

SUPPORT SB 397 - correctional education milestones

MARYLAND ALLIANCE FOR JUSTICE REFORM
Working to end unnecessary incarceration and build strong, safe communities



To: Chair Will Smith and Senate Judiciary Committee
From: MAJR Executive Committee
Date: February 10, 2021

Md. Alliance for Justice Reform (MAJR-www.ma4jr.org) strongly supports SB 397 to restore an incentive - 90 days credit — for Maryland prison inmates who achieve the most effective rehabilitation available to them while incarcerated – that is, meaningful education (GEDs, AAs, college degrees) and valuable vocational certificates.

MAJR also opposes efforts, as in previous years, that might statutorily add to penalties for prisoners with “crimes of violence” or sex offenses: Education and employment both have been proven to have a good effect in reducing recidivism for sex offenders, just as they are for other types of offenders. (For example, see http://www.cjcj.org/uploads/cjcj/documents/The_Post_Release.pdf). Generally, research suggests that the highest % of sex offenders aren't the greatest recidivism threats. (See, e.g., <https://www.washingtonpost.com/news/the-watch/wp/2017/03/09/the-big-lie-about-sex-offenders/>).

As to prison inmates generally, education has been shown to reduce recidivism rates by 40 to 50 percent, studies show. See, e.g., 2013 Rand Corporation report.

Regular employment, enabled by marketable vocational certificates, also has similar proven value in reducing recidivism.

In recent years, Maryland law diluted “diminution credits” with equal time off sentences for any “assigned tasks” (which could be sweeping the floor) regardless of their potentially minimal value towards rehabilitation. See Correctional Service Article, sec. 3- 703 and 3-704.

The result: Inmates flock to these easier opportunities and waiting lists for education disappeared. Annual GEDs earned in prison has dropped from nearly 1,000 to between 300 and 400 with our prison population of about 18,000 inmates. Now, only about 15 percent of all inmates are reported to participate in educational programs, according to a recent DPSCS report. Current participation in the valuable Md. Correctional Enterprises has dropped below 10 percent.

SB 397 would help to reverse this downward trend in Maryland inmates’ correctional education and, ***according to its 2019 fiscal impact comment, at no extra cost to DPSCS.*** (See next page.) Please give a favorable report to this valuable bill.

Please note: Phil Caroom provides this testimony for MAJR and not for the Md. Judiciary.

Senate Bill 621 (2019) - Judicial Proceedings Department of Legislative Services

FISCAL AND POLICY NOTE Third Reader - Revised (Senator Carter, et al.) Correctional Services - Diminution Credits - Education

This bill authorizes diminution credits to reduce the term of confinement of an inmate who successfully obtains (1) an intermediate high academic certificate; (2) no more than one certificate of completion of a technical or vocational training program, as specified; (3) a State High School Diploma by Examination; (4) a high school diploma; (5) an associate degree; or (6) a bachelor's degree.

For inmates serving a sentence for a crime of violence, specified sexual offenses, or specified volume or kingpin drug offenses, the maximum possible deduction for diminution credits is 20 days per program completed; for all other inmates, the maximum is 30 days per program completed.

The diminution credits allowed are in addition to any other deductions allowed, and the Commissioner of Correction must establish a uniform system of deductions and participation criteria allowed for the diminution credit. The bill applies prospectively and may not be applied or interpreted to have any effect on or application to any award of diminution credit before the bill's October 1, 2019 effective date.

FISCAL SUMMARY

State Effect: Minimal decrease in incarceration expenditures for the Department of Public Safety and Correctional Services (DPSCS); Revenues are not affected.

Local Effect: None.

Small Business Effect: None.