

OPD SB 39_Support.pdf

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POSITION ON PROPOSED LEGISLATION

BILL: SB 39 Collateral Consequences for Individuals with Criminal Records – Study

POSITION: SUPPORT

DATE: February 9, 2021

The Maryland Office of the Public Defender respectfully requests that the Education, Health, and Environmental Affairs Committee issue a favorable report on Senate Bill 39, which would require the Department of Planning to study, report on, and make recommendations relating to certain collateral consequences for individuals with criminal records.

Over the last decade, thanks to influential texts like Michelle Alexander's *The New Jim Crow*, Americans across political and ideological spectrums have [reached consensus](#) that mass incarceration is a moral failure and economic drain. Removing the physical, moral, and economic shackles our mass carceral system has placed upon us, however, involves more than letting people out of prisons and sending fewer in. Indeed, there is a less visible but larger and equally destructive aspect to the problem: *i.e.* collateral consequences of a criminal conviction.

In *Arresting Citizenship*, Professors Amy Lerman and Vesla Weaver demonstrate the harrowing scope of this issue. No less than *one-third* of America's adult population has passed through the criminal justice system and is now saddled with a criminal record. Although the consequences of such record are popularly referred to as "collateral," they are anything but insignificant. Criminal convictions can bar people from participating in the most fundamental acts of political citizenship, including: attaining desired employment, voting, serving on a jury, and holding public office. This type of long-term exclusion from full political citizenship runs directly counter to the principle that, once released, a formerly incarcerated individual has paid their debt to society.

As Maryland continues to attempt to undo the damage that mass incarceration has wrought, it is imperative that we gain a clear understanding of the full extent of its effect on impacted citizens. Senate Bill 39 would be an important contribution toward this important end.

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For these reasons, the Maryland Office of the Public Defender urges a favorable report on Senate Bill 39.

For further information please contact Krystal Williams, Director, Government Relations Division, by email at krystal.williams@maryland.gov or by phone at 443-908-0241.

SB39_MDP_Info_Gruzs.pdf

Uploaded by: Gruzs, Adam

Position: INFO



HEARING DATE: February 9, 2021

BILL NO: SB0039

COMMITTEE: Education, Health, and Environmental Affairs

POSITION: Letter of Information

FOR INFORMATION CONTACT: Adam Gruz (410) 767-4613

TITLE:

Department of Planning – Collateral Consequences for Individuals with Criminal Records – Study

BILL ANALYSIS:

SB0039 tasks the Department of Planning with conducting a study of, and report on, collateral consequences for individuals with criminal records, with respect to the right to vote, the right to hold public office, et. al. The report proposed by this bill is required to include recommendations for how to address these concerns.

POSITION AND RATIONALE:

The Maryland Department of Planning (Planning) does not have any data on individuals with criminal records. Once every 10 years for redistricting purposes, Planning obtains from correctional facilities the addresses, which do not include the names, of incarcerated individuals for purposes of reallocation to the last known address prior to incarceration in accordance with Maryland's No Representation Without Population Act. The study called for in this bill would require access to sociological data that is not available to Planning. While the State Data Center is housed within Planning, the study is beyond its capabilities. This bill seeks analysis on data that the State Data Center does not track, nor does it have readily available. The State Data Center has data related to socioeconomics, but does not have any data specific to individuals.