



## Department of Public Safety and Correctional Services

### Office of the Secretary Office of Government and Legislative Affairs

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**BILL:** HOUSE BILL 1414

**POSITION:** LETTER OF INFORMATION

**COMMENTS:** House Bill (HB) 1414 states the intent of the General Assembly to ensure every State correctional facility within the Department compensates inmates for labor, does not discriminate in assigning jobs, offers commissary items and telecommunications services at fair and reasonable rates, and provide support for reentry. Additionally, HB 1414 requires the Department post standards and upload a report to the Department's website.

- The Department's Division of Correction (DOC) operates approximately 17 State correctional facilities, which house offenders sentenced to incarceration for 18 months and longer. The Department also runs the Baltimore City Pretrial Complex, under the Division of Pretrial Detention and Services (DPDS), which houses pretrial detainees and inmates sentenced to incarceration for 18 months and less.
- HB 1414 states the General Assembly's intention of ensuring that every State correctional facility compensates inmates for labor, does not discriminate in assigning jobs, offers fair and reasonably priced commissary items and telecommunication services.
- The Department has contracts for commissary and telecommunications services. The commissary contract allows for price increases in accordance with the Consumer Price Index, however, the contract manager may negotiate a lower price. Maryland's state prison telecommunication rates are the second lowest in the nation.
- The DOC and Maryland Correctional Enterprises (MCE) acts in accordance with the General Assembly's intent as it relates to inmate employment and compensation.
  - MCE provides employment and training opportunities in 26 competitive programs to offenders in order to increase their chances of finding employment upon release. Inmate wages are outlined in statute and are standard throughout Maryland facilities.
  - The DOC operates 58 different job programs across its system, which includes a wide swath of jobs both inside and around the correctional facilities. Assignment to these positions is a core function of coordinated program assignments that are

recommended by case management staff based on individual skills and needs.

- In addition, the DOC and the MCE are mandated to submit annual reports on the information outlined in this bill. Last year, legislation was enacted that added requirements to the reports, including information on inmate employment and compensation. As the new re-entry infrastructure yields additional employer partnerships, expanded capacity for minimum-wage earning work release assignments will be reported.
- The Department is fully dedicated to reentry services, and is a proponent of individualized and comprehensive reentry plans involving community provider partnerships for all inmates to reduce barriers to obtaining services required for successful reentry. The Department is expanding its performance measurement and public reporting of reentry outcomes.

**CONCLUSION:** The Department of Public Safety and Correctional Services respectfully requests the Committee consider this information as it deliberates on House Bill 1414.



# Inmate Wages

	MCE	DPSCS Facilities
<i>Provides Workforce Development &amp; Training?</i>	Yes	Yes
<i>Work Participation</i>	Voluntary	Voluntary
<i>Specific Placement By Request</i>	Yes	Yes
<i>Pay Rate</i>	Hourly	Daily
<i>Wage Range</i>	.17 - \$10.10	\$1.08 - 3.30
<i>Other Benefits</i>	Incentive Pay, Diminution Credits	Diminution Credits
<i>Work Programs Available</i>	26	58
<i>Inmate Workers (FY 19)</i>	1,516	11,726
<i>FY 19 Wage Expenditures</i>	\$2.7M	\$3.4M
<i>Funding Source</i>	Self-Funded	State Funded
<i>Wage Authority</i>	CS §3-514 (a)	CS §2-103

*Figures taken from MCE Annual Reporting and DOC FY19 Annual Report*

The Department of Public Safety and Correctional Services (DPSCS) oversees a statewide prison population of ~18,800 who remain in our custody for 2.5 years on average. In fiscal year (FY) 2019, the average cost of housing, meals, and medical services was \$4,100 per inmate monthly. As shown above, DPSCS spends additional millions to train and employ inmates. DPSCS partners with the Department of Labor and Maryland Correctional Enterprises (MCE) to expand workforce training and job opportunities during incarceration to prepare inmates for successful re-entry.

## What has been done to raise inmate wages?

In 2018, MCE wages were raised by **5%**, resulting in a **\$200,000** increase in payroll. In FY 2020, DPSCS increased its internal institutional wage rates by **20%**. Inmate employees on any work release are eligible for at least minimum wage.

## How are institutional jobs part of reentry preparation?

All programming opportunities, including job placements are voluntary. Inmates interested in jobs within MCE and some in-demand programs specifically apply for program participation. Job referral and enrollment is a function of case management, and is part of a variety of services tailored to each inmate's work history and needs through the ongoing case planning process. Many institutional jobs first entail training periods for employees, including industry certifications. This helps inmate workers develop transferable job skills and pathways to outside employment. MCE expanded the CARES program in May 2019 to provide additional education, treatment, employment and housing resources to both inmates and their families.

## What other benefits do institutional jobs provide?

Institutional placements serve the primary goals of developing work skills, reducing inmate idleness, promoting interdependence, improving facility safety, and reducing recidivism. The main incentive of institutional positions is the accelerated earning of diminution credits, which are inalienable reductions in length of stay. In FY19 alone, over 359,000 days of incarceration were avoided due to time earned through institutional work assignments and work release. Any wages earned by inmates may go towards court-ordered victim restitution, may be spent on optional food and entertainment items available through commissary, and/or deposited in an inmate savings account to be used during re-entry.

## How does DPSCS connect institutional workforce experience with outside jobs?

Inmates with an appropriate security classification may participate in work release programs, through MCE or DPSCS, where they leave the correctional facility on a daily basis to work for private employers in the community earning minimum wage. MCE works closely with employers to ensure its production equipment and work environment mirror external experience for its workers. The Department recently consolidated Programs, Treatment and Re-entry to provide comprehensive services. In 2020, DPSCS held the first of a series of re-entry symposiums. These community events connect the Department and its inmate workers directly with employers in related fields to build stronger pathways between existing workforce development programs and current post-release job opportunities.

*For more information on institutional jobs refer to the 2019 MCE Annual Report and the 2019 DOC Annual Report*