

JOTF JOB OPPORTUNITIES TASK FORCE

Advocating better skills, jobs, and incomes

TESTIMONY IN SUPPORT OF SENATE BILL 333:

Charging Procedures and Documents – Citation

TO: Chairman William C. Smith, and Members of the Judicial Proceedings

FROM: Derrell Frazier, Policy Advocate

DATE: February 11, 2020

The Job Opportunities Task Force (JOTF) is an independent, nonprofit organization that develops and advocates policies and programs to increase the skills, job opportunities, and incomes of low-skill, low-wage workers and job seekers in Maryland. We should support SB 333 as a means of reducing interaction with the criminal justice system for low-wage workers.

JOTF released its groundbreaking report “The criminalization of poverty: How to break the cycle through policy reform in Maryland” that examines state laws and policies that criminalize and penalize poor communities of color. This includes policies that facilitate regular interaction with the criminal justice system through racial profiling, child support debt, citations and motor vehicle laws; court-related fines and fees; and the collateral consequences of a criminal record. Constant interaction with the criminal justice system can have an impact a worker’s ability to secure and maintain employment. JOTF knows that a criminal record can serve as the cause and consequence of poverty. Additionally, given the history of the criminal justice system in the United States race, poverty, and criminalization are often inseparable.

Marylanders drive to another county for work. Both Maryland and Virginia have the highest cross-county commuter rate in the nation. This means that access to vehicular transportation is vital to the success of workers in Maryland, especially those from lower-income neighborhoods. Having a suspended registration from unpaid traffic fine and citations will cripple a worker’s ability to obtain or sustain employment. For those who owned a vehicle, 60% had suspended registrations for unpaid tickets. Most chose to drive anyway believing that, when it came to securing employment, the rewards outweighed the risks as many did not have the money to pay down the fines as they had no employment.

Current law states that a police officer must issue a citation for possession of marijuana or any misdemeanor or local ordinance violation that does not carry a penalty of imprisonment or for which the maximum penalty of imprisonment is 90 days or less.

SB 333 seeks to remove the requirement that police officers charge certain misdemeanor offenses by citation. This would ensure that individuals are not saddled with fines and fees that, many times, are attached to a citation; nor that workers are forced to choose between contesting a citation in court or going to work. The bill also expands the offenses for which a police officer

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may charge by citation. In addition, the bill alters the criteria which must be met before an officer can charge a defendant by citation

Employment barriers for low-wage workers are extremely high. They need access to affordable higher education, consistent employment, and reliable transportation in order to meet life's demands. JOTF fully supports efforts to remove barriers to employment for Marylanders struggling with volatile incomes.

For these reasons, we respectfully urge a **favorable** report on Senate Bill 333.