

MARY L. WASHINGTON, PH.D
Legislative District 43
Baltimore City

Education, Health, and
Environmental Affairs Committee

Chair
Joint Committee on Ending
Homelessness

Chair
Joint Committee on Children,
Youth, and Families



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Annapolis Office
James Senate Office Building
11 Bladen Street, Room 102
Annapolis, Maryland 21401
410-841-3145 · 301-858-3145
800-492-7122 Ext. 3145
Mary.Washington@senate.state.md.us

SB 872 – Procurement – University System of Maryland, Morgan State University, St. Mary's College of Maryland, and Baltimore City Community College

Testimony of Senator Mary Washington

March 10, 2022

Chair Guzzone, Vice Chair Rosapepe, and Members of the Committee,

SB 872 repeals a requirement that the University System of Maryland (USM), Morgan State University (MSU), St. Mary's College of Maryland (SMCM), and Baltimore City Community College (BCCC) purchase, to the maximum extent practicable, supplies or services from Maryland Correctional Enterprises (MCE).

Currently, under State Finance and Procurement Article §14-103 of the Annotated Code "a state or state-aided or controlled entity shall buy supplies and services first from Maryland Correctional Enterprises," as provided in Title 3, Subtitle 5 of the Correctional Services Article, if Maryland Correctional Enterprises provides the supplies or services.

Universities, such as the University of Maryland's contract allows them to purchase directly from MCE and the prison industry without a procurement process. Per State Finance and Procurement Article, all furniture must be purchased from MCE unless a waiver is granted. The concern is that MCE must grant and approve the waiver. MCE rarely provides waivers to those who request them. This leaves universities and colleges without purchasing choices. SB 872 will allow universities and colleges to select the entity from which they purchase.

SB872 will increase the opportunity for universities to purchase their furniture with other preferred provider programs. State Finance and Procurement Article §14-103 of the Annotated Code of Maryland provides a State or State aided or controlled entity shall buy supplies and services from a selling entity in the following **order of priority**: 1) Maryland Correctional Enterprises, 2) Blind Industries and Services of Maryland, 3) A certified sheltered workshop. MCE should not be prioritized over these other preferred providers. In FY 2019, MCEs net sales were \$52,457,137 and yet MCE pays incarcerated persons an hourly wage of \$0.67 - \$0.79. This results in incarcerated persons kept in jobs that do not have market

value or enrich their minds even if their labor is by choice. Universities and colleges want to focus on equitable causes that further justice.

SB 872 is a bill that allows universities and colleges to further their missions that end their forced involvement in a system that contributes to disparities among black and brown communities. In Maryland, Black and Brown people make up 31% of the state's residents and 69% of the prison population. What occurs in our prisons disproportionately impacts an already disenfranchised population. Employing incarcerated persons in unskilled labor does not reflect Maryland's goals of reducing our prison population and providing transferable skills for employment after release. Maryland must continue to focus on reentry and educational programs that allow our residents to be rehabilitated rather than exploited for little to no gain.

This bill is the result of hearing from numerous students and faculty members at Maryland universities and colleges requesting an opportunity to disengage from the prison industrial complex. As communities of inclusive excellence committed to the core values of diversity, equity and inclusion, these students and faculty members feel that the practice of purchasing furniture, other commodities, and services from MCE is antithetical to these goals.

I welcome your partnership in this critical effort and urge a favorable report on SB 872.

In Partnership,

A handwritten signature in blue ink, appearing to read "Mary Washington".

Senator Mary Washington
Maryland 43rd District