

Testimony in support of SB87: Office of the Attorney General—Correctional Ombudsman Favorable

My name is Judith Lichtenberg. I have lived in Hyattsville/University Park (District 22) for forty years and am professor emerita of philosophy at Georgetown University. Since 2016, I've been teaching, tutoring, and mentoring at Jessup Correctional Institute as well as the DC Jail. I was recently appointed to the executive committee of the [Maryland Alliance for Justice Reform](#) (MAJR) and I co-chair its Behind the Walls Workgroup. The bill for an independent correctional ombudsman bill was originally proposed by MAJR and is its top legislative priority this session.

Prisons in Maryland are dangerous and unhealthy. Incarcerated people are often subjected to acts of violence and other abuse, sometimes by staff. They often have trouble obtaining adequate medical care, diagnostic tests, and medication; getting mail, reading material, and access to libraries; doing legal research or obtaining legal representation. Programs for rehabilitation are in short supply. Family members often face obstacles in visiting their loved ones. Both incarcerated people and staff often face retaliation for reporting misconduct, which can then become widespread and entrenched. Prisoners often face retaliation if they seek redress of their grievances. Correctional administrations are notoriously defensive and closed to outside review.

As a regular presence at JCI, I have witnessed some of these problems firsthand.

In the past 11 years, Maryland's state correctional institutions have endured at least [six major criminal scandals](#).

What is needed is a completely independent oversight mechanism of Maryland's correctional system. So far [fifteen states plus the District of Columbia](#) "have established independent mechanisms for responding to complaints of incarcerated persons and/or for assessing and reporting on conditions of confinement." Other states have oversight of one kind or another. The Office of the Corrections Ombudsman (OCO) would be an independent, impartial public office—not part of the Department of Corrections—serving Maryland by promoting positive change in corrections. [A 2022 poll](#) sponsored by Families Against Mandatory Minimums found that 82% of Americans support independent prison oversight.

The OCO should have the authority to enter any facility at any time and talk to anyone as needed. It would be responsible for:

- Investigating complaints related to incarcerated persons' health, safety, welfare, and legal rights.
- Providing information to incarcerated persons and families regarding self-advocacy.
- Identifying and publicizing systemic problems.
- Monitoring and ensuring compliance of the DPSCS with relevant statutes, rules, and policies regarding the treatment of incarcerated persons under the jurisdiction of the DPSCS.

Correspondence and communication with the OCO would be confidential and privileged. The Ombudsman would not have the responsibility to fix the problems it identifies. Rather, its role would be to uncover and publicize problems and urge that they be addressed.

I urge you to pass SB87/HB64 in 2023.