



Economic Matters Committee  
c/o Delegate Dereck Davis  
Room 231  
House Office Building  
Annapolis, Maryland 21401

**Date: March 5<sup>th</sup>, 2020**

**Subject: Written Testimony – HB1030 - Employers of Ex-Offenders - Liability for Negligent Hiring or Inadequate Supervision - Immunity**

Maryland Thermoform Corporation is a small manufacturing business located in South Baltimore. We employ approximately 75 full time people. 10% of our workforce is ex-offenders and many have served more than 10 years behind bars. At Maryland Thermoform we do not employ supervisors and managers of people. We treat employees as members of our team, and they perform accordingly.

As a manufacturer we seek men and women who want careers. We believe that people who have paid their debt to society have earned their place in the workforce. It is the responsibility of the judicial system to punish offenders for crimes committed.

As a business we trust that our judicial system has acted in the best interest of the community and therefore has not knowingly released people that are predisposed to commit additional crimes. If the ex-offender commits additional crimes, why is the employer liable as opposed to the State or Local government responsible for dispositioning the ex-offender. This places an unfair burden on the employer to police someone behavior that the State of Maryland has determined to be ready for society. Isn't this a clear definition of discrimination?

As an employer we care who the person is, not who they were. We have learned first-hand that people will rise or fall to meet our expectation. We simply expect our team members to succeed. If the prison systems do not expect these people to succeed, they should remain incarcerated.

Why are we penalizing businesses for believing in our fellow citizens and for believing in our judicial system?

In my experience 80% of returning citizens are terrific employees who are simply looking for an opportunity to begin or continue a career so they can earn a sustainable wage with reasonable benefits so they can support their family. It is ironic that people who walk in off the street have a success rate of 60%. A manufacturer is more likely to attract and retain a quality employee who is an ex-offender than they are someone off the street.

Not all ex-offenders are good candidates for private industry. In my opinion, those who graduate from programs like Second Chances (in Eldersburg) and those who have applied themselves and learned valuable skills through State Use Industries are valuable to businesses and they are prime candidates to become contributing members of their community. The men and women who complete these programs have a strong work ethic and a desire to earn a comfortable living so they can support their families. They are looking for a hand up, not a hand out.

Sadly, there are many programs which equate to daycare services hosting ex-offenders and offering busy work. Many of these people fail. They simply never develop a work ethic. We have experienced many people and programs of this nature and they have one thing in common. There is little or no expectation of the ex-offender. There is an absence of accountability surrounded by excuses.

In the interest of full disclosure, I am active as follows:

- Appointed by Governor Hogan to the Workforce Development Board
- Founder of MDMFG.org representing approximately 775 manufacturers across the State.
- Treasurer of the Maryland World Class Consortia (Operational Efficiency) Manufacturing)
- Appointed by the US Secretary of Commerce to the District Export Council
- Previously served for several years on the following:
  - Carver Vocational School Advisory Board for Manufacturing.
  - Advisory Board for the Jane Addams Resource Corporation.
  - State of Maryland MOSH Advisory Board.
  - Represented Maryland DBED on the board for Work Release and Training for the Maryland Department of Corrections.

As a manufacturing professional for 40 years and a recognized subject matter expert, I speak with authority when I say that manufacturers need this legislation and Maryland needs this legislation.

I respectfully ask your support for HB1030 to not hold employers' liable for the failure of ex-offender's provided the ex-offender has completed their sentence or is released on parole. If we have confidence in our judicial system and the prison system specifically, we should recognize the success of the ex-offender and introduce them to workforce community so they can provide for themselves and for their family. HB1030 is the most meaningful legislation proposed benefiting Maryland Manufacturers during the 2020 Maryland Legislative Session. Please support Maryland Manufacturers by supporting HB1030.

Respectfully,

Carl Livesay  
VP of Operations