

MARGARET MARTIN BARRY
Testimony Submitted to
THE SENATE JUDICIAL PROCEEDINGS COMMITTEE

IN SUPPORT OF SB 694, ASSESSMENT OF STATE CORRECTIONAL SYSTEM

I urge the Committee to favorably report SB 694 and support its passage through the Senate. SB 694 provides for a much-needed comprehensive assessment of Maryland's correctional system.

Maryland correctional facilities fail in a number of areas due to external and internal problems. This legislation would require a systemic assessment of where these problems lie. A less than comprehensive list of issues that require attention is:

1. Facilities are overcrowded. This is due to sentencing practices and requirements, and overly conservative and poorly executed parole practices. It is also due to prison practices that create tension and offer little opportunity for or encouragement in rehabilitation.
2. Facilities are understaffed, and this is compensated for by poor practices that include excessive use of overtime. This is both expensive and undermines effective facility management.
3. Health care is inadequate, and downright dangerous. The poor state of healthcare for incarcerated people in the Maryland correctional system has been documented, including alarm at the recent provider contract. Vastly improved quality of care and rational fees for health services are sorely needed.
4. Abuse of those housed in correctional facilities by other incarcerated persons and by correctional officers is said to be widespread. The extent of this and the best practices for addressing it are essential. Throwing incarcerated people in restrictive housing indefinitely and ignoring the actions of correctional officers are not effective responses.
5. Incarcerated persons and correctional officers have raised concerns about retaliation for reporting misconduct. This not only inhibits addressing problems, it encourages abuse and distrust.

6. There is significant lack of access to jobs, skills training, other education, and rehabilitation programs. It is important to fully understand what is limiting these important aspects of meeting facility goals for rehabilitation and effective management.
7. Obstacles to family visitation are common. Scheduling is changed, the incarcerated family members are removed to other institutions without warning, rules for visiting family members are confusing, and incarcerated people are denied visits for a wide variety of reasons that are experienced as arbitrary. These obstacles unnecessarily undermine the important connection to family and other community support that helps those incarcerated succeed in prison and upon release.

In addition to identifying and assessing correctional system problems, the legislation asks for recommendations and an implementation plan for practices that have been proven to be effective elsewhere. Hopefully, those recommendations and that plan will underscore the need for strong leadership that can envision and enthusiastically support the changes Maryland's correctional system desperately needs and those connected with it deserve.

Respectfully submitted,
Margaret Martin Barry
Emeritus Professor of Law
Resident, D-16