

Legislative Testimony 525.pdf

Uploaded by: Elliott, Richard DeShay

Position: FAV

Legislative Testimony:
SB525

I strongly support Senator Cory McCray's SB525 to expand voting rights for the incarcerated in Maryland.



By Authority: Rich Elliott For Maryland Keanuu Smith-Brown, Campaign Chair Christian Hillan, Treasurer

SB 525-Baltimore City - Centralized Booking Facili

Uploaded by: McCray, Cory

Position: FAV

CORY V. MCCRAY
Legislative District 45
Baltimore City

Budget and Taxation Committee

Capital Budget Subcommittee
Health and Human Services Subcommittee



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Vote Yes on Senate Bill 525

Bill Title: Baltimore City - Centralized Booking Facility - Voting Information and Early Voting Polling Place

Hearing Date: February 18, 2021, EHEA

Chair, Vice Chair and members of the committee,

I write to you today in **support** of Senate Bill 525. In 2015, the Maryland General Assembly passed Senate Bill 340 and House Bill 980, Election Law - Voting Rights - Ex-Felons, which simplified the process to vote for those who had been formerly incarcerated. The bill became law in 2016 after the General Assembly overrode the Governor's Veto. In doing so, our Legislature increased access to democracy to thousands of Marylanders. A concern remains, however, regarding those who are currently incarcerated, who are eligible to vote. It became evident during the 2020 election that there are thousands of eligible voters currently in our correctional system who are disenfranchised.

Senate Bill 525 would require the Baltimore City centralized booking facility to disseminate written information on voter registration and voting instructions directly to each eligible voter incarcerated at said facility. The Bill would further require the Baltimore City Board of Elections, in collaboration with the Maryland Department of Public Safety and Correctional Services, to establish the Baltimore City Central Booking Facility as an early voting site.

In efforts to ensure that the fundamental right of voting is as inclusive as possible, we hope that you will move for a **favorable** report of Senate Bill 525.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Cory V. McCray".

Cory V. McCray
State Senator

NCADD-MD - SB 525 FAV - Baltimore City Detention V

Uploaded by: Rosen-Cohen, Nancy

Position: FAV



**Senate Education, Health & Environmental Affairs Committee
February 18, 2021**

**Senate Bill 525
Baltimore City - Centralized Booking Facility –
Voting Information and Early Voting Polling Place
Support**

NCADD-Maryland supports Senate Bill 525. NCADD-Maryland has long advocated for policies that help people involved with the criminal justice system avoid some of the collateral damage caused by our drug policies. The disproportionate impact of our society's drug policies on communities of color has led to the same voter disenfranchisement inequities.

SB 525 recognizes not all people in jail are guilty of any crime. This bill will ensure that people who are incarcerated who are eligible to vote know they retain this constitutional right. Moreover, the bill will ensure that people who have the right to vote have the opportunity to register and cast their ballots. People who are in detention, awaiting trial, retain their voting rights. To not provide them the opportunity to exercise that right is an unwarranted punishment.

Providing people in pre-trial detention the opportunity to exercise their right to vote is a step to address the historic racial inequities in our voting laws.

We urge your support of Senate Bill 525.

The Maryland Affiliate of the National Council on Alcoholism and Drug Dependence (NCADD-Maryland) is a statewide organization that works to influence public and private policies on addiction, treatment, and recovery, reduce the stigma associated with the disease, and improve the understanding of addictions and the recovery process. We advocate for and with individuals and families who are affected by alcoholism and drug addiction.

Directorate Support letter SB525.pdf

Uploaded by: Sperlein, Joan

Position: FAV



BALTIMORE CITY

SUBSTANCE ABUSE DIRECTORATE

OFFICERS

Joan Sperlein
President
IBR REACH Health
Services

Vacant
Vice President

Vacant
Secretary

Toni Maynard-Carter
Treasurer
Johns Hopkins Hospital
Broadway Center

Vickie Walters
Immediate Past President
IBR REACH Health
Services

Senate Education, Health & Environmental Affairs Committee

February 18, 2021

Senate Bill 525

Baltimore City - Centralized Booking Facility – Voting Information and Early Voting Polling Place Support

The Baltimore City Substance Abuse Director (BSCAD) is an advocacy and provider organization comprised of 30 Baltimore City substance use disorders treatment providers representing all levels of care from prevention to residential treatment. Our mission is the promotion of high-quality, best-practice and effective substance use disorders treatment for the citizens of Baltimore City.

The Baltimore City Substance Abuse Directorate supports Senate Bill 525. BCSAD has long advocated for policies that help people involved with the criminal justice system avoid some of the collateral damage caused by our drug policies. The disproportionate impact of our society's drug policies on communities of color has led to the same voter disenfranchisement inequities.

SB 525 recognizes not all people in jail are guilty of any crime. This bill will ensure that people who are incarcerated who are eligible to vote know they retain this constitutional right. Moreover, the bill will ensure that people who have the right to vote have the opportunity to register and cast their ballots. People who are in detention, awaiting trial, retain their voting rights. To not provide them the opportunity to exercise that right is an unwarranted punishment.

Providing people in pre-trial detention the opportunity to exercise their right to vote is a step to address the historic racial inequities in our voting laws.

We urge your support of Senate Bill 525.

c/o REACH Health Services
2104 Maryland Avenue
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SB 525 - Baltimore City – Centralized Booking Faci

Uploaded by: Antoine, Joanne

Position: FWA

February 18, 2021

Testimony on SB 525
Baltimore City – Centralized Booking Facility – Voting Information and Early Voting Polling Place
Education, Health, and Environmental Affairs

Position: Favorable w/ Amendments

Common Cause Maryland supports SB 525 which would establish an early voting center in the Baltimore City Central Booking and Intake Center.

Voting should be accessible to all eligible voters - including those who are incarcerated. We have a responsibility as a state to ensure these voters are aware of their right to vote and, more importantly, provided with meaningful access to voting.

SB 525 aims to provide meaningful access to voting, but the proposed legislation does not go far enough. We have a responsibility to ensure all eligible voters temporarily residing in these facilities throughout the state have access to voting information and voting. During the 2020 general election, advocates were able to work with the State Board of Elections to provide some access to voting and we should be working to build on those efforts instead of focusing on one specific jurisdiction. We urge the committee to ensure all facilities have access to voting and voting information as proposed in other legislation, even if Baltimore City shifts to a voting center model.

We also have a few logistical concerns. SB 525 reads as a permanent program instead of a pilot. We urge the committee to require reporting after both the primary and the general, collecting data on the number of eligible incarcerated voters choosing to vote and any issues that may arise at the early voting location. The pilot plan should also include an oversight plan, including access on all days of voting for certified challengers and watchers. Also require that after the election year, there is a process for reviewing the overall success of the program and possibility of expanding to other facilities throughout the state.

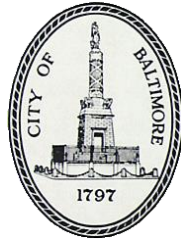
We understand the Baltimore City administration has concerns regarding overall costs and implementation of the proposed program. If those concerns have not been addressed, we urge the committee to instead prioritize SB 224 which would provide access to voting information and mail-in voting materials to all eligible incarcerated individuals, including those in the Baltimore City Central Booking and Intake Center.

We urge a favorable report, with the suggested amendments.

SB0525-BCA-EHEA-FWA.pdf

Uploaded by: Mehu, Natasha

Position: FWA



BRANDON M. SCOTT
MAYOR

*Office of Government Relations
88 State Circle
Annapolis, Maryland 21401*

SB 525

February 18, 2021

TO: Members of the Education, Health, and Environmental Affairs Committee

FROM: Natasha Mehu, Director of Government Relations

RE: SENATE BILL 525 – Baltimore City - Centralized Booking Facility -
Voting Information and Early Voting Polling Place

POSITION: SUPPORT WITH AMENDMENTS

Chair Pinksy, Vice Chair Kagan, and members of the committee please be advised that the Baltimore City Administration (BCA) **supports with amendments** Senate Bill (SB) 525.

SB 525 seeks to provide inmates at the Baltimore City Centralized Booking Facility with increased access to voting materials and voting booths. It would require the local board of elections in partnership with the state board of elections to (1) provide written information regarding voting eligibility and instructions for dissemination to those in detention, and to (2) set up an early voting center at the Baltimore City Centralized Booking Facility.

It is critically important to ensure all individuals, whether or not they are held in a detention facility, are provided with the opportunity to exercise their right to vote. The BCA supports that principle, however, we urge caution and offer amendments to ensure that those goals are achieved while avoiding logistical and cost challenges for implementation that might undermine its success.

After detailed consultation with the sponsor, the City's Board of elections and Department of Finance, the BCA supports amendments requiring an election drop box be placed at the Baltimore City Centralized Booking Facility instead of an early voting

center. This would ensure that inmates have an opportunity to exercise their right vote via absentee ballot on site and in a timely manner for the election.

The amendments avoid the significant operational and cost problems establishing an early voting center at the facility presents. These broadly include issues with ensuring the inmates have proper IDs for voter registration, navigating their detention terms for each inmate, navigating the detention center procedures for cell block, ensuring all the proper ballot information is on hand given the wide range of precincts in or outside the City the inmates may come from, purchasing the necessary voting equipment for the new site, equipping the site with internet connectivity for the machines, and hiring additional election judges to work at the facility.

As inmates at the facility are there pretrial their terms for staying can be as short as a few hours or as long as over a dozen months. These individuals may receive the early voting center information but no longer be present in the jail to vote when the early voting day comes. Furthermore, as some may lack state ID they may not be eligible to register. Given the security at the facility, additional steps would have to be taken to establish an order a manner for each inmate to vote in person. Finally, the costs for opening up an early voting center can be significant. Upwards of \$100,000 or more depending on the duration of the center, the number of machines, staff, and other needs for a site. As the machines are required to run on a network they would need internet access to function further increasing costs if such access would need to be established.

The BCA is thankful for the ability to work with the sponsor to address our concerns in a way that ensures voting access for inmates can be achieved via a drop box while avoiding logistical and financial pitfalls that would make an early voting center prohibitive. Therefore, the BCA respectfully requests a **favorable with amendments** report on Senate Bill 525.

SB525.pdf

Uploaded by: Jackson, William

Position: INFO

SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS**Bill Hearing - Senate Bill 525****February 18, 2020 1:00 PM**

Disability Rights Maryland (DRM) is the State-designated Protection and Advocacy agency authorized under the Protection and Advocacy for Individuals with Mental Illness Act and the regulations thereto to protect and advocate for the rights of individuals with mental illness. DRM urges the committee to provide a favorable recommendation for this bill with an amendment to provide eligible voters in designated health care facilities with voter registration information.

SB 525 would require the State to inform eligible voters in correctional facilities of upcoming elections and how they may exercise their right to vote by disseminating information and providing opportunities for them to vote. Further, the State would be required to provide voter registration applications and information to each individual released from a correctional facility. The proposed amendment would expand the scope of the bill to include eligible voters in designated health care facilities who face many of the same barriers to voting as eligible voters in correctional facilities.

Individuals who (1) have been determined to be incompetent to stand trial because of a disability; (2) are awaiting a mental health evaluation stemming from a criminal matter; or (3) have been found “not criminally responsible” in a criminal matter are referred to as “forensic patients.” Forensic patients are involuntarily committed to State psychiatric hospitals for an indefinite period of time until a mental health evaluation is completed, they have been restored to competency to stand trial, or it is determined that they no longer represent a threat to themselves or others. These involuntary hospitalizations can last for years and exceed what the criminal sentence would have been for the underlying offense.

Forensic patients have not been convicted of a crime, and are eligible voters. However, there is no formal effort to ensure that eligible voters in designated health care facilities receive voter registration information in advance of every election. Hundreds of eligible voters do not receive information about upcoming elections, voter eligibility requirements, absentee voting information, or voter registration applications and may effectively be disenfranchised indefinitely as a result. DRM implores this committee and the legislature to address this issue and support Senate Bill 525 with amendment.

Respectfully,

Ben Jackson, Staff Attorney
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DPSCS_LOI_SB525.pdf

Uploaded by: Kahl, Catherine

Position: INFO



Department of Public Safety and Correctional Services

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ASSISTANT SECRETARY

GARY W. McHINNEY
ASSISTANT SECRETARY

CATHERINE KAHL
ACTING DIRECTOR

BILL: SENATE BILL 525

POSITION: LETTER OF INFORMATION

EXPLANATION: This bill will require the Department of Public Safety and Correctional Services' (DPSCS), Baltimore City Booking and Intake Center (BCBIC) to disseminate written information to eligible voters regarding voter registration and early voting. The bill also requires the State Board of Elections and the local board of elections for Baltimore City to provide BCBIC with written materials and advice and guidance regarding the dissemination of materials. SB 525 also proposes the establishment of an early voting polling place at BCBIC. The Department already provides voter information to eligible voters.

COMMENTS:

- DPSCS's Division of Correction (DOC) operates 17 State correctional facilities that house offenders sentenced to a period of incarceration for 18 months and longer.
- DPSCS also runs the Baltimore City Pretrial Complex, which houses pretrial detainees and inmates sentenced to incarceration for 18 months and less. All other local jails in the State of Maryland are overseen by the counties. DPSCS's top priority is the safety and security of its inmates, employees, and the public.
- The Department has robust policies and procedures in place to enable the incarcerated population to register to vote and to provide those who are registered with a mail-in ballot.
- In September 2019, Secretary Green implemented a voting policy outlining procedures for facilitating voting for eligible inmates incarcerated in State correctional facilities, that included:
 - The Office of the Secretary generates a list indicating the names and locations of all individuals incarcerated in a DPSCS correctional facility who may be eligible to vote prior to each Primary and General Election.

- That list is then distributed through the chain of command to the managing official of each correctional facility throughout DPSCS. An inmate who appears on the eligible inmate list or is an inmate who meets the eligibility criteria, but is not registered to vote, may request and receive from the Managing Official or designee, a Maryland Voter Registration Application.
 - Additionally, any inmate on the list or those who meet the eligibility criteria, upon request, will be provided a Maryland application for a mail in ballot. A managing official will ensure that all absentee ballots mailed via the U.S. Postal Service to an inmate at a correctional facility from the local board of elections are received and delivered in accordance with the procedures for distribution of legal mail.
- The policy also provides that notices are posted in inmate housing and recreation areas that advise inmates of the:
 - Voter eligibility requirements;
 - Right to request an absentee ballot or voter registration application; and
 - Deadlines for returning applications and absentee ballots to the local election board.
- Additionally, DPSCS provides voter information to inmates who are within 90 days of release, and inmates are provided a voter registration application, upon request.
- With regard to SB 525, pretrial detainees are not just housed at BCBIC. They are also housed at the Metropolitan Transition Center (MTC), Baltimore Pretrial Facility in Jessup (BPFJ), Health Medical Facility (COVID-19 positive detainees), and Chesapeake Detention Center (CDF). If all eligible detainees were expected to vote at the polling location at BCBIC, the Department would need to transport them from the other facilities resulting in both a fiscal and operational impact.
- In fiscal year (FY) 2020, BCBIC had 17,880 intakes (a decrease of approximately 5,000 from FY19). The average daily population at BCBIC in FY20 was 740, at MTC was 678, and at BPFJ was 370.
- The pretrial detainees housed at BCBIC are not all Baltimore City residents, but are from multiple jurisdictions. As such, the State Board of Elections would have to provide ballots for each local

jurisdiction throughout the State since every inmate housed in a DPDS facility is not a Baltimore City resident.

- The pretrial population is fluid and an eligible voter who votes during early polling may have returned to the community. The State Board of Elections would need to track and monitor every inmate/registered voter to ensure that an inmate does not vote twice in an election cycle.
- If an early voting polling place is established at BCBIC, the total estimated overtime cost for correctional officers, case managers, and other related expenses, for all DPDS facilities included is expected to be \$360,000 per election cycle.
- The Department appreciates the proactive efforts of SB 525 and has worked with the State Board of Elections to incorporate some of the provisions in all DPSCS facilities housing eligible voters.

CONCLUSION: The Department of Public Safety and Correctional Services respectfully requests the Committee consider this information as it deliberates on Senate Bill 525.