

Senate Bill 922/971  
Testimony to the Senate Judiciary Committee by H. David Jenkins, PhD  
March 5, 2020

Good afternoon members of the Senate Judiciary Committee.

My name is H. David Jenkins, I am a retired correctional educator with the Maryland Division of Corrections where I served as the Educational Liaison between the Division and the State Department of Education. I am currently a part-time contractual employee of the DOC in the Maryland Correctional Enterprises unit. The views I am expressing today are mine and may not represent the views of the Department of Public Safety and Correctional Services.

I am here to urge support for SB 922/971 to increase incentives for specified educational achievements rather than the current system which awards time off sentence ("Dim" credits) for participation in education and training programs regardless of achievement. SB 922/971 provides a one time award of days credit for the completion of specific education programs such as the GED, occupational training courses and approved college courses. This cut time policy has now been adopted by 17 states as reported by the National Council of State Legislatures under the title, Good Time and Earned Time Policies by State Prison Inmates (report available). The basic idea behind this legislation is to incentivize the completion of educational programs which have been shown to reduce recidivism and save tax payers money. I believe there are three points to consider.

FIRST; Educational and occupational education have been proven to be associated with lower recidivism rates among inmates who had completed these programs. Research by the RAND Corporation in 2013-2014 found that education lowers recidivism and provides a significant return on investment. Similar findings are reported by The Washington State Institute for Public Policy which conducts meta analysis on a wide range of correctional programs to assess their effectiveness. The WSIPP also provides return on investment data on these programs. The research reported by WSIPP provides evidence of the impact of academic, occupational and industries programs in adult corrections. In Maryland, recent figures from the DPSCS report that the average annual cost of incarceration is \$38,000; while the annual cost of parole supervision is far less costly at \$1,422. Cut time incentives encourage offenders to complete the education and training which employers need to operate their businesses successfully. These achievements also signal commitment that employers value.

SECOND; Correctional education enrollment and completions have decreased. There are fewer teachers now than there were in the past. One obvious indicator of this situation is the decrease in the number of GEDs awarded from nearly a 1,000 annually to 387 (FY2019). Clearly Maryland is not utilizing the potential of education and occupational programs to reduce recidivism and save taxpayers money. Inmates respond to incentives like all of us. We are taught as children that rewards are provided for achievement. The same system applies to inmates and was the underlying reason for the awarding of special projects credits for participation in rehabilitative programs in the first place. Unfortunately, these credits were awarded for a wide range of programs some of which had a dubious relationship to recidivism. SB 922/971 would restore this incentive for completion of programs with a proven impact. Maryland also has a mandatory education requirement and was one of the first states to adopt this policy after the Federal Bureau of Prisons. I believe the extension of the required mandatory participation requirement would also contribute to additional education and training outcomes. I believe the cut time bills provides a more powerful incentive.

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THIRD; Some may feel that the Justice Reinvestment Act provides enough incentives for early release and that further incentives are not needed. The JRA's primary focus is non-violent offenders. The majority of offenders in the standing population of the DOC do not qualify for the JRA and would benefit from the cut time policy. Concerns expressed by some that the cut time policy would endanger public safety by releasing dangerous criminals earlier than currently allowed are certainly legitimate. A review of the policies adopted in the 17 states clearly show that correctional officials, in most cases the commissioner or corrections, has broad authority to limit the type of offenses which would be allowed. Most typically sex offenders are excluded from the cut time provisions. SB 922/971 would have similar safeguards.

Thank you for the opportunity to share my perspectives on the proposed legislation as a member of the Correctional Education Advocates. This group of correctional education professionals have over 100 years of relevant experience in a wide range of correctional programming. I can be reached at [hdavidjenkins1@gmail.com](mailto:h davidjenkins1@gmail.com) or 410.381.8754.