

JOTF JOB OPPORTUNITIES TASK FORCE

Advocating better skills, jobs, and incomes

TESTIMONY IN OPPOSITION OF HOUSE BILL 658:

Local Correctional Facilities - Requirement for Prerelease Program

TO: Chairman Luke Clippinger, and Members of the Judiciary Committee

FROM: Derrell Frazier, Policy Advocate

DATE: February 18, 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 opposes HB 658 as a means to ensure that the underemployed pre-release defendants are not pushed further into debt and penalized as a result pre-release costs.

JOTF's recently released report entitled, "The Criminalization of Poverty," studies how criminal justice debt burdens the poor and recently released. Studies show that 80 to 85 percent of those who are released have debt due to fees incurred while incarcerated. 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.

The assessment of fees onto those who interact with the criminal justice system creates an unbreakable cycle that cannot be fixed by waivers or payment plans. An inability to pay is simply that, regardless of the amount or time given to pay it. Studies show that criminal justice debt can loom over individuals for a lifetime, with formerly incarcerated men paying 35 to 60 percent of their income to criminal justice related fees and debt. Even further, the charging of fees for critical correctional programming like prerelease and work release gives incarcerated individuals no choice – incur the debt or lack the necessary skills to improve themselves upon release, especially for those who are not convicted.

House Bill 658 seeks to require the governing body of each county that receives State funding for public safety to establish a prerelease program for individuals confined in the jurisdiction's local correction facilities. The facility director or the director's designee must collect the earnings of an inmate participating in the prerelease program, less any payroll deduction required by law. From the inmate's earnings, the director may deduct the cost to the county for food, lodging, and clothing for the inmate.

For the 10 percent of Marylanders living below the federal poverty line, the management and repayment of even small debts can be a major challenge. This challenge is further exacerbated for those with a criminal record, a significant barrier to employment. However, despite these known obstacles, the re-entering community are levied with fees and other criminal justice system debt upon release. This is debt that they simply cannot repay and presents yet another obstacle for them to hurdle.

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JOTF strongly opposes any legislation that encourages a restructuring of the punitive criminal justice system that disproportionately impacts and punishes the low-wage job seekers of Maryland. For these reasons, we urge an **unfavorable** report of this bill.