



TESTIMONY OF DYOTHA SWEAT

President, Charles County Branch NAACP

before the

MARYLAND STATE JUDICIAL PROCEEDING COMMITTEE

on

**S.B. 77, IDENTIFICATION CARDS AND DRIVER'S LICENSE
RENEWALS-INMATES ACT**

January 21, 2020

Good Afternoon Chairmen Zirkin and Smith, Vice Chair Waldstreicher and esteemed members of the Judicial Proceedings Committee. Thank you for calling this important hearing and for allowing me to share with you the Charles County NAACP's position on this crucial piece of legislation.

The CCNAACP strongly supports S.B. 77, the Identification and Driver's License Renewals-Inmates Act and we urge for its immediate enactment.

At the crux of this debate are questions of rehabilitation, fairness and dignity. Each year, approximately 600,000 individuals are released from federal and state prisons, and millions more are released from local jails. The less access that they have to the precursors for gainful employment- including a valid state ID — the more likely they are to recidivate back into the criminal justice system.

I am honored to be here today to discuss the positive impact that SB 77 can have upon barriers to re-entry for Marylanders, and in particular, for African-American men and women. First, black men and women are significantly overrepresented in the Maryland criminal justice system. African-Americans represent 30.9 percent of the Maryland population, yet they represent 68 percent of the incarcerated population in the state's prisons and jails.¹

As a result of ethnic and racial disparities in sentencing and in profiling, our young men and women face the barriers to reentry to society at a significantly higher level than other communities. And the impact of this imbalance is keenly felt in the African-

¹ Data Source: U.S. Census 2010, Summary File 1.

American community. Society can be especially unkind to African-American ex-offenders, thus creating an even greater barrier to re-entry.

In its recent report, *Barriers to Reentry for the Formerly Incarcerated*, the 20/20 Bipartisan Justice Center found that ex-offenders are often discriminated against when seeking employment, housing, and federally funded public assistance.²

Underemployment, a lack of educational and vocational training, and the insufficient availability of placements in substance abuse and mental health treatment facilities exacerbate the issue as well. Taken together, these obstacles combine to create enormous hurdles to former felons seeking to reenter and become productive members of society.³

Yet another important obstacle faced by the formerly incarcerated is unmet transportation needs because of the lack of a valid driver's license. In an April 4, 2019 article, "You're Out of Prison. Now You Have to Get Your License Back," Contributing Editor for the Washington Post Anne Kim wrote that, "among the biggest barriers [for the formerly incarcerated] are unforgiving state and local policies in many jurisdictions allowing the suspension of driver's licenses for unpaid fines and fees."⁴ In relating the story of an ex-offender from Baltimore named George Henry, the newspaper illustrated the difficulty that Marylanders experience in obtaining their license after incarceration.

After his license was suspended for a \$700 traffic fine prior to incarceration, Henry faced additional obstacles after his release. His lack of a valid license made things as simple as attending his job training course on time each day a tremendous struggle. Currently, his commute to his course is two hours each way per day, and he deals with an unreliable public transit system. As a result, Henry feels that he may face dim job prospects unless any position that he obtains is close to reliable transportation. His situation, emblematic of the situation faced by many, demonstrates that for ex-offenders, "the suspension of a license means the denial of a chance to find and keep a job that could lead to self-sufficiency, and when the financial pressure of debts owed to the state can prove insurmountable."⁵

Indeed, having access to reliable transportation is essential to increased job prospects for many. A 2007 Department of Justice study found that out 1000 ex-felons, 83 percent lacked a license, and therefore identified a driver's license as one of their most common needs upon reentry.⁶

² Candice Petty, *Barriers to Reentry for the Formerly Incarcerated*, 2018, <https://2020leadersofamerica.wildapricot.org/Reentry>.

³ Id.

⁴ Alice Kim, "You're Out of Prison. Now You Have to Get Your License Back," *Washington Post*, April 1, 2019, https://www.washingtonpost.com/outlook/youre-out-of-prison-now-you-have-to-get-your-drivers-license-back/2019/04/04/9e8325f8-5651-11e9-8ef3-fbd41a2ce4d5_story.html.

⁵ Id.

And for many Marylanders, having a job may mean the difference between successful reentry into society- or reentry into the criminal justice system. According to a study by the U.S. Sentencing Commission (USSC), nearly half of all individuals released from federal prisons in 2005 were rearrested for a new crime or for violations of supervision conditions within 8 years.⁷ The same study found that former federal prisoners younger than 21 who are released are rearrested at the highest rates of any age group.⁸ Individuals who did not complete high school were rearrested at the highest rate—60.4 percent—while those who had a college degree were rearrested at a rate of 19.1 percent.⁹

SB 77 seeks to remove one of the most important barriers to successful reentry into society for the formerly incarcerated- a lack of a driver's license. First, it requires that a license held by an inmate in a correctional facility remains in full force and effect during the inmate's term of confinement; and that an inmate's license is renewed upon release from a correctional facility under certain circumstances. It helps to ensure that those that are formerly incarcerated have the basic tools needed to actually achieve success outside of the criminal justice system.

For the George Henry's of the world, having access to a driver's license enables him to move more fully into society as a full and equal participant. He has evinced a desire for a different life outside of the criminal justice system, and has taken positive steps towards rehabilitation. He has paid his debt to society, and it is a benefit both to that individual and society as a whole if he is able to achieve his aims with dignity. Accordingly, we should not deny him the tools necessary to achieve that success.

For all of these reasons, Chairmen Zirkin and Smith, Vice Chair Waldstreicher and esteemed members of the Judicial Proceedings Committee, we strongly urge the passage of S.B. 77, the Identification and Driver's License Renewals-Inmates Act, and its swift enactment.

Thank you.

⁶ Christy A Fisher, Pamela K. Lattimore, *Major Study Examines Prisoners and Their Reentry Needs*, Oct. 1, 2017, <https://nij.ojp.gov/topics/articles/major-study-examines-prisoners-and-their-reentry-needs>

⁷ U.S. Sentencing Commission, *Recidivism Among Federal Offenders: A Comprehensive Review*, March 2016, https://www.ussc.gov/sites/default/files/pdf/research-and-publications/research-publications/2016/recidivism_overview.pdf.

⁸ *Id.*

⁹ *Id.*