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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Chair Pendergrass and Vice Chair Pena-Melnyk
House Health and Government Operations Committee
House Office Building Room 241
Annapolis, MD 21401

March 10, 2020

Dear Chair Pendergrass, Vice Chair Pena-Melnyk, and Committee Members:

I am pleased to present House Bill 1524 - Procurement and Correctional Facilities – Employment Opportunities for Formerly Incarcerated Individuals. House Bill 1524 offers state contractors strong incentives to hire formerly incarcerated individuals, increasing successful re-entry and reducing recidivism. In recent years the Justice Reinvestment Act has led to a decrease in prison population, but these formerly incarcerated individuals still remain locked out of the job market.¹ They have served their time but continue to be penalized by employers who decline to hire them because of their criminal record. This procurement preference program will help put formerly incarcerated people back to work.

The bill creates a two-tiered procurement preference program to incentivize the Department of Public Safety and Correctional Services (DPSCS) contractors to hire more formerly incarcerated people, giving both formerly incarcerated individuals a boost in hiring and contractors who hire them preference points in bidding. The bill requires that every new business who contracts with any correctional facility in the state must have a ‘first look’ clause. This requires contractors to post all vacancies on the Maryland Workforce Exchange web portal and review formerly incarcerated applicants with the goal of hiring. It does not exclude non-incarcerated individuals from applying or being hired, only that formerly incarcerated individuals receive preference in hiring. The bill also has DCPCS create a procurement program to provide additional bidding preference points to contractors who hire more formerly incarcerated individuals, similar to existing veterans and minority owned businesses preference program.

Last legislative session Delegate Veronica Turner brought forward similar legislation, HB 1238, but the bill stalled due to concerns from DPSCS and Department of Labor. This year’s bill has incorporated their suggested recommendations into legislative language.

¹ Vera Institute of Justice. “People in Prison in 2018.” (2019). Retrieved from <https://www.vera.org/publications/people-in-prison-in-2018>

We cannot discuss reducing crime without calling for reducing recidivism. The most important cause of recidivism is unemployment,² and this bill targets that root cause by providing employment on-ramps for this population. The primary cost for the bill will be modifications to the Maryland Workforce Exchange website, where the job board will be hosted, with a total cost of under \$30,000. However, if Maryland significantly lowered its recidivism rate the state could save over \$80 million over 10 years.³ This bill is a good return-on-investment for lawmakers hoping to both reduce crime and save taxpayer dollars in the long run.

While the average unemployment rate for the country is around 4% the unemployment rate for formerly incarcerated individuals is around 27%.⁴ Most re-entry programs focus on stopping the cycle of crime through training, certifications, interview preparation, and career support, but at the end of the day, the formerly incarcerated need to be hired and not just be prepared to be hired. This bill would provide much needed pathways to employment for formerly incarcerated individuals across our state.

For all these reasons, I urge a favorable report on HB 1524.

² Nally, J. M., Lockwood, S., Ho, T. & Knutson, K. "The Post-Release Employment and Recidivism Among Different Types of Offenders With A Different Level of Education: A 5-Year Follow-Up Study in Indiana." CJCJ. 2012. Retrieved from http://www.cjcj.org/uploads/cjcj/documents/The_Post-Release.pdf

³ "Issue Brief: Maryland's 2016 Criminal Justice Reform." PEW Charitable Trusts. 2017. Retrieved from <https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2017/11/marylands-2016-criminal-justice-reform>

⁴ Coulote, L., & Kopf, D. "Out of Prison & Out of Work: Unemployment among formerly incarcerated people." Prison Policy Initiative. July 2018. Retrieved from <https://www.prisonpolicy.org/reports/outofwork.html>