

JOTF JOB OPPORTUNITIES TASK FORCE

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TESTIMONY IN SUPPORT OF SENATE BILL 704:

Conditions of Pretrial Release – Home Detention Monitoring – Alterations and Extension

TO: Hon. William C. Smith, and Members of the Senate Judicial Proceedings Committee

FROM: Malik Baynes

DATE: March 9, 2022

My name is Malik Baynes and I support(s) Senate Bill 704 as a means to ensure that indigent persons awaiting trial are not pushed further into debt or incarcerated while participating in private home detention programs throughout the state.

I was born and raised in the Cherry Hill neighborhood on the southside of Baltimore, Maryland. On January 1st, 2022, I was court-ordered to participate in a home detention program sponsored by ASAP Home Detention until the date of my trial in April of this year. When I arrived at the facility to acquire my electronic monitoring devices, ASAP informed me that the setup charges would be \$410 off rip with an extra \$30 charge for a urinalysis exam. Nowhere in my court orders was a urinalysis test mandated but I was informed by ASAP that I must pay the extra \$30 to participate or violate the conditions of my release. After agreeing to these terms in order to maintain my freedom, I was informed that I would owe \$240 every two weeks to ASAP Home Detention and that missing a payment could, again, be a violation of my court orders. A screenshot of the paperwork I was given is attached.

The overarching concern I had at this moment is one that anyone would have in my position. \$240 biweekly equals \$480 monthly and while on home detention, I did not see how it would be possible to pay this fee. My fiancée stepped up to plate and fronted the \$410 in startup costs. The \$480 was still going to be a problem. While discussing my situation with ASAP, a young lady named Ulonda approached me and informed me of a program that she was participating in where the courts were paying for her home detention program because she qualified as “indigent.” She gave me the phone number to JOTF and we worked together to have me set up with the Judiciary’s Payment Program. I have submitted the public defender paperwork to the district court and am looking forward to starting.

Mr. Dews informed me that this program may be over before it truly began. I have been told that it will end in June and that persons like myself will be forced to struggle financially to survive the home detention payments. Not everyone has a fiancée as skilled and wonderful as mine who can hold it down for them. As grateful as I am, \$480 a month is far too much for indigent persons to pay while on pretrial and my fiancée should not have to finance the criminal justice system. Other counties like Baltimore County and Montgomery already ended privatized home detention and I believe the entire state should follow suit. For those reasons, I urge a favorable report on SB704.