

SB194 Testimony.pdf

Uploaded by: Benson, Joanne C.

Position: FAV

JOANNE C. BENSON
Legislative District 24
Prince George's County

Finance Committee
Chair, Rules Committee

Joint Committees

Children, Youth, and Families
Ending Homelessness
Fair Practices and State Personnel Oversight
Management of Public Funds

Chair, Prince George's County
Senate Delegation



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

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Testimony of Joanne C. Benson

Correctional Services - Inmates - Labor, Job Training, and Educational Courses

Good afternoon chairwoman Kelley and esteemed members of the Finance Committee. Senate Bill 194: Correctional Services – Inmates – Labor, Job Training, and Educational Courses prohibits the compensation rate for inmate labor in Maryland Correctional Enterprises (MCE) from being less than the State minimum wage. The bill prohibits the Department of Public Safety and Correctional Services (DPSCS) from deducting the cost of food, lodging, or clothing from an inmate's earnings. The Division of Correction (DOC) must offer job training and educational courses to all inmates who wish to participate, as specified.

This bill in its entirety will help inmates receive appropriate treatment and resources that will help the inmates thrive and stop the exploitation by a system that makes over 52 million dollars from sales, which includes products such as furniture, flags, and license plates. Wages for inmate labor ranges from \$.90 to \$2.75 per day at the DOC, which is based on their skill levels. In comparison, the Maryland Correctional facilities inmate laborers are paid 0.17 cents to \$1.16 an hour. Inmates receiving a wage increase will be beneficial towards their release.

Additionally, this bill will create a positive long-lasting effect. Studies have proven that inmates who complete educational courses and programs during sentencing not only have lower odds of returning to prison but higher odds of finding a job. This will not only help them thrive inside of prison but when they return to society. Inmates having educational courses keeps them occupied while serving their sentences and will increase their self-esteem and ultimately change their behaviors.

Inmates receiving a fair wage and education will help to change their lives. Inmates will have better odds of returning to society. They will be able to provide and take care of their families and even allow those seeking education to leave prison and seek even higher education opportunities. This bill will allow inmates the opportunity to utilize the skills learned in prison and better their lives after completing their sentences.

Thus, I respectfully urge the committee for a favorable report with amendments on Senate Bill 194.

SB 194-prisoners' labor, education, employment.pdf

Uploaded by: Caroom, Philip

Position: FAV

Support SB 194– Labor, training and education

MARYLAND ALLIANCE FOR JUSTICE REFORM

Working to end unnecessary incarceration and build strong, safe communities



TO: Chair Will Smith and Senate Judicial Proceedings Committee

FROM: Phil Caroom, MAJR Executive Committee

DATE: February 4, 2021

Md. Alliance for Justice Reform (MAJR-www.ma4jr.org) supports SB 194 for its very thoughtful approach to some of the problems central to reentry and recidivism.

The four main parts of this good bill include:

- 1) The minimum wage requirement for imprisoned Marylanders' labor – and its related provision that deduction may not be made for housing, food and clothing.
- 2) The requirement to offer “all inmates who wish to participate” job training for “marketable” skills in coordination with labor and trade organizations.
- 3) The requirement to offer education including financial literacy, civics and post-GED course.
- 4) And, maybe most importantly, DPSCS is called to file an annual report with statistics as to all the job training and education modules offered and the numbers of inmates completing these in the prior calendar year.

MAJR recognizes that the minimum wage requirement could be the bill's most costly aspect and could impact the overhead and cost of Md. Correctional Enterprises (MCE) products. With or without the full minimum wage level increase, the rest of the bill should be approved. Even if the 2021 COVID-budget doesn't allow such an immediate and substantial increase from the current pennies-per-hour, the concepts of increasing pay and permitting some savings to accumulate are extremely valuable. What if, at the time of release, a returning citizen had enough savings to put down a deposit and first month's rent on his own apartment? What if she could afford to enroll in a CDL truck-driving program? Such resources would provide a positive alternative to begging for family help or recidivism into illegal employment.

Marketable job-training for all prisoners and seeking outside organizations' support also is long overdue. MCE follows these guidelines but, per most recent years' reports, MCE serves only about 10% of the prisoner population. Yet, nearly all returning citizens would benefit immensely from such training.

The benefits of prison education are well-known as a potent, evidence-based tool for reducing recidivism by as much as 40%.

However, the statistics of exactly how many GEDs, other educational degrees and marketable skill certifications are not readily made available to the public or to legislators. See DPSCS's “research and statistics” webpage -- which makes no reference to such statistics: <https://www.dpscs.state.md.us/publicinfo/publications/statistics.shtml> . This is precisely the type of information that legislators should obtain in order to actively review Maryland prisons' efforts to reduce recidivism.

For all these reasons, Md. Alliance for Justice Reform (MAJR) urges a favorable report on SB 194.

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PLEASE NOTE: Phil Caroom offers this testimony for Md. Alliance for Justice Reform and not for the Md. Judiciary.

SB 194 - Better Pay and Training for Prison Labor

Uploaded by: Esposito, Lindsay

Position: FAV

Dear Members of the Finance Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of white folks working as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. We are also working in collaboration with the Out for Justice. I am a resident of MD 45. I'm proud to have been a resident of Baltimore City since 2008 and a homeowner and voter in the Greenmount West neighborhood for the last 8 years. I am testifying in **support of Senate Bill 194**.



This bill requires the Department of Corrections to pay at least the minimum wage for prison labor, prevents the state from deducting cost of food and lodging from their labor, and requires access to training opportunities for those living behind bars.

Slavery was not outlawed by the 13th Amendment, but rather the name of it was changed to "prison labor." Even today, MD prisons pay workers less than minimum wage for hard labor that they work behind bars, while also deducting food and lodging costs from inmates' already meager pay. In FY2019, according to their annual report, Maryland Correctional Enterprises had over \$52 million in sales with 1,516 inmates working 2.4 million hours per year. From 2.4 million hours of work, inmates collectively earned \$2.7 million in pay, yielding an average hourly wage of \$1.13.

The most common opportunities afforded to inmates are in dangerous industries like meat packing, laundry, and metal work, where exposure to chemicals and heavy machinery can take years off one's life and all at the same time these folks are earning pennies on the dollar. The worst part is that these opportunities are not only meager, but declining with over a 25% decrease in the number of incarcerated individuals working from FY2017 to FY 2019. If we are concerned about crime and recidivism, providing access to training opportunities that can lead to employment once inmates have attained their freedom should also be one of our top priorities.

It is well known that the criminal legal system, from policing to the courts, is built to target, arrest, and imprison black people at rates well above white people. It is especially true in Maryland, where we imprison a larger share of our young black men than any other US state. There are many ways we should address the systemic racism at the heart of this, but given the incredibly meager pay given to those who work behind bars, it turns our criminal legal system into as a legal way to functionally re-enslave black folks. Paying people at least minimum wage is a very small step on the journey to fixing this issue.

It is for these reasons that I am encouraging you to vote in **support of Senate Bill 194**.

Thank you for your time, service, and consideration.

Sincerely,
Lindsay Esposito
434 E Oliver, Baltimore, MD 21202
Showing Up for Racial Justice Baltimore

SB 194 - Better Pay and Training for Prison Labor.

Uploaded by: Fertig, Benjamin

Position: FAV

Dear Members of the Finance Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of white folks working as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. We are also working in collaboration with the Out for Justice. I am a resident of MD District 11. I am testifying **in support of Senate Bill 194**.

This bill requires the Department of Corrections to pay at least the minimum wage for prison labor, prevents the state from deducting cost of food and lodging from their labor, and requires access to training opportunities for those living behind bars.

Slavery was not outlawed by the 13th Amendment, but rather the name of it was changed to "prison labor." Even today, MD prisons pay workers less than minimum wage for hard labor that they work behind bars, while also deducting food and lodging costs from inmates' already meager pay. In FY2019, according to their annual report, Maryland Correctional Enterprises had over \$52 million in sales with 1,516 inmates working 2.4 million hours per year. From 2.4 million hours of work, inmates collectively earned \$2.7 million in pay, yielding an average hourly wage of \$1.13.

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It is well known that the criminal legal system, from policing to the courts, is built to target, arrest, and imprison black people at rates well above white people. It is especially true in Maryland, where we imprison a larger share of our young black men than any other US state. There are many ways we should address the systemic racism at the heart of this, but given the incredibly meager pay given to those who work behind bars, it turns our criminal legal system into as a legal way to functionally re-enslave black folks. Paying people at least minimum wage is a very small step on the journey to fixing this issue.

It is for these reasons that I am encouraging you to vote in **support of Senate Bill 194**.

Thank you for your time, service, and consideration.

Sincerely,

Benjamin Fertig

2722 Quarry Heights Way, Baltimore, MD 21209

Showing Up for Racial Justice Baltimore

SURJ
BALTIMORE
showing up for racial justice

DEIC Testimony SB194.pdf

Uploaded by: Haas, Madison

Position: FAV

**The Diversity, Equity and Inclusion Committee
at the University of Maryland School of Social Work**

TESTIMONY IN SUPPORT OF SB 194

Correctional Services – Inmates – Labor, Job Training, and Educational Courses

Finance Committee

February 4, 2021

The Diversity, Equity and Inclusion Committee (DEIC) at the University of Maryland School of Social Work (UMSSW) strongly supports SB 194, which requires Maryland Correctional Enterprise (MCE) to pay inmates for their labor at no less than the state’s minimum wage, and prohibits the Maryland Department of Safety and Correctional Services (DPDSC) from deducting the cost of food, lodging or clothing from an incarcerated person’s earnings. The bill also requires that the Department of Corrections (DOC) offer specified job training and educational opportunities to all inmates. **The bill would reduce economic exploitation and the impacts of structural racism in Maryland’s carceral system, promote the successful rehabilitation of those who are incarcerated, and improve the wellbeing of inmates, returning citizens, their families and communities.**

SB 194 would reduce economic exploitation in Maryland’s carceral system. The wages of incarcerated people working in various jobs at MCE range from less than 25 cents an hour for “unskilled” jobs to slightly more than \$1 an hour for warehouse team leaders. Most inmate job categories – semi-skilled, skilled, craftsman, team or line leader, clerk, invoice clerk, quality control, warehouse worker, warehouse delivery, mail clerk, sanitation, safety inspector, and institutional worker – pay approximately 35 cents per hour, the equivalent of \$14 for a 40-hour work week. Some positions, such as laundry and recycling collection, pay as little \$1.31 per day.ⁱ Such wages are far below any reasonable standard of equitable compensation.

SB 194 would reduce the impacts of structural racism in Maryland. The economic exploitation in Maryland’s carceral system disproportionately impacts Black and brown people, for more than 70% of Maryland’s prison population was Black in 2018, compared with 31% of the state population.ⁱⁱ In fact, Maryland prisons incarcerate a higher percentage of Black people than any other state – over double the national average.ⁱⁱⁱ The racialized aspect of inmate exploitation parallels previous forms of more overt forms of institutional racism so clearly that the carceral system has been called

“The New Jim Crow.” As Maryland pursues efforts to decriminalize nonviolent offenses and to decarcerate in proactive, comprehensive and evidenced-based ways,^{iv} we should seek to reduce wage disparities that are also so grossly racial disparities.

SB 194 would promote rehabilitation and successful reentry, as well as the wellbeing of inmates, returning citizens, their families and communities. More adequate compensation for their work would allow incarcerated individuals to meet basic needs – e.g., to buy personal hygiene products – without having to turn to potentially dangerous side hustles or family members who may already be struggling. SB 194 would help to ensure that, in addition to the skills that are needed for successful reentry, returning citizens have a greater ability to pay restitution and child support while incarcerated, as well as accrue modest saving for when they return to their families and communities. Studies have found that financial security following incarceration correlates to lower recidivism rates.^v Increasing inmate wages – along with expanded access to vocational and educational opportunities included in the bill – would prepare inmates for the challenges and expectations following release.

The DEIC at the UMSSW, the members of which benefit from the labor of incarcerated individuals through the products they supply to our classrooms and offices, believes SB 194 is an important step in making Maryland’s carceral system more just and effective – being a mechanism to reduce both inequity and recidivism. **We appreciate the Committee’s attention, and strongly encourage a favorable report on SB 194.**

Submitted on behalf of the DEIC by Madison Haas, Economic Inclusion Specialist, Office of Community Engagement, University of Maryland, Baltimore. For more information contact madisonhaas@umaryland.edu.

The Diversity, Equity and Inclusion Committee at the University of Maryland School of Social Work seeks to challenge racism and all forms of structural oppression, and to become a fully inclusive, equitable, diverse and multicultural institution. For more information, contact Samantha Fuld and Maryrejahil Lanier, co-chairs, at samantha.fuld@ssw.umaryland.edu and mlanier@umaryland.edu.

ⁱ MCE. (2018). Inmate payscale determination. *Maryland Correctional Enterprises, Department of Public Safety and Correctional Services*.

ⁱⁱ Justice Policy Institute. (Nov 2019). Rethinking approaches to overincarceration of black you adults in Maryland. Retrieved from

http://www.justicepolicy.org/uploads/justicepolicy/documents/Rethinking_Approaches_to_Over_Incarceration_MD.pdf

ⁱⁱⁱ Ibid.

^{iv} See, for example, the Grand Challenges for Social Work, which are available at <https://grandchallengesforsocialwork.org/promote-smart-decarceration/>.

^v Wetzel, J. & Wiessmann, R. (n.d.). Finances after prison, a collaborative approach. Pennsylvania Department of Banking and Securities. Retrieved from <https://www.dobs.pa.gov/For%20Media/Pages/Successful-Reentry.aspx>.

SB 194 - Better Pay and Training for Prison Labor

Uploaded by: Hauck, Barbara

Position: FAV

Dear Members of the Finance Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of white folks working as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. We are also working in collaboration with the Out for Justice. I am a resident of MD District 43. I am also a longtime member of Baltimore's vibrant theatre community, and the Artistic Director of the Fells Point Corner Theatre. I am testifying **in support of Senate Bill 194**.



This bill requires the Department of Corrections to pay at least the minimum wage for prison labor, prevents the state from deducting cost of food and lodging from their labor, and requires access to training opportunities for those living behind bars.

Slavery was not outlawed by the 13th Amendment, rather the name of it was changed to "prison labor." Even today, MD prisons pay workers less than minimum wage for hard labor performed behind bars, while also deducting food and lodging costs from inmates' already meager pay. In FY2019, according to their annual report, Maryland Correctional Enterprises had over \$52 million in sales with 1,516 inmates working 2.4 million hours per year. From 2.4 million hours of work, inmates collectively earned \$2.7 million in pay, yielding an average hourly wage of \$1.13.

The most common opportunities afforded to inmates are in dangerous industries like meatpacking, laundry, and metal work — where exposure to chemicals and heavy machinery can take years off one's life — and these folks are earning pennies on the dollar. Not only are these opportunities limited, they are declining, with over a 25% decrease in the number of incarcerated individuals working from FY2017 to FY2019. If we are concerned about crime and recidivism, providing access to training opportunities that can lead to employment once inmates have attained their freedom should also be one of our top priorities.

It is well known that the criminal legal system, from policing to the courts, is built to target, arrest, and imprison Black people at rates well above white people. It is especially true in Maryland, where we imprison a larger share of our young Black men than any other US state. Given the incredibly paltry wages paid to those who work behind bars, it turns our criminal legal system into a legal way to functionally re-enslave Black folks. At the very least, paying people minimum wage is a small step on the journey toward fixing this issue.

It is for these reasons that I am encouraging you to vote in **support of Senate Bill 194**.

Thank you for your time, service, and consideration.

Sincerely,

Barbara Hauck (she/her)

3420 Harford Road

Baltimore, MD 21218

Showing Up for Racial Justice Baltimore

SB0194 testimony.pdf

Uploaded by: Holman, Julian

Position: FAV

In Support of SB194 (Judiciary Committee hearing January 26, 2021)

Julian Holman

Largo, MD 20774

julianholman96@gmail.com

To the honorable Assembly:

My name is Julian Holman. I am a graduate student at the University of Maryland Baltimore County and a member of the University System of Maryland Anti-Prison Labor Coalition, also known as Divest MCE. I wish to express my support for SB194 before you.

Spending time in prison halves annual earning potential, resulting in substantial loss over the course of one's career and hurting the families of incarcerated people. Bringing the minimum compensation rate for prison labor up to the State minimum wage - and preventing the various deductions, such as room and board, already made to salaries presently as low as 17 cents per hour - will reduce this harm. However, the Maryland carceral system as a whole will continue to hurt those subjugated by it: 70 percent of its prisoners are Black, and yet Black Americans only make up 30 percent of the state population. *This means that, for pennies a day, a largely Black prison population produces items such as the Maryland license plates on the car you ride in, the chairs and desks we sit at in a Maryland school or state house, and the masks and hand sanitizer used by yourselves and other state employees to combat COVID-19.* The racism and injustice that Black Americans experience in every societal institution has never been more apparent. The true solution to the problem is to remove any incentive to imprison our most vulnerable and profit off of their blood, sweat, and tears. Until a divestment bill can be passed, partnership with unions and trade associations to develop more relevant training programs/educational courses, providing participants fairer pay, and holding the Department of Public Safety and Correctional Services accountable to reporting to the Governor and Assembly will orient Maryland Correctional Enterprises away from profiteering and towards rehabilitation, empowering incarcerated Marylanders.

I thank you for the opportunity to present my testimony in favor of SB194.

SB0194 Written Testimony A Juberg.pdf

Uploaded by: Juberg, Arielle

Position: FAV

Arielle Juberg
Baltimore, Maryland
District 8

Testimony in Support of Bill SB0194, Correctional Services - Inmates - Labor, Job Training, and Educational Courses

To: Chair Guzzone and members of the Senate Budget and Taxation Committee and Chair Kelley and members of the Senate Finance Committee
From: Arielle Juberg

My name is Arielle Juberg. I am a resident of Baltimore County in District 8. I belong to Showing Up for Racial Justice in Baltimore.

I am testifying in support of SB0194, Correctional Services - Inmates - Labor, Job Training, and Educational Courses. I support this legislation because it contains common-sense measures that respect the labor of imprisoned people and prepare them for re-entry into our communities.

Reading the Maryland Correctional Enterprises (MCE) 2019 Annual Report, I can see pride in the work and products that people in prison produced. Why doesn't this pride translate to at least minimum wages for the work performed? When work is not lawfully compensated or freely undertaken as a volunteer, we call it slavery. The current system in Maryland looks an awful lot like slavery.

I used to work in a hardware store. Every 4th of July, customers arrived to purchase American flags. Several people would become upset when they saw that the flags were 'Made in China'. When I look at the MCE 2019 Annual Report and see an imprisoned person sewing an American flag (page 5), I'm ashamed that this person isn't being paid at least minimum wage for their efforts. What is the difference between an American flag made in another country and a flag made in Maryland with labor that is devalued and dismissed?

I won't be the first person to question the true intent of our "correctional" system here in Maryland. It is well known that the criminal legal system, from policing to the courts, is built to target, arrest, and imprison black people at rates well above white people. It is especially true in Maryland, where we imprison a larger share of our young black men than any other US state.

There are many ways we should address the systemic racism at the heart of this, but given the incredibly meager pay given to those who work behind bars, it turns our criminal legal system into a legal way to functionally re-enslave black folks. This bill requires the Department of Corrections to pay at least the minimum wage for prison labor, prevents the state from deducting cost of food and lodging from their labor, and requires access to training opportunities for those living behind bars. These are very small steps on the journey to fixing this issue.

For all these reasons, I respectfully urge a favorable report for Bill SB0194

MD Catholic Conference_FAV_SB0194.pdf

Uploaded by: Kraska, MJ

Position: FAV



ARCHDIOCESE OF BALTIMORE † ARCHDIOCESE OF WASHINGTON † DIOCESE OF WILMINGTON

February 04, 2021

SB 194

Correctional Services – Inmates – Labor, Job Training, and Educational Courses

Senate Finance Committee

Position: Support

The Maryland Catholic Conference (“Conference”) represents the public-policy interests of the three Roman Catholic (arch) dioceses serving Maryland: the Archdiocese of Baltimore, the Archdiocese of Washington, and the Diocese of Wilmington.

Senate Bill 194 would require the compensation rate for inmate labor in Maryland Correctional Enterprises to be not less than the State minimum wage; repealing a requirement that the Department of Public Safety and Correctional Services reimburse a certain county or the State for certain costs from an inmate’s earnings under certain circumstances; prohibiting the Department from deducting certain costs from an inmate’s earnings; requiring the Division of Correction to offer job training to certain inmates; requiring the Division to partner with labor unions and 10 trade associations to develop certain training programs; requiring certain training to focus on certain skills; requiring the Division to offer educational courses to certain inmates; requiring certain educational courses to include certain types of courses and subjects; requiring the Department to report to the Governor and General Assembly on certain matters on or before a certain date annually.

Maryland’s Catholic bishops issued a statement on the Dignity of Work, in which they noted the Church’s historic commitment to the right of all people to fair compensation for their labor. As early as the late 19th century, Pope Leo XIII claimed this principle was, “*a dictate of natural justice more imperious and ancient than any bargain between man and man.*”

Additionally, the Conference firmly supports restorative justice practices. The United States Conference of Catholic Bishops has stated that “*People must be held accountable for their actions but justice and restoration must be the object of punishment which must have a constructive and reformatory purpose*” (*Restorative Justice: Healing and Transformation of Persons, Families and Communities*, USCCB, 2015).

Senate Bill 194 is a restorative justice measure and the Church maintains that systems of incarceration should always be centered on *restorative* justice. When inmates are incentivized with a just wage, to obtain an education, or further their academic credentials, their chances to break free from their often-challenging circumstances and live productive lives post-release are exponentially enhanced. For these reasons, we urge a favorable report on Senate Bill 194.

SB 194 - Better Pay and Training for Prison Labor.

Uploaded by: McDonald, Ericka

Position: FAV

Dear Members of the Finance Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of white folks working as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. We are also working in collaboration with the Out for Justice. I am a resident of MD District 12. I am testifying in **support of Senate Bill 194.**



This bill requires the Department of Corrections to pay at least the minimum wage for prison labor, prevents the state from deducting cost of food and lodging from their labor, and requires access to training opportunities for those living behind bars.

Slavery was not outlawed by the 13th Amendment, but rather the name of it was changed to "prison labor." Even today, MD prisons pay workers less than minimum wage for hard labor that they work behind bars, while also deducting food and lodging costs from inmates' already meager pay. In FY2019, according to their annual report, Maryland Correctional Enterprises had over \$52 million in sales with 1,516 inmates working 2.4 million hours per year. From 2.4 million hours of work, inmates collectively earned \$2.7 million in pay, yielding an average hourly wage of \$1.13.

The most common opportunities afforded to inmates are in dangerous industries like meat packing, laundry, and metal work, where exposure to chemicals and heavy machinery can take years off one's life and all at the same time these folks are earning pennies on the dollar. The worst part is that these opportunities are not only meager, but declining with over a 25% decrease in the number of incarcerated individuals working from FY2017 to FY 2019. If we are concerned about crime and recidivism, providing access to training opportunities that can lead to employment once inmates have attained their freedom should also be one of our top priorities.

It is well known that the criminal legal system, from policing to the courts, is built to target, arrest, and imprison black people at rates well above white people. It is especially true in Maryland, where we imprison a larger share of our young black men than any other US state. There are many ways we should address the systemic racism at the heart of this, but given the incredibly meager pay given to those who work behind bars, it turns our criminal legal system into as a legal way to functionally re-enslave black folks. Paying people at least minimum wage is a very small step on the journey to fixing this issue.

It is for these reasons that I am encouraging you to vote in **support of Senate Bill 194.**

Thank you for your time, service, and consideration.

Sincerely,

Ericka McDonald
418 Harwood Rd.
Catonsville, MD 21228
Showing Up for Racial Justice Baltimore

SB 194 - Better Pay and Training for Prison Labor.

Uploaded by: Rehr, Nathan

Position: FAV

Dear Members of the Finance Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of white folks working as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. We are also working in collaboration with the Out for Justice. I am a resident of MD District 45. I am an active member of my community association and a health professional who is interested in eliminating the health disparities that occur with racial discrimination in our society. I am testifying **in support of Senate Bill 194.**



This bill requires the Department of Corrections to pay at least the minimum wage for prison labor, prevents the state from deducting cost of food and lodging from their labor, and requires access to training opportunities for those living behind bars.

Slavery was not outlawed by the 13th Amendment, but rather the name of it was changed to "prison labor." Even today, MD prisons pay workers less than minimum wage for hard labor that they work behind bars, while also deducting food and lodging costs from inmates' already meager pay. In FY2019, according to their annual report, Maryland Correctional Enterprises had over \$52 million in sales with 1,516 inmates working 2.4 million hours per year. From 2.4 million hours of work, inmates collectively earned \$2.7 million in pay, yielding an average hourly wage of \$1.13.

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It is for these reasons that I am encouraging you to vote in **support of Senate Bill 194.**

Thank you for your time, service, and consideration.

Sincerely,

Nathan Rehr

450 E. Federal Street Baltimore, MD 21202

Showing Up for Racial Justice Baltimore

SB 194 Testimony - OPD.pdf

Uploaded by: Shreve, Joan

Position: FAV



PAUL DeWOLFE
PUBLIC DEFENDER

TERRI COLLINS-GREEN
DIRECTOR, SOCIAL WORK DIVISION

TESTIMONY IN SUPPORT OF SENATE BILL 194:

CORRECTIONAL SERVICES – INMATES – LABOR, JOB TRAINING, AND EDUCATIONAL COURSES

TO: Sen. Kelley, and members of the Senate Finance Committee
FROM: Joanie Shreve, LCSW
DATE: February 2, 2021

The Maryland Office of the Public Defender is a statewide agency providing legal representation and advocacy for people in Maryland’s criminal justice system, including individuals currently incarcerated seeking Post-Conviction relief. Licensed social workers throughout our agency collaborate with attorneys and may be tasked with conducting biopsychosocial evaluations for mitigation purposes, assessing and linking clients to evidence-based services, and when needed, integrating those services into pretrial, sentencing, or post-sentencing plans. Social workers in OPD are concerned with the conditions in prison, and support bills that offer opportunities for our clients to succeed in the future. The Maryland Office of the Public Defender supports Senate Bill 194 because of the meaningful educational and vocational opportunities it provides.

Many clients I have worked with held high-ranking, skilled positions through Maryland Correctional Enterprises (MCE). Those who have been in MCE shops and were ultimately released were far more likely to find employment in skilled jobs. However, despite decades of employment through MCE, my clients had no savings upon release and have relied on elderly family members, many who are on fixed-incomes and have limited financial resources. Many clients are hesitant to rely on family members for financial support upon release, knowing the significant financial burden they will place on them. They are eager and motivated to become self-sufficient as quickly as possible. But reentry is a process, and it can take 12 months to establish stability and independence. Providing fair compensation, no less than the minimum wage, for the skilled labor they provide the state will help them create a safety net for themselves and their families, and will help them stabilize quickly upon release. This bill helps reduce barriers to financial stability and independence.

More people are serving longer sentences, and are removed from the labor market for a greater percentage of their working years, while simultaneously the risk of recidivism goes down with age. Correctional industries, job training programs, financial counseling and post-GED courses help bridge the gap between incarceration and future success in the community.

OPD supports this bill to fully compensate MCE employees for their skilled labor, and the expansion of training and educational opportunities. For these reasons the Maryland Office of the Public Defender urges a favorable report on Senate Bill 194.

SB 194 - Better Pay and Training for Prison Labor.

Uploaded by: Simmons, Christina

Position: FAV

Dear Members of the Finance Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of white folks working as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. We are also working in collaboration with the Out for Justice. My name is Christina; I am a resident of MD District 42B, a car owner, and a recent college grad from Towson University. Both of these simple identity markers have involved me in a system of exploitation I did not choose to be a

part of, and am nevertheless supporting. Towson University, like all state universities in Maryland, **requires** that furniture for dorms and classrooms be purchased from Maryland Correctional Enterprises. License plates are also **required** for car owners, and are produced by inmates who are paid \$0.17 to a \$1.16 an hour. I am testifying **in support of Senate Bill 194** because it is long overdue that we as a nation close the loophole in the 13th amendment that allows slave labor to continue under the guise of service to society for wrong doers.



This bill requires the Department of Corrections to pay at least the minimum wage for prison labor, prevents the state from deducting cost of food and lodging from their labor, and requires access to training opportunities for those living behind bars.

Slavery was not outlawed by the 13th Amendment, but rather the name of it was changed to "prison labor." Even today, MD prisons pay workers less than minimum wage for hard labor that they work behind bars, while also deducting food and lodging costs from inmates' already meager pay. In FY2019, according to their annual report, Maryland Correctional Enterprises had over \$52 million in sales with 1,516 inmates working 2.4 million hours per year. From 2.4 million hours of work, inmates collectively earned \$2.7 million in pay, yielding an average hourly wage of \$1.13.

The most common opportunities afforded to inmates are in dangerous industries like meat packing, laundry, and metal work, where exposure to chemicals and heavy machinery can take years off one's life and all at the same time these folks are earning pennies on the dollar. The worst part is that these opportunities are not only meager, but declining with over a 25% decrease in the number of incarcerated individuals working from FY2017 to FY 2019. If we are concerned about crime and recidivism, providing access to training opportunities that can lead to employment once inmates have attained their freedom should also be one of our top priorities.

It is well known that the criminal legal system, from policing to the courts, is built to target, arrest, and imprison black people at rates well above white people. It is especially true in Maryland, where we imprison a larger share of our young black men than any other US state. There are many ways we should address the systemic racism at the heart of this, but given the incredibly meager pay given to those who work behind bars, it turns our criminal legal system into as a legal way to functionally re-enslave black folks. Paying people at least minimum wage is a very small step on the journey to fixing this issue.

It is for these reasons that I am encouraging you to vote in **support of Senate Bill 194**.

Thank you for your time, service, and consideration.

Sincerely,

Christina Simmons

304 Stevenson Lane, APT B8

Towson, MD 21204

Showing Up for Racial Justice Baltimore

SB 194 - Better Pay and Training for Prison Labor.

Uploaded by: Smeton, Jonathan

Position: FAV

Dear Members of the Finance Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of white folks working as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. We are also working in collaboration with the Out for Justice. I am a resident of MD District 43. I am testifying **in support of Senate Bill 194**.



This bill requires the Department of Corrections to pay at least the minimum wage for prison labor, prevents the state from deducting cost of food and lodging from their labor, and requires access to training opportunities for those living behind bars.

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It is for these reasons that I am encouraging you to vote in **support of Senate Bill 194**.

Thank you for your time, service, and consideration.

Sincerely,

Jonathan Smeton

3140 Ellerslie Avenue, Baltimore, MD 21218

Showing Up for Racial Justice Baltimore

SB194_FAV_MPRC.pdf

Uploaded by: Traore, Jene

Position: FAV

MARYLAND PRISONERS' RIGHTS COALITION

TESTIMONY – SUPPORT
HB0102/SB0194 - **Labor, Job Training, and Educational Course**
FINANCE COMMITTEE

Chair Kelly, Vice Chair Feldman and Committee Members

Thank you for the opportunity to voice our **SUPPORT** for SB0194/HB0102.

As you are all aware, inmates back approximately 1.20 a day. This rate applies to a majority of the positions throughout the DOC.

Maryland has not increased wages for these inmates in 30 years and yet their expenses have increased tremendously. Inmates must pay for stamps, paper, envelopes and just basic hygiene products as well as supplementary meals from commissary. Their work conditions are not ideal and are laborious, akin to slave labor. SB0194/HB0102 strives to rectify this problematic conduct.

Studies have found that prisoners who gain professional skills while incarcerated are far less likely to commit crimes, like theft, both behind bars and after release. Paying prisoners' a decent wage also increases the opportunity for inmates to afford the items necessary to survive, practice hygienic and reduce the burdens on already struggling family members to provide financial reprieve for these men and women.

Additionally, prisoners supply the state with everything from farm goods to furniture to license plates, creating an avenue to further exploit their labor and significantly less than minimum wage that a member of the community would earn. We must disincentive big business to influence mass incarceration, whereby they can abuse these types of laborers by continuing to exploit them.

By not allowing any meaningful wage Maryland would assure that human beings, who are serving their time are not further exploited and that we do not continue to facilitate blatant exploitation of our fellow states' men and women.

For these reasons, we urge this committee to **pass SB0194/HB0102** and send a clear message that slavery has ended!

SB 194 - Better Pay and Training for Prison Labor.

Uploaded by: Wilkins, Katherine

Position: FAV

Dear Members of the Finance Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of white folks working as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. We are also working in collaboration with the Out for Justice. I am a resident of MD District **12**. I am testifying **in support of Senate Bill 194**.

This bill requires the Department of Corrections to pay at least the minimum wage for prison labor, prevents the state from deducting cost of food and lodging from their labor, and requires access to training opportunities for those living behind bars.

Slavery was not outlawed by the 13th Amendment, but rather the name of it was changed to "prison labor." Even today, MD prisons pay workers less than minimum wage for hard labor that they work behind bars, while also deducting food and lodging costs from inmates' already meager pay. In FY2019, according to their annual report, Maryland Correctional Enterprises had over \$52 million in sales with 1,516 inmates working 2.4 million hours per year. From 2.4 million hours of work, inmates collectively earned \$2.7 million in pay, yielding an average hourly wage of \$1.13.

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It is for these reasons that I am encouraging you to vote in **support of Senate Bill 194**.

Thank you for your time, service, and consideration.

Sincerely,

Katherine Wilkins

10651 Gramercy Pl, Unit 257, Columbia, MD 21044

Showing Up for Racial Justice Baltimore



SB 194 - Better Pay and Training for Prison Labor.

Uploaded by: Yoder, Daryl

Position: FAV

Dear Members of the Finance Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of white folks working as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. We are also working in collaboration with the Out for Justice. I am a resident of MD District 12. I am testifying **in support of Senate Bill 194**.



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It is for these reasons that I am encouraging you to vote in **support of Senate Bill 194**.

Thank you for your time, service, and consideration.

Sincerely,
Daryl Yoder

309 Glenmore Ave

Catonsville, MD 21228

Showing Up for Racial Justice Baltimore

SB0194 FINAL Opposition Letter.pdf

Uploaded by: Sanders, Stephen

Position: UNF



Department of Public Safety and Correctional Services

Maryland Correctional Enterprises

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CHIEF OF STAFF

CHRISTOPHER McCULLY
DEPUTY SECRETARY
ADMINISTRATION

VACANT
DEPUTY SECRETARY
OPERATIONS

CAROLYN J. SCRUGGS
ASSISTANT SECRETARY

GARY W. McHINNEY
ASSISTANT SECRETARY

DIVISION OF CORRECTION

WAYNE HILL
COMMISSIONER

MARYLAND CORRECTIONAL
ENTERPRISES

STEPHEN SANDERS
CHIEF EXECUTIVE OFFICER

BILLS: Senate Bill 0194 – Correctional Services – Inmates – Labor, Job Training and Education Courses

DATE: February 2, 2021

POSITION: **OPPOSE**

The passage of Senate Bill 0194 will detrimentally affect the self-sustaining mission of Maryland Correctional Enterprises.

Maryland Correctional Enterprises is a self-supporting vocational training program within the Department of Public Safety and Correctional Services (DPSCS). The mission of MCE focuses on providing structured employment and training activities to enhance inmate rehabilitation. In conjunction with our mission, MCE is responsible for maintaining compliance with the following mandates:

- Is financially self-supporting, generates revenue for its operations and capital investments
- Provides meaningful work experiences for inmates that are intended to allow inmates to improve work habits, attitudes, and skills for the purpose of improving the employability of the inmates upon release
- Seeks to develop industries that provide full-timework experience or rehabilitation programs for all eligible inmates, and
- Operates correctional industries in an environment that resembles as closely as possible the environment of private sector business operations

In FY 19 MCE was able to offer over 2.4 million hours of employment and training to offenders throughout Maryland. At the fiscal year-end, MCE employed 1,516 inmates. Please note that FY 19 figures are being used due to the unusual production and operational challenges in FY20, related to COVID-19. The current MCE organization consists of 26 business units located at 10 state correctional facilities. MCE business units are located in Cumberland, Hagerstown, Sykesville, Jessup, and Westover. MCE utilizes maximum, medium, minimum, pre-release and work-release inmates.

The passage of Senate Bill 0194 will completely diminish our self-supporting status as MCE's inmate labor expenditures would increase from approximately \$2.4 million to \$28.33million dollars (based on FY19 figures). Considering MCE's FY19 profit was \$1.1 million, this would undoubtedly cause the bankruptcy of MCE with expenditures increasing by nearly \$26 million. This estimate would increase in the upcoming years as Maryland's minimum wage increases. The Correctional Services §3-507 (c) does indicate that "General Fund money may be appropriated to Maryland Correctional Enterprises to be used for the direct expenses of training inmates;" however, MCE's existence would then rely on utilizing approximately \$30 million in General Funds to subsidize inmate wages.

If these increased expenditures resulted in a reduction in our operations, this would directly result in decreased inmate employment placing a further strain on the supervision duties of state facilities. It can be assumed that a reduction in the MCE workforce would cause an increased need for correctional officer staff in the institutions resulting in increased inmate idleness and additional incarceration costs for the Department of Public Safety and Correctional Services (DPSCS). It is likely that several civilian positions will also be lost as a result of the reduction.

Studies across the nation continue to show that involvement in a correctional industry program has a positive effect on reducing states' recidivism rates. MCE has the ability to teach hard and soft skills to the offender population in order to increase their chances of success upon release. In 2017, DPSCS was tasked with implementation of the Justice Reinvestment Act, which would focus on offering reentry services to offenders. These reentry services include much needed vocational and training programs, which MCE provides at no cost to the taxpayer. Our programming could suffer damaging reductions with the passage of Senate Bill 0194, decreasing our positive impact on the state. In addition to financial compensation, inmates receive 10 diminution credits per month for participating in programming. As a result of diminished production and self-funding capabilities, MCE will be forced to dramatically decrease inmate opportunities which will have a negative impact on the recidivism rate in Maryland. Higher recidivism rates result in increased public safety and incarceration costs on both state and local levels.

We respectfully request that you give the minimum wage implementation brought forth by Senate Bill 0194 an unfavorable vote. If you have any questions or need additional information please do not hesitate to contact Catherine Kahl – (410)260-6070 Catherine.Kahl@Maryland.gov.

DPSCS_LOI_SB194.pdf

Uploaded by: Kahl, Catherine

Position: INFO



Department of Public Safety and Correctional Services

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Office of Government and Legislative Affairs
45 Calvert Street, Suite B7A-C, Annapolis MD 21401
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STATE OF MARYLAND

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GOVERNOR

BOYD K. RUTHERFORD
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ADMINISTRATION

WAYNE HILL
ACTING DEPUTY
SECRETARY OPERATIONS

CAROLYN J. SCRUGGS
ASSISTANT SECRETARY

GARY McLHINNEY
ASSISTANT SECRETARY

CATHERINE KAHL
ACTING DIRECTOR

BILL: SENATE BILL 194

POSITION: LETTER OF INFORMATION

EXPLANATION: This bill requires the Maryland Correctional Enterprises (MCE) to compensate their inmate workers not less than the State minimum wage; prohibit the Department of Public Safety and Correctional Services (DPSCS) from deducting the cost of food, lodging and clothing from an inmate's earnings; offer educational and job training opportunities to all inmates who wish to participate; and partner with labor unions and trade associations to develop training programs with marketable skills. **This bill will have a significant fiscal and operational impact on MCE and DPSCS.**

COMMENTS:

- The Department's Division of Correction (DOC) operates 17 State correctional facilities which house offenders sentenced to a term of incarceration for 18 months and longer. The Department also runs the Baltimore City Jail, which houses pretrial detainees and inmates sentenced to incarceration for 18 months and less.
- The DOC also includes MCE who is the prison industry arm of the DPSCS. The mission of MCE focuses on providing structured employment and training activities to enhance offender rehabilitation.
- SB 194 will have a significant fiscal impact and operational impact on the DOC and MCE.
- **First, this bill seeks to establish the compensation rate for inmate labor in MCE be no less than the State minimum wage.** MCE is a self-supporting entity, meaning it is not supported by State general funds, and merely operates off of the revenues made by manufacturing and retailing goods and service.
- An increase to this degree will diminish the self supporting status of MCE causing inmate labor expenditures to increase exponentially.
- **SB 194 will prohibit DPSCS from collecting the cost of housing, food and clothing from an inmate's earnings.** Currently, room and board is

only collected from those inmates who have outside employment via work release and are housed in a DPSCS facility.

- Prohibiting the DPSCS from collecting these costs, will result in a significant decrease in revenue. A review of the revenue generated from room/board and transportation costs for the past three fiscal years indicates that the **loss to the Department could exceed \$1,000,000 per year.**
- SB 194 will also require DPSCS to provide job training and educational services to ALL inmates who wish to participate. Currently, in order to ensure the safety and security of program operations, and staff, an inmate must meet the minimum criteria established in order to participate in programming. **Allowing all inmates to participate without any eligibility criteria in place will jeopardize the safety and security of the facility.**
- Additionally, pursuant to the Labor and Employment Article §11-902, the Department of Labor develops and recommends educational and workforce training programs for each institution in the DOC, and ensures these programs meet the special needs and circumstances in each correctional facility.
- As stated under Labor and Employment §11-903, the Department of Labor is responsible for the provision of education and workforce skills training programs in the adult correctional institutions in the State.
- Further, the bill, as proposed, would negate a significant body of research conducted between 2004-2008 by the Department of Labor's Workforce Creation and Adult Education Transition Council that reviewed the best options for correctional education. At that time, all potential options were studied and the research determined the best possible option was within the Department of Labor.
- **SB 194 would completely alter the structure of the delivery of education and training to the incarcerated population as it would require DPSCS to deliver this training.**
- SB 194 fails to take into account the current footprint, physical structure, and staffing of DOC facilities.

- Lastly, the ongoing pandemic has had a significant impact on programming, vocational, and educational training programs. The Department, in tandem with the Department of Labor, needs to focus on reinvigorating the preexisting programming, vocational, and educational training programs before determining the need for expansion.

CONCLUSION: For these reasons, the Department of Public Safety and Correctional Services respectfully requests the Committee consider this information as it deliberates on Senate Bill 194