



INSTITUTE FOR JUSTICE

March 5, 2024

Maryland Judiciary Committee  
Maryland General Assembly  
House Office Building, Room 101  
Annapolis, Maryland 21401

Re: Letter in support of House Bill 531

Dear Chair Clippinger, Vice Chair Bartlett, and Members of the Judiciary Committee:

Thank you for the opportunity to submit this letter in support of HB 531. My name is Alasdair Whitney, and I am Legislative Counsel at the Institute for Justice (IJ). Since its inception in 1991, IJ has worked around the country to protect private property rights. This includes the right to be free from excessive fines and fees. To further this goal, IJ has litigated and supported legislation to end unreasonable fines and fees. For example, IJ won the landmark case *Timbs v. Indiana*, 139 S. Ct. 682 (2019), in which the U.S. Supreme Court ruled that the Eighth Amendment's protection against excessive fines is incorporated against the states.

IJ encourages the committee to support HB 531, which would eliminate the \$50 supervision fee that parolees must pay every month in order to comply with the terms of parole supervision. Supporting this bill is critical for three reasons:

First, it would help ensure parole compliance. Research has consistently shown that onerous fees imposed on individuals involved in the criminal justice system can have detrimental effects on their ability to successfully reintegrate into their communities.<sup>1</sup> Fees, like this one, can lead to increased financial instability, exacerbate stress and anxiety, and undermine efforts to rehabilitate and support individuals as they work to rebuild their lives. These difficulties, in turn, make it more difficult for folks to comply with the terms of their parole supervision, and often result in recidivism.<sup>2</sup>

Second, and relatedly, many folks transitioning back into society post-incarceration lack stable employment, secure housing, and durable social networks.<sup>3</sup> Parole-related financial burdens—which, on average, costs a parolee in Maryland over \$740 over the course of his or her parole term—only serve to exacerbate these challenges, particularly for those who may already be struggling to make ends meet.

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<sup>1</sup> Ruhland, E., *The Impact of Fees and Fines for Individuals on Probation and Parole*, Robina Institute of Criminal Law and Criminal Justice, Univ. of Minnesota (May 2023), available at <https://robinainstitute.umn.edu/articles/impact-fees-and-fines-individuals-probation-and-parole>.

<sup>2</sup> Harding, D., et al., *From Supervision to Opportunity: Reimagining Probation and Parole*, The ANNALS of the American Academy of Political and Social Science (Sept. 2022), available at <https://journals.sagepub.com/doi/full/10.1177/00027162221115486>.

<sup>3</sup> *Id.*

Third, this bill would help create a more equitable and just criminal justice system. As it stands today, imposing a fee for parole supervision creates a system where individuals with financial means are better positioned to comply with the terms of parole while those without are disproportionately penalized. This exacerbates socioeconomic disparities and perpetuates cycles of poverty and inequality within the state.<sup>4</sup> Eliminating this fee would help ensure that parole remains focused on its intended goals of rehabilitation and reintegration, rather than retribution and punishment.

Abolishing this fee is one step the general assembly can take to help folks comply with the terms of parole supervision and make it easier for them to reenter society and stay out of trouble. We urge your support for this bill.

Thank you for your time and thoughtful consideration of this issue.

Sincerely,

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<sup>4</sup> Harris, A., *et al.*, *Drawing Blood from Stones: Legal Debt and Social Inequality in the Contemporary United States*, *American Journal of Sociology* (May 2010), available at <https://www.journals.uchicago.edu/doi/abs/10.1086/651940>.