

JOTF JOB OPPORTUNITIES TASK FORCE

Advocating better skills, jobs, and incomes

TESTIMONY IN SUPPORT OF HOUSE BILL 0082:
Pretrial Release – Reimbursement of Special Condition Costs

TO: Hon. Luke Clippinger, Chair, and Members of the Judiciary Committee
FROM: Derrell Frazier, Policy Advocate
DATE: January 28, 2020

The Job Opportunities Task Force (JOTF) is an independent, nonprofit organization that develops and advocates for policies and programs to increase the skills, job opportunities, and incomes of low-wage workers and job seekers in Maryland. JOTF supports House Bill 0082 as a means to ensure that working families are not pushed further into debt, simply due to an interaction with the criminal justice system.

House Bill 82 seeks to address this issue by requiring the county to reimburse a defendant for the costs necessary to satisfy special conditions of release imposed by a court or District Court commissioner; if all charges arising out of the same incident, transaction, or set of facts receive a not guilty disposition. If enacted, this bill would simply prohibit the unnecessary levying of additional fees and fines on those who have the least capacity to pay them by reimbursing those who are found innocent.

JOTF's recently released report entitled, "The Criminalization of Poverty," studies how the fines and fees related to the criminal justice system burden the poor, even once they are released. Studies show that 80 to 85 percent of those who are released have debt due to fees incurred while incarcerated, which includes fees for electronic monitoring, home detention monitoring and GPS monitoring. This estimates to approximately 10 million individuals who owe more than \$50 billion in debt that is likely to never be repaid due to financial circumstance. This debt further impoverishes already indigent individuals, who lack access to educational opportunity and are less employable due to their criminal record.

Persons who pose no threat to public safety nor are flight risks, yet are jailed because they cannot afford a cash bail, commercial bond or other pretrial condition with a monetary requirement, experience the loss of wages, jobs, and housing, while other important life matters, such as childcare or child support payments, are put on hold. It is no secret that the effect is most pronounced for communities of color. The Job Opportunities Task Force (JOTF) remain vehemently opposed to our current criminal justice systems: one for the rich and one for the poor. Hence, our strong advocacy to eliminate the reliance of cash bail in Maryland in pretrial. Together, these efforts ushered in the state's monumental first step towards bail reform. However, there is still work to be done to ensure full reform of our pretrial system.

And for these reasons, we urge a **FAVORABLE** vote on House Bill 82.