



TESTIMONY IN SUPPORT OF SENATE BILL 703/ HOUSE BILL 881:

Family Investment Program and Supplemental Nutrition Assistance Program Benefits - Child Support

TO: Members of the Senate Judicial Proceedings Committee and House Judiciary Committee

FROM: Christopher Dews, Policy Consultant

Out for Justice, Inc. (OFJ) is an organization comprised of individuals directly and indirectly impacted by the criminal legal system. We advocate for reforming policies and practices that adversely affect successful reintegration into society. OFJ supports Senate Bill 703 / House Bill 881 to ensure that child support payments go directly to the custodial parents and are not siphoned off by the state for cost recovery.

Under current Maryland Law, the first \$100 of a parent's monthly child support payment — \$200 if there is more than one child — goes to the family. The remaining portion of the father's child support order goes to the government to pay back any welfare received by the custodial parent. This practice is known as "cost recovery" and was designed by Congress in the late 1970s to make sure that taxpayers did not have to "support the children of the deadbeats who abandon them to welfare." Until recently, as long as a mother and children were receiving welfare, Maryland claimed the entire child support payment by the noncustodial father to replenish government coffers. This was loaded with deep racial prejudice as it was assumed that the vast majority of welfare recipients were African-American, despite overwhelming evidence to the contrary. The concept was praised at the time and became half of the basis for the creation of the child support system in 1975.

Needless to say, if the non-custodial parent was already as poor as the custodial parent, trying to pull money from them to finance the welfare state was not and still is not practical. When the non-custodial parent can't subsidize the state's welfare program, The state will suspend their driver's and professional licenses, garnish up to 65% of their wages, intercept their taxes, ruin their credit, and potentially incarcerate them. Until 2024, the state would continue to pile on child support payments to fund welfare payments *even while the non-custodial parent was incarcerated.*

Senate Bill 703 / House Bill 881 disrupts this practice by allowing 100% of the child support order to go to the custodial parent for any and all child support payments. This is a wise step to strengthen families and reduce child poverty, as Maryland's children will see an influx of money from the absent parents. It will also ease tensions between the parents, as the custodial parent will see a rise in their income and eliminate the assumption that the non-custodial parent is not paying their fair share. For these reasons, we urge a favorable report.