



**SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE  
Senate Bill 403**

**Public Institutions of Higher Education – Incarcerated and Formerly Incarcerated Individuals –  
Academic and Employment Opportunities**

**February 25, 2021**

**Dr. Joann Boughman, Senior Vice Chancellor for Academic and Student Affairs  
Letter of Information**

This bill requires the Maryland Higher Education Commission, in conjunction with institutions of higher education and the Maryland Correctional Enterprises, to develop materials and outreach to incarcerated and formerly incarcerated individuals who are or were employed by Maryland Correctional Enterprises to increase access to admission and employment at public institutions of higher education.

The campuses of the University System of Maryland (USM) believe strongly in providing access to qualified individuals, and then supporting those students so they may complete their education successfully. It is clear that completing a postsecondary education plays a key role in social mobility and in raising many from poverty.

Institutions in the University System of Maryland do not discriminate against individuals who have been incarcerated, but granting preference in admissions runs counter to previous legislation that prevents us from asking about criminal history.

It should be noted that the University of Baltimore is already a member institution in the national Second Chance Pell pilot program which provides Pell grants to incarcerated individuals allowing them access to a program in the UB School of Criminal Justice.

There may be additional costs to the recruiting and admissions offices that will be problematic for some institutions, as those budgets have been affected by the monetary losses to the campuses during the COVID pandemic. Specifically, the professional schools at the University of Maryland, Baltimore (UMB) and the University of Baltimore (UB) would need to be exempted from the legislation, as those schools have specific admissions criteria and previously incarcerated individuals may not be able to become certified or licensed in certain professions.

Additionally, without being overly presumptive regarding the employment portion of the bill, it is safe to say that a good number of individuals who would qualify for the preference program under the bill would likely be disqualified from employment under our current policies. Therefore, we would likely need to amend the policy to carve out the program, which would have the unintended consequence of applying harsher scrutiny to individuals with convictions who were either not incarcerated or not on a work program while incarcerated.

While the USM supports the spirit of SB403, we believe that, especially at this difficult time, this legislation would put undue burdens on our already constrained budgets. We also reiterate that the aforementioned circumstances regarding UMB and employment qualifications should be considered. USM institutions will continue to pay attention to applicants who have been incarcerated, and provide individuals who have worked in the Maryland Correctional Enterprises program as much access as possible to programs appropriate for the student's interest and ability.