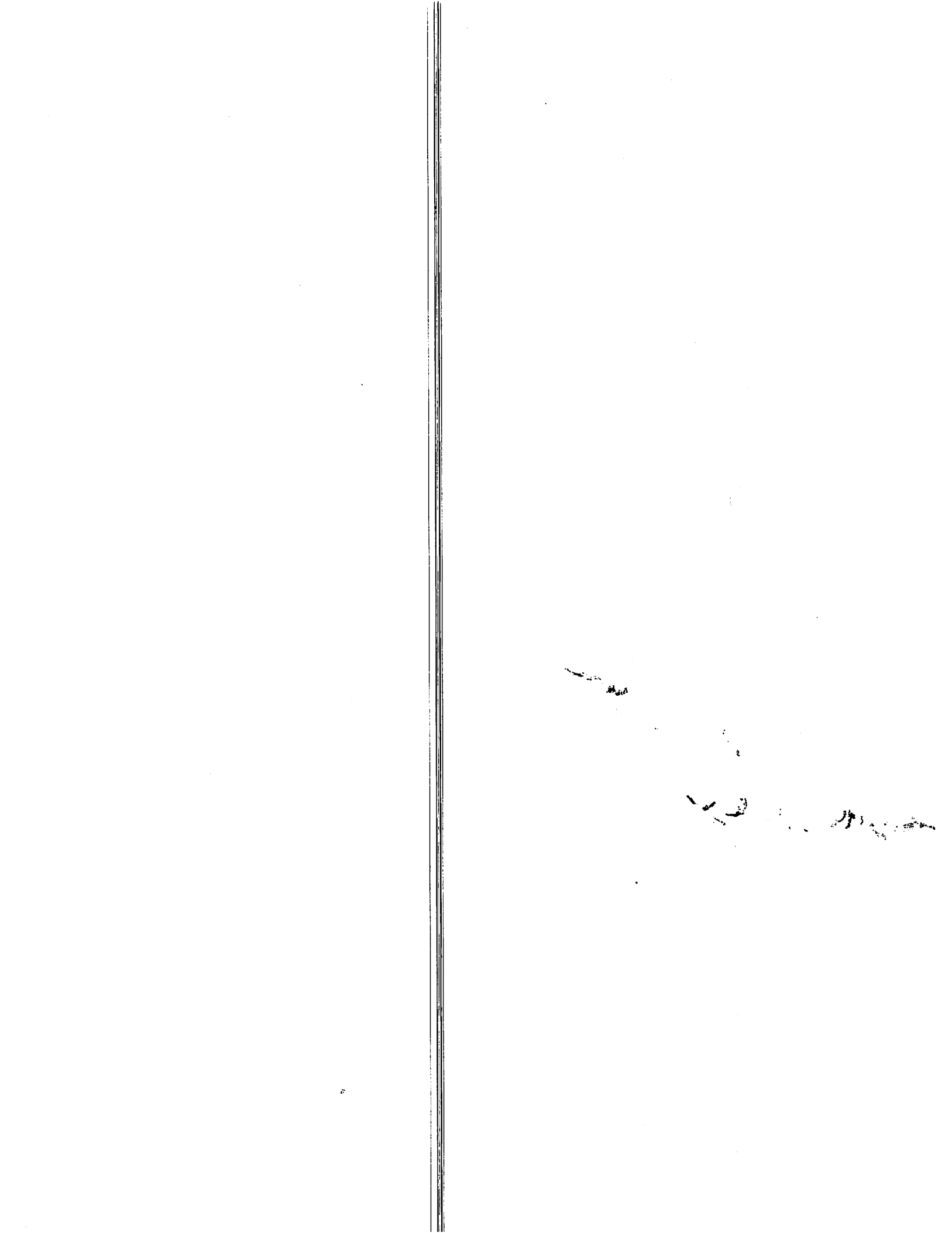
**RE: FAVORABLE - SB-768/HB-819 - Health Standards - Plant-Based Meals in  
Prisons and Hospitals**

Dear Chairs, Vice Chairs and Committees:

The Allegheny East Conference Corporation of Seventh-Day Adventists (AEC) operates and oversees 170, churches, 34 companies and 9 missions with a membership of over 40,000 that reside in the states of Delaware, Maryland, Virginia, West Virginia, New Jersey Pennsylvania, and Washington, D.C. In Maryland alone we have approximately 174 SDA churches that represent approximately 60,000 members that include churches in the Columbia Union of churches. We are Bible-believing Christians who base faith, hope, and the future in Jesus Christ. The name 'Seventh-day' indicates our adherence to the Biblical Sabbath of Friday sundown to Saturday sundown, while 'Adventist' means we anticipate the promised return of Christ.

In addition, we operate health care institutions, like Adventist HealthCare, which is a not-for-profit health services organization based in Gaithersburg, Maryland that employs more than 6,000 people and provides healthcare for more than 400,000 individuals in the community each year.

The Seventh-day Adventist Church is considered a pioneer of the vegetarian movement in America. As early as 1863, one of our church founders advocated for a return to the plant-based diet outlined in Genesis 1:29 which states, "And God said, Behold, I have given you every herb bearing seed, which is upon the face of all the earth, and every tree, in the which is the fruit of a tree yielding seed; to you it shall be for meat." The word "meat" in Hebrew means food. Consequently, the Church taught the original diet ordained by God was a plant-based diet that includes fruits, nuts, grains, vegetables, legumes, and seeds historically called the vegetarian diet, now termed a plant-based diet. While the Church recognizes the Bible, due to the mitigating circumstance of sin entering the world, permits the consumption of



animal-based foods after the flood, with the restriction that only clean animals should be eaten, the Church overall encourages its members to choose the Genesis 1:29 diet as the best dietary choice for spiritual growth and physical development. Many other variations of the vegetarian diet, like the lacto ovo vegetarian diet that includes dairy and eggs, are also practiced by members according to their choice. Not all members are vegetarians.

Nevertheless, over the Churches 150+ years of commitment to the vegetarian diet, the Church is known for founding vegetarian food manufacturing companies around world. Most notable, is our Church university, Loma Linda University, large-scale long-term epidemiological study on vegetarians called the Adventist Health Study, which demonstrated for the first time in the U.S. the health benefits of the vegetarian diet. The study showed vegetarians had much lower rates of heart disease, cancer, diabetes, stroke and several other major degenerative diseases. Later in 2004, National Geographic performed a 10-year study called the Blue Zones and identified Seventh-day Adventist members living in Loma Linda are amongst those who live the longest in the world. The Blue Zone study identified the healthful living practices, including the vegetarian/plant-based dietary lifestyle of the Church as one of the main reasons for the longer life.

Due to our history as a pioneer plant-based Church, AEC supports the legislative objectives of SB-768/SB-819, which is to provide inmates and patients in hospitals the ability to choose plant-base meal options. While our Church hospitals share the rich history of vegetarian advocacy, due to our Churches respect for the dietary choices of the people we serve in our hospitals, our hospitals have not predominantly served plant-based meals in order to accommodate the taste preferences of its patients.

Consequently, the Church sees SB 768/HB819 as an opportunity for our hospitals to return to our historic Bible and evidenced based roots of vegetarianism, which our own epidemiological studies proved long ago, as the solution to preventing and even reversing chronic degenerative disease.

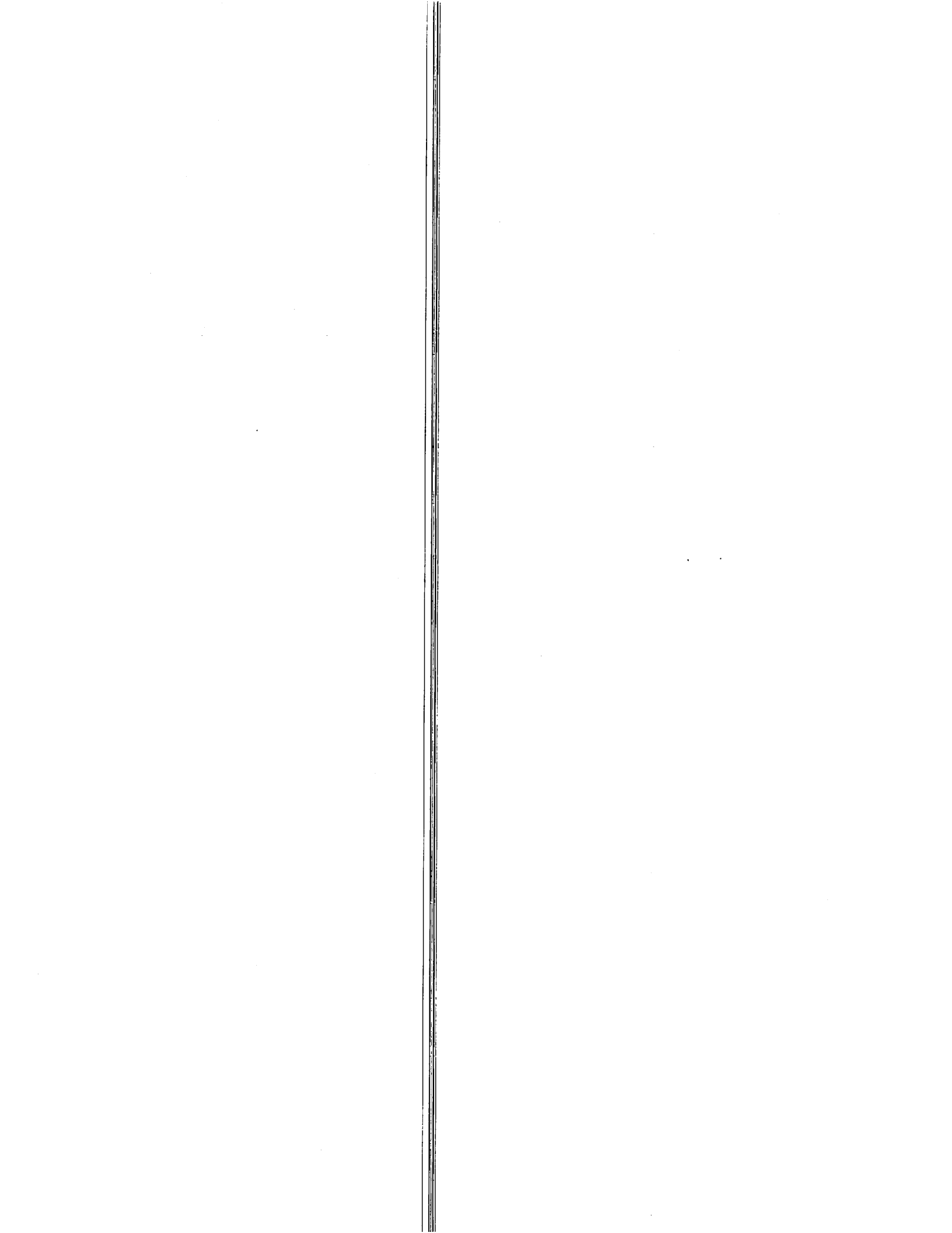
Furthermore, one of the Churches very active ministries in the U.S. is our prison ministries and SB-768/HB819 will allow our prison inmate converts to have the option to choose plant-based meals in Maryland correctional facilities.

It is for these reasons that AEC requests a favorable report on SB768/HB-819.

Sincerely,



Jackson M. Doggette Jr., Esq.  
General Counsel



**Elrich\_FAV\_SB 858**

Uploaded by: Elrich, Marc

Position: FAV



OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich  
County Executive

February 26, 2020

TO: The Honorable William C. Smith, Jr.  
Chair, Judicial Proceedings Committee

The Honorable Paul G. Pinsky  
Chair, Education, Health, and Environmental Affairs Committee

FROM: Marc Elrich  
County Executive

RE: Senate Bill 858 – *Procurement and Correctional Facilities – Employment Opportunities for Formerly Incarcerated Individuals* – Support

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It has come to my attention that legislation has been introduced again this year to address the vexing issue of employment for people returning to their communities after incarceration. Senate Bill 858 – *Procurement and Correctional Facilities – Employment Opportunities for Formerly Incarcerated Individuals* – seeks to address this issue by requiring State and local correctional facilities to procure a portion of contracted goods and services from bidders or offerors based on their number of justice-involved employees.

According to the National Reentry Resource Center, funded and administered by the U.S. Department of Justice, roughly 700,000 individuals who had been sentenced to State and federal prisons are released annually to their communities. An even larger component of the reentry challenge for local governments is how to address the employment needs of more than 9 million individuals released from local jails each year. With only about half of incarcerated adults having a high-school degree or its equivalent, finding viable employment for this population will require a wide variety of workforce development strategies from creating incentives for employers to hire formerly incarcerated individuals to leveraging existing resources and job readiness programs that will maximize self-sufficiency.

The Honorable William C. Smith, Jr.  
The Honorable Paul G. Pinsky  
Re: Senate Bill 858  
February 26, 2020  
Page 2

Senate Bill 858 proposes several employment strategies to increase job options for formerly incarcerated individuals including a mandate that businesses contracting with State or local correctional facilities post all jobs on the Maryland Workforce Exchange job board and review applicants with an eye toward hiring formerly incarcerated individuals. Increasing transparency in the job market could lead to expanded employment opportunities for individuals who are working to break free of their past and return to their families and communities. The legislation identifies a worthy and important societal goal, and I look forward to contributing to the discussion.

cc: Members of the Judicial Proceedings Committee  
Members of the Education, Health, and Environmental Affairs Committee



# **Coppi\_Fav\_SB858**

Uploaded by: Murray, Dr Tracy

Position: FAV

**SB-858/HB-1524**  
Procurement and Correctional Facilities  
Employment Opportunities for Formerly Incarcerated Individuals  
("Returned Citizen Job Opportunity Bill")  
**FAVORABLE**

February 25, 2020

Dear Chair, Vice Chair and Committee:

The Vera Institute of Justice documented Maryland's prison population for 2018 as 17, 815 of which approximately 70% of Maryland's incarcerated individuals are African American. In 2018, it was noted that Maryland releases on average approximately 1, 600 inmates per year. Unemployment among returned citizens averages 37% which directly impacts recidivism.

Coppin State University, a Historically Black Institution, serves a multi-generational student population and provides education opportunities while promoting lifelong learning. The University fosters leadership, social responsibility, civic and community engagement, cultural diversity and inclusion, and economic development. CSU is committed to fostering our mission through education, scholarship, and service.

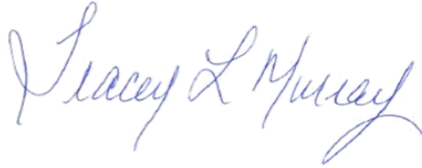
Coppin offers 53 academic programs: 32 baccalaureate, 11 masters, and 9 certificates programs, and one doctorate degree. CSU is uniquely positioned to enter the prisons with faculty who are well equipped to provide educational access in the development of successful completers of degree programs or certificates. Our faculty are committed to teaching onsite in the prisons using active teaching strategies and culturally relevant methods. CSU plans to further explore how to link educational access and the Second Chance Pell Grant Program in the preparation of incarcerated individuals who are ready for work and possess competitive skill sets.

As an educational leader in Baltimore, the institution prepares its students to be competitive through its commitment to quality, accessible, and affordable educational opportunities. For example, Coppin State University, College of Health Professions, School of Allied Health offers a Bachelor of Science in Health Sciences. Incarcerated individuals could be work ready to meet the healthcare workforce needs associated with the increase in healthcare education through course work which fosters their knowledge about community-based educational outreach, nutritional sciences, plant-based nutrition, cardiovascular health, and environmental health sciences. Therefore, a formerly incarcerated individual could be considered qualified for a community health worker position and be considered for employment.

In addition to the educational opportunities to complete a certificate or a degree program, the incarcerated individuals who become “Returned Citizens” can learn more about healthy food options and lifestyle management. Thus, the “Returned Citizens” would be healthier when they return, and they also will be "up to date" on the health trends in their community. Therefore, they would have a supported return and transition making "re-entry" easier since they have current knowledge about their health, have a pathway to employment, and options for how to better associate within the community with an overall goal to improve re-entry outcomes.

CSU plans to further explore how to best serve the academic needs of incarcerated individuals to make the outcomes of the “Returned Citizens Job Opportunity Bill” a measurable success.

Sincerely,

A handwritten signature in blue ink that reads "Tracey L. Murray". The signature is written in a cursive, flowing style.

Tracey L. Murray, DNP, CRNP, FNP-BC  
Dean and Professor  
Director of the Health Centers

**ACY\_FAV\_SB858**

Uploaded by: Saint George, Jo

Position: FAV

# EQUITY FOR ALL KIDS



To: Judicial Proceedings Committee  
From: Jennifer Bevan-Dangel, Executive Director  
Re: SB858, Procurement and Correctional Facilities - Employment  
Opportunities for Formerly Incarcerated Individuals  
Date: February 26, 2020  
Position: Support

Advocates for Children and Youth supports SB 858, which would promote hiring of individuals returning to their communities by companies seeking State contracts.

This legislation would have a significant impact on youth. In 2019 Maryland arrested 21,417 youth. Black youth are arrested at 3 times the rate of white youth, and the majority of their charges are misdemeanors; 58.9% of youth in out-of-home placement are there for misdemeanors, primarily misdemeanor assault and misdemeanor theft. In addition, Maryland has the largest incarcerated African American emerging adult population – those 18 to 24 – in the country.

We know that economic factors influence, and often drive, recidivism. For youth or emerging adults who enter the justice system, their ability to complete their education and launch their careers are interrupted if not halted completely. Upon release, youth are less likely to re-enroll into school and struggle to find employment. Providing jobs for these youth or emerging adults upon their return to their communities is critical for supporting them into a more secure, sustainable trajectory.

A 2015 study by the Manhattan Institute showed how much impact employment has on recidivism. The study found that employment reduces recidivism by as much as 20% for non-violent offenders. Interestingly, the report also found that the sooner ex-offenders are employed, the less likely they will commit future crimes.<sup>1</sup>

Supporting our youth and emerging adults into stable economic pathways is critical for their success. ACY supports SB 858 and urges a favorable vote.

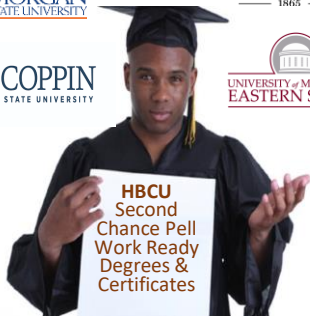
<sup>1</sup> [https://www.realclearpolitics.com/articles/2015/06/11/immediate\\_access\\_to\\_employment\\_reduces\\_recidivism\\_126939.html](https://www.realclearpolitics.com/articles/2015/06/11/immediate_access_to_employment_reduces_recidivism_126939.html)

## **Saint\_fav\_SB858**

Uploaded by: Saint George, Jo

Position: FAV

# Maryland 2020 Returning Citizens Job Opportunity Bill HB -1524/SB-858



## The Problem

Formerly incarcerated are unemployed at a rate of over 37% — higher than the total U.S. unemployment rate.

## The Solution

The 2020 Maryland Returning Citizen Job Opportunity Bill SB-858\HB-1524 sponsored by Del. Davis, Del. Grammar & Senator Sydnor requires all businesses who contract with any state or local correctional facility to:

- post all jobs in the Maryland Workforce Exchange job board & within 45 days of posting - review the applications of formerly incarcerated with the goal to hire, unless an exemption applies.
- contractor receives preference points when they re-apply to renew their contract. Goal is to match employers financially benefiting from the prison system with returned citizen candidates in order to reduce unemployment & recidivism.
- provide annual reports on the number of formerly incarcerated applications received, by age, gender, ethnicity, zip code and the number hired with hire date, title and salary.



## First Step to Second Chances

### Bill Supporters



**NAACP**



**ACLU**  
Maryland



**APAC**  
Adventist Prison & Health Reform  
Advocates Coalition

Life After Release

## Bill Benefits

Below are benefits state contractors can receive for hiring a returned citizen. There are over **500 Business Contractors** with state and local correctional facilities that have contracts worth collectively almost \$2 billion.

- **Hire Prince George's County** Reimbursement of up to **90%** of returning citizen trainee wages during training up to 90 days.
- **The Maryland Apprenticeship Tax Credit** provides a State income tax credit to Registered Apprenticeship Sponsors or participating employers (Employer) which hire an eligible Registered Apprentice(s). The Employer may qualify for a **\$1,000** tax credit for each eligible returning citizen.
- **The Work Opportunity Tax Credit (WOTC)** is a Federal tax credit available to employers for hiring individuals from certain target groups who have consistently faced significant barriers to employment. The maximum tax credit ranges from **\$1,200 to \$9,600**, depending on the employee hired
- **Disabled Access Tax Incentives** - The maximum amount of the credit is **\$5,000**. The credit can be used to cover a variety of expenditures related to hiring a disabled returning citizen.

## Maryland Workforce Exchange

The screenshot shows the Maryland Workforce Exchange website interface. At the top, it says 'DEPARTMENT OF LABOR, LICENSING AND REGULATION' and 'Maryland Workforce Exchange'. There are search bars for 'Keyword' and 'Zip Code'. Below that, there are sections for 'JOB SEEKERS' and 'EMPLOYERS' with various options like 'Find a Job', 'Create a Resume', 'Post a Job Opening', etc. On the right side, there are 'New Search Tools for MD Contractors' and 'Targeted JOB Searches' with categories like 'BWI BWI Marshall Airport JOBS', 'Apprenticeship Training JOBS', and 'Veteran JOBS'. There is also a 'Returning Citizen Jobs' section highlighted with a star.

**Federal Bonding Program** - sponsored by the U.S. Department of Labor, serves as a tool to secure the job placement of ex-offenders and other high-risk applicants by issuing Fidelity bonds to businesses who offer jobs to workers in "at risk" groups. The initial total of \$5,000 bond coverage is usually issued, with no deductible amount of liability for the employer.

## **Sydnor\_SB858 Testimony**

Uploaded by: Senator Sydnor, Senator Sydnor

Position: FAV



**CHARLES E. SYDNOR III, ESQ.**  
*Legislative District 44*  
Baltimore City and Baltimore County

Judicial Proceedings Committee

*Parliamentarian*  
Maryland Legislative Black Caucus



James Senate Office Building  
11 Bladen Street, Room 216  
Annapolis, Maryland 21401  
410-841-3612 · 301-858-3612  
800-492-7122 Ext. 3612  
Charles.Sydnor@senate.state.md.us

**THE SENATE OF MARYLAND**  
**ANNAPOLIS, MARYLAND 21401**

**Senator Charles E. Sydnor III**  
**Testimony Regarding SB 858 – Procurement and Correctional Facilities –**  
**Employment Opportunities for Formerly Incarcerated Individuals**  
**Before the Senate Judicial Proceedings Committee**  
**On February 26, 2020**

Good afternoon Mr. Chairman, members of the Judicial Proceedings Committee.

A criminal record follows you wherever you go. The unemployment rate of formerly incarcerated individuals is significantly higher than the national unemployment rate. A contributing factor to recidivism is the inability to find gainful employment, which leads these individuals to turn to crime as a source of income. A major step Maryland can take towards rehabilitating formerly incarcerated individuals is to lower their barriers to employment.

SB 858 assists formerly incarcerated individuals in obtaining gainful employment in several ways. First, the bill requires all contractors who have contracts with a state or local correctional facility to post all of their jobs on the Maryland Workforce Exchange job board for formerly incarcerated individuals to view. Contractors will be required to hire from the pool of formerly incarcerated individuals who apply unless an exception in the bill applies. Second, contractors who are bidding for a contract with state and local correctional facilities will be given preference over other bidders if they hire formerly incarcerated individuals. Third, the bill requires all contractors with the aforementioned contracts to provide annual reports on the number of formerly incarcerated individuals that they employ as well as the number of formerly incarcerated individuals who applied for jobs with the contractor and demographic information about those applicants.

SB 858 provides formerly incarcerated individuals with the leg up they need to become successful and productive members of society. I will now turn the podium over to the panel to answer your technical questions. Thank you.

# **MarylandAGC\_FWA\_SB858**

Uploaded by: McCulloch, Champe

Position: FWA



**SB 858**  
**Procurement and Correctional Facilities – Employment Opportunities for**  
**Formerly Incarcerated Individuals**  
**Judicial Proceedings Committee**  
**Position: Favorable with Amendment**

Maryland AGC, the Maryland Chapter of the Associated General Contractors of America, provides professional education, business development, and advocacy for commercial construction companies and vendors, both open shop and union. AGC of America is the nation’s largest and oldest trade association for the construction industry. AGC of America represents more than 26,000 firms, including over 6,500 of America’s leading general contractors, and over 9,000 specialty-contracting firms, all through a nationwide network of chapters. If amended appropriately, Maryland AGC supports SB 858 and respectfully urges the bill be given a favorable report with amendments.

SB 858 would establish a special procurement process applicable to correctional facilities at the state and local level. The intention is to enable as many formerly incarcerated individuals to gain employment and facilitate their return to productive citizenship. SB 858 does this by making the award of contracts subject to a preference for the bidder that employs the highest number of formerly incarcerated individuals and by creating a set of “reasonable accommodations” and mandatory hiring requirements applicable to formerly incarcerated individuals.

Maryland AGC endorses the objective of giving formerly incarcerated individuals a second chance and an opportunity to find gainful employment. Many construction companies are willing to hire these individuals, provided they can meet the requirements of the job. These companies usually have some form of a mentoring program to help these individuals reenter the workforce successfully.

There are a number of issues with SB 858 that would need to be addressed to make it practicable and workable:

1. §8-7A-02(B) mandates contractors hire formerly incarcerated individuals for every open job. While the bill makes some allowance for conditions of parole and for lack of essential skills, it forces bidders to hire a less qualified formerly incarcerated individual and reject individuals who are qualified to perform work from day 1 and have skills beyond the bare essential requirements of the job.
2. The bill appears to confuse a reasonable accommodation with a feasible accommodation. What is feasible may be totally unreasonable. Contractors should not be required to go to any imaginable length (feasible) but only to do what is reasonable, i.e., possible without making significant or costly changes in work arrangements.
3. §8-7A-02(E) imposes an unreasonable burden on employers to report “a description for each type of job and rate of compensation for each type of job in the contractor’s organization”; this on its face includes not just craft jobs but all jobs, whether or not related to work at correctional facilities, and up to and including senior management. For some jobs, compensation is a business secret and should not be required to be reported. Moreover, subparagraph (5) requires contractors to try to imagine every possible set of post-release restrictions that might be applicable to an individual job and what “reasonable accommodation” may or may not be possible. A similar problem is incorporated in subsection (F)(1).

It may be possible to deal with the issues identified above and still meet the underlying objective of the bill. Accordingly, Maryland AGC respectfully urges the Committee to adopt such amendments and, as amended, to give SB 858 a favorable report.

Champe C. McCulloch  
McCulloch Government Relations, Inc.  
Lobbyist for Maryland AGC

# **CharlesCo Sheriff's\_UNF\_SB858**

Uploaded by: Foster, Brandon

Position: UNF



Troy D. Berry  
Sheriff

# Office of the Sheriff

Charles County, Maryland

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An Internationally  
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## SB 858

### **Procurement and Correctional Facilities – Employment Opportunities for Formerly Incarcerated Individuals**

Sheriff's Office Position: **Oppose**

TO: Judicial Proceedings Committee

DATE: February 26, 2020

FROM: Brandon Foster, Director of Corrections

Sheriff Troy Berry firmly supports detention center programs and services that help inmates with employment. The Sheriff's Office strives to develop and maintain such programs. One such program in Charles County Detention Center comes through a partnership with the College of Southern Maryland (CSM) for their EARN grant. EARN (Employment Advancement Right Now) is a state-funded workforce development program, aimed at getting people the skills and certifications to enter into the skilled labor force. With this grant, CSM developed a 110-hour course of instruction called the "Pre-Apprenticeship Program", which consists of six courses. Upon completion, successful participants receive industry-recognized certificates from the National Center for Construction Education and Research (NCCER) Core Curriculum, as well as certification cards for OSHA 10-Hour Construction, ATSSA Flagger, and NSC CPR/First Aid. The College of Southern Maryland invited the jail's Classification Team to sit on a panel and attend quarterly meetings discussing and developing the program. During the winter of 2019, CSM was awarded the EARN grant with funding for approximately fifty students, with ten of the spots reserved for Charles County inmates.

During the spring of 2019, the Detention Center began the selection process for inmate applications to the Pre-Apprenticeship Program, and in July 2019 eight inmates began taking classes. CSM is able to accommodate and instruct five of the six parts of the curriculum inside of jail. Upon the inmates' release from the Detention Center, inmates who have completed the first five parts report to CSM to begin the sixth and final part of the program. In addition to the six courses of instruction, the College includes resume building, and job interviews as part of the program to assist individuals with gaining employment upon completion.

Assisting formerly incarcerated persons with employment is important. Our focus should be in the areas of training, education, and employer incentives. This bill focuses on none of these.

SB 858 would only complicate the contract bidding processes for local correctional facilities and contractors. It requires contractors to submit reports, advertise job openings on a State website, hire formerly incarcerated persons by mandate, and develop new policy. It requires local government to accept bids only from contractors who meet these requirements and exclude those who do not. The burdensome requirements of this bill would likely deter contractors from bidding on these contracts. Ultimately, the bill makes the contract process lengthier, less competitive, and will not further the goal of increasing employment opportunities for former inmates.

The Sheriff's Office strongly opposes this bill. We ask this Committee for an unfavorable report on SB858.

# **MDDeptofLabor\_UNF\_SB858**

Uploaded by: Harrison, Michael

Position: UNF

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## SENATE BILL 858

Date: February 26, 2020  
Committee: Judicial Proceedings  
Bill Title: Procurement and Correctional Facilities - Employment Opportunities for Formerly Incarcerated Individuals  
RE: **Letter of Opposition**

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Senate Bill 858 requires certain contractors to hire “formerly incarcerated” applicants not less than 45 days after posting a job on the Maryland Workforce Exchange (MWE) unless: (1) 65% or more of the essential functions of the job would cause a “formerly incarcerated” individual to violate a condition of parole, probation, or other release requirement; or (2) it would not be possible to train the “formerly incarcerated” individual within 90 days of start of employment.

One of the Department of Labor’s (Department) highest priorities is preparing all Marylanders for success in Maryland’s diverse workforce. To that end, the MWE provides comprehensive employment tools for all Marylanders to utilize during the process of obtaining employment.

**Job postings on the MWE are currently open to all Marylanders.** By limiting MWE job advertisements for 45 days, Senate Bill 858 significantly impedes the Department’s efforts to ensure that all Marylanders have access to employment opportunities. Please note that “formerly incarcerated” individuals, as defined in Senate Bill 858, enjoy full access to MWE, job postings, and the Department’s workforce development programs.

The MWE is often used by unemployed Marylanders to obtain sustainable employment that supports them and their families. Senate Bill 858 excludes individuals that are not “formerly incarcerated” from being able to apply to covered contractors and obtain employment for certain jobs for 45 days. **This exclusionary practice will negatively impact thousands of Marylanders and their families.**

Senate Bill 858 provides no guidance regarding the Department’s oversight of “formerly incarcerated” applicants. Specifically, the bill provides no mechanism for the Department to ensure that applicants that post a profile and resume in a “secure area” of the MWE were, in fact, formerly incarcerated at a correctional facility. The Department is concerned that oversight of this provision would require applicants to *check a box*.

The published fiscal and policy note does not include all of the Department’s costs associated with implementing Senate Bill 858, including staffing costs. The Department does not believe it can absorb the costs associated with staffing the new MWE portal for ex-offenders because it is outside of the scope of current job duties, which are federally funded. The Department estimates that the MWE IT costs (\$30,000) and staffing costs together would create a net effect of -\$125,294 in Fiscal Year 2021 for the Department.

Senate Bill 858 excludes Marylanders from employment opportunities for 45 days, inhibits the Department’s efforts to ensure that all Marylanders are connected to employment opportunities, and will negatively impact many Maryland families. **For the above reasons, the Department respectfully requests an unfavorable report from the Committee on Senate Bill 858.**

**MCPA-MSA\_UNF\_SB 858**

Uploaded by: Mansfield, Andrea

Position: UNF





# Maryland Chiefs of Police Association

## Maryland Sheriffs' Association



### MEMORANDUM

**TO:** The Honorable William C. Smith Jr., Chairman and  
Members of the Judicial Proceedings Committee

**FROM:** Chief David Morris, Co-Chair, MCPA, Joint Legislative Committee  
Sheriff Darren Popkin, Co-Chair, MSA, Joint Legislative Committee  
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee

**DATE:** February 26, 2020

**RE:** **SB 858 Procurement and Correctional Facilities – Employment  
Opportunities for Formerly Incarcerated Individuals**

**POSITION:** **OPPOSE**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) OPPOSE SB 858. This bill requires that specified procurements for goods and services at a State or local correctional facility, including procurements through master contracts, give preference to bidders or offerors based on the number of employees who are formerly incarcerated individuals.

While well intentioned, SB 858 would only complicate the contract bidding processes for local correctional facilities and contractors. It requires contractors to submit reports, advertise job openings on a State website, hire formerly incarcerated persons by mandate, and develop new policy. It requires local government to accept bids only from contractors who meet these requirements and exclude those who do not. The burdensome requirements of this bill would likely deter contractors from bidding on these contracts. Ultimately, the bill makes the contract process lengthier, less competitive, and will not further the goal of increasing employment opportunities for former inmates.

Local detention centers offer many programs to assist inmates with gaining employment upon completion of their sentence. These efforts may include pre-apprenticeship programs, educational courses and other skills-based training. These efforts increase employment opportunities for former inmates, not make the contract process lengthier and less competitive.

For these reasons, MCPA and MSA OPPOSE SB 858 and URGE an UNFAVORABLE committee report.

**MACo\_UNF\_SB0858**

Uploaded by: Mehu, Natasha

Position: UNF



## **Senate Bill 858**

### *Procurement and Correctional Facilities – Employment Opportunities for Formerly Incarcerated Individuals*

MACo Position: **OPPOSE**

To: Judicial Proceedings and Education, Health,  
and Environmental Affairs Committees

Date: February 26, 2020

From: Natasha Mehu

The Maryland Association of Counties (MACo) **OPPOSES** SB 858. While well intentioned, the bill places concerning and complicated requirements on the local jail procurement process that may hamper rather than help the process for employing formerly incarcerated individuals.

Local jails provide many services and programs to help incarcerated individuals reenter into communities. This includes programs providing job training, education, employer incentives, and partnerships for workforce development and apprenticeships. These valuable programs are geared toward preparing and helping incarcerated individuals obtain and maintain jobs post-incarceration.

SB 858 would require procurement contracts for local jail goods and services to include a clause related to the hiring of formerly incarcerated individuals. Additionally, the local jail procurement must give preference to bidders based on the number of employees who are formerly incarcerated. It also includes requirements for certain state agencies to facilitate the hiring process through an online portal as well as reporting and notification requirements.

Counties are concerned that the bill would place onerous burdens on the procurement process resulting in a decrease in contractor bids, a less competitive and longer bidding process, and higher overall procurement costs – without bolstering the number of previously incarcerated individuals or properly preparing them for the workforce. Additionally, some formerly incarcerated individuals may not pass the necessary background checks for on-site jobs, making it difficult for employers and procurement officials to comply with the bill.

The bill would require implementing unnecessary and counterproductive administrative hurdles to the local jail employment procurement process that would not help increase employment opportunities for formerly incarcerated individuals as intended. For these reasons, MACo urges an **UNFAVORABLE** report on SB 858.

**MCAA\_UNF\_SB0858**

Uploaded by: Reece, Thomas

Position: UNF



**SB 858**  
**Procurement and Correctional Facilities – Employment Opportunities for Formerly Incarcerated Individuals**

MCAA Position: **Oppose**

TO: Judicial Proceedings Committee

TO: Education, Health, and Environmental Affairs

DATE: February 26, 2020

FROM: T.D. Reece, President

Most local correctional facilities contract with private vendors for a range of services to include medical services, pharmaceutical services, food services, telephone services, and technical services just to name a few.

SB 858 would create extraordinarily burdensome requirements on private industries regarding the employment of formerly incarcerated individuals. These burdensome requirements would lead to fewer potential bidders and ultimately less competitive bidding processes for local correctional facilities.

The managing officials of local correctional facilities are very aware and understanding to the need to provide services to educate, train, and assist incarcerated persons with employment. In fact, every local correctional facility in the State of Maryland provides many programs to help accomplish this.

The MCAA strongly opposes this bill. We ask this committee for an unfavorable report on SB858.

## **ABC\_UNF\_SB858**

Uploaded by: Zinsmeister, Robert

Position: UNF



**Maryland Joint  
Legislative Committee**

February 26, 2020

*The Voice of Merit Construction*

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**TO: JUDICIAL PROCEEDINGS COMMITTEE**  
**FROM: ASSOCIATED BUILDERS AND CONTRACTORS**  
**RE: S.B. 858- PROCUREMENT AND CORRECTIONAL FACILITIES- EMPLOYMENT OPPORTUNITIES FOR FORMERLY INCARCERATED INDIVIDUALS**  
**POSITION: OPPOSE**

Associated Builders and Contractors (ABC) opposes S.B. 858 which is before you today for consideration. The bill requires that specified procurements at a state or local correctional facility give preference to bidders based on the number of employees who are formerly incarcerated individuals. This will have a dramatic change in the current process when it comes to the awarding of construction contracts. The construction industry has been a leader in the training and hiring of returning citizens and already understands the importance of getting these individuals involved in the local workforce.

The fiscal note reflects that this price preference may lead to higher costs at the state level as competition is reduced, and will have the same impact at the local level.

On behalf of the over 1,500 ABC members across the state, we respectfully request an unfavorable report on S.B. 858.

Robert Zinsmeister, Director  
Government Affairs



## **DGS\_info\_sb858**

Uploaded by: Swygert, Michael

Position: INFO



Larry Hogan  
Governor

Boyd K. Rutherford  
Lt. Governor



Ellington E. Churchill, Jr.  
Secretary

MARYLAND DEPARTMENT OF GENERAL SERVICES  
OFFICE OF THE SECRETARY

**BILL:** Senate Bill 858 – Procurement and Correctional Facilities –  
Employment Opportunities for Formerly Incarcerated Individuals  
**COMMITTEE:** Senate Judicial Procedures  
**DATE:** February 26, 2020  
**POSITION:** Letter of Information

Upon review of Senate Bill 858 – Procurement and Correctional Facilities – Employment Opportunities for Formerly Incarcerated Individuals, the Department of General Services (DGS) provides these comments for your consideration.

- House Bill 1021 of 2017 (Chapter 590) provided for the reform of State procurement and the creation of the Procurement Improvement Council (PIC). The purpose of the PIC is to **ensure that the State is addressing various procurement policies and procedures related to State procurement and to advise the General Assembly on proposed legislation in order to enhance the efficiency and transparency of State procurement.** Senate Bill 858 appears to circumvent this process. It should also be noted that as of October 1, 2019, DGS became responsible for the procurement of goods and services for Department of Public Safety and Correctional Services (DPSCS), including master and statewide contracts used by DPSCS. Given this, it is unclear why this is being added to the Correctional Services Article rather than the State Finance and Procurement Article. The bill appears to be intended for any contract used by the Department of Corrections or a local Correctional Facility and as such should be in the State Finance and Procurement Article.
- Senate Bill 858 requires a preference be given to a contractor based on the number of formerly incarcerated employees the contractor employs. There is no mention of how the preference would be determined, only that the preference is at least equivalent to preferences of other State programs. There is no indication of how an agency would verify that formerly incarcerated employees performed the work described.



Page 2

Senate Bill 858

February 26, 2020

- Senate Bill 858 may unintentionally harm programs available to the minority, small and veteran-owned business communities. Vendors participating in programs such as the Minority Business Enterprise Program, the Veteran-Owned Small Business Enterprise Program and the Small Business Reserve Program may be unable to meet the accommodation, hiring and reporting requirements under this bill.
- The bill provides a provision for a unit to void a contract that does not contain an ex-offender employment clause thus requiring a unit to secure another contract.

For additional information, contact Ellen Robertson at 410-260-2908.