

HOUSE APPROPRIATIONS COMMITTEE

HB92 — Resources and Education for All Prisons (REAP) Act

January 23, 2024

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Good afternoon, Chairman Barnes, Vice Chair Chang, and other members of the House Appropriations Committee. I would like to thank Delegate Marlon Amprey for his support of this HB92.

Most of my professional adult life has been devoted to the education of Maryland's incarcerated adults and juveniles. My entire career has been in public school and prison education, including the Maryland adult and juvenile education systems. Over a decade ago I retired from State service after serving as the Academic Education Coordinator for Correctional Education at the Maryland State Department of Education for 30 years. In addition, I was the Executive Director of the national non-profit professional Correctional Education Association for many years. Additionally, I have participated in and published correctional education research with the RAND Corporation and Educational Testing Service. Today my role is primarily as a volunteer for MAJR and as a board member of CURE National, the Petey Greene Program and the Barbara Bush Foundation.

Why is correctional education so important? The reasons are simple, education reduces recidivism, changes the lives of former offenders and their families, improves the community and saves money by reducing future crime. The 2013-2014 RAND Corporation research of correctional education underpins the societal and financial benefits of correctional education. The conclusion of the RAND research is that it significantly lowers ex-offender recidivism and provides a very substantial return on our tax dollars, several times higher than the cost of the education programs.

Is Maryland utilizing education programs behind bars effectively? Since education reduces recidivism are we providing adequate programming? A review of over four decades of Maryland State Department of Education (MSDE) and Department of Labor (DOL) and Department of Public Safety and Correctional Services (DPSCS) annual reports demonstrates the answer is no. There are many devoted state employees in the Correctional Education program now run by DOL, but the actual number of teachers has dropped, and the number of academic and vocational program student completions has declined significantly in the last 15-20 years. The Abell Foundation 2017 study of

students illustrated some of the numbers. The study showed that although the inmate population had doubled since 1982, in 2017 DOL was not serving larger numbers of inmate students. According to DOL annual reports there are significantly fewer teachers in the state facilities than there were two decades ago. And the annual GED completion numbers have dropped from a high of 1000 in fiscal years 1998 to 2000 to less than 500 in fiscal year 2017, to 0 (ZERO) during two years of COVID shutdown, and to 171 in 2022. DOL has not provided much information on GED testing and completions in recent years, even though it also administers the Maryland statewide GED testing program. While some of the decrease was due to the increased difficulty of the revised 2014 GED exam, the number of students enrolling and attending school has also dropped.

Waiting lists for school had skyrocketed with the passage of legislation a few years to increase the number of mandatory school attendance to 240 days. Ironically, many people who were court mandated to complete their GED have not been attending school. The percentage of Maryland prisoners without a high school diploma is around 50% and most of them have no gainful career training or job history. According to the 2017 Abell study of Maryland's correctional education programs only 15% of inmates participated in education in 2016. That is down from over 30% in 1989. Unfortunately, the Abell researchers were not able to obtain much more detail from the correctional system (DPSCS and DOL) about the educational programs to evaluate the overall quality and effectiveness for those students who did participate.

What are the reasons for low participation and completion? There are at least two causes for the low participation and completion rates. First, at intake the correctional system does not adequately assess and take into consideration an individual's education history or work status or use existing individual history as a consistent part of ongoing reentry program planning. Secondly, the incentives for inmates for educational participation are no better than prison maintenance jobs. In fact, many menial jobs pay more than the stipend for educational participation. A few decades ago, educational participation was treated as a special program awarding students an extra 5 days per month off their sentence for attendance. The waiting lists at most institutions were very long as a result. More teachers were hired, and night school was introduced. With budget cuts during tight economic times, most of those evening programs ended. After the state changed the teacher salary system, many teachers have left because of reduced pay scales.

Unfortunately, the number of special programs eligible for the sentence reduction increased with potential students taking other assignments. As a result, school waiting lists and enrollment fell dramatically. With the introduction 4 years ago of a 240-day mandatory education participation for those without a high school credential, the waiting

lists have dramatically increased. Sadly, testimony from incarcerated and newly released individuals indicates that people must wait months and years to enter school. Once enrolled, those who complete the 240-day requirement are often dropped from school, even before they complete the GED program. What can we expect from those released from prison without a high school diploma and/or a career certificate? Most of them will not find a job with a living wage and will likely return to prison to start the cycle all over again.

The state of Maryland has never funded post-secondary education in the prisons. Up until 1994 the State relied on Pell grants to fund college level programs delivered by Hagerstown Community College, Coppin State University, University of Maryland Baltimore Campus, and Morgan State University. At the time Pell grants ended there were around 1,000 college students in Maryland prisons. By 1995, without federal or state funding the number dropped to 0.

Goucher College started its own privately funded program several years ago and more recently Georgetown University has initiated classes as well without Pell grant support. Certain Pell Grant funds became available in the last 7 years and several Maryland universities and colleges were awarded federal experimental Pell grants and initiated new programs. They included the University of Baltimore, Anne Arundel Community College, Wor-Wic Community College and Goucher College. With the full restoration of Pell grants for the incarcerated in 2023, Morgan State University, the University of Maryland Global Campus, Hagerstown Community College, and Georgetown University have applied for and received Pell Grant approval by the US Department of Education. At this point post-secondary institutions are poised to provide the highest quality courses in Maryland prisons. Is the secondary correctional education program ready to coordinate with them?

Will there be enough students eligible for Pell grants? Many of the Maryland prisoners with a high school diploma have low reading and math skills. Additionally, many who received their GED scored below college readiness. So, colleges and universities programs will be competing for a smaller number of students than indicated by high school completion data. The Correctional Education Program in DOL is the agency authorized to prepare students to complete academic and vocational secondary education and qualify for post-secondary academic and career education programs.

Ironically, according to a DOL correctional education administrator DOL decided not to take responsibility for coordinating their secondary programs with post-secondary courses from the various colleges. They passed the responsibility to the DOC which created a new unit and hired a correctional education coordinator and staff to take over the responsibility. Does that make sense? The result is coordination between the DOL

Correctional Education Program, and the programs offered by various colleges and universities. A 2020 national research report by Educational Testing Service indicates that states with high level leadership, well-funded, and well-organized correctional education programs result in consistent and higher student outcomes. Those with decentralized and low-level supervisory authority have much weaker completion and achievement rates.

How can we improve correctional education outcomes? HB92 will result in individual student educational plans and improve data collection to measure program enrollment and completion. The Maryland Alliance for Justice Reform (MAJR) endorses HB92 (REAP) because it would focus on the educational outcomes of Maryland prisoners, thereby enhancing public safety and, subsequently, saving on the costs of future incarceration. HB92 will create an imperative for DOL, MSDE, DPSCS and colleges and universities to work together to develop a data collection and tracking system and create goals for the number of inmates in educational programs.

Research Sources

The RAND Corporation conducted the research that proved the connection between education participation while incarcerated and the drop in future recidivism with its 2014 study *Evaluating the Effectiveness of Correctional Education*. RAND has conducted additional research which further confirmed and refined the conclusions of the 2014 study.

The 2017 report of the Abell Foundation identifies the untapped potential of correctional education in Maryland to improve criminal justice outcomes. That report, *Prison Education, Maximizing the Potential for Employment and Successful Community Reintegration*, recommended an enhanced incentive system. HB416 encourages an improved planning system and authorizes the creation of just such an incentive system.

The 2017 report of the Abell Foundation identifies the untapped potential of correctional education in Maryland to improve criminal justice outcomes. That report, *Prison Education, Maximizing the Potential for Employment and Successful Community Reintegration*, recommended an enhanced incentive system. HB0294 encourages an improved planning system and authorizes the creation of just such an incentive system.

In 2020 Educational Testing Service Center for Research and Human Capital and Education published a comprehensive report *How to Unlock the Power of Prison Education* on prison

education in the United States and made a number of recommendations for the improvement of educational program delivery.