

Dear Members of the Senate Judicial Proceedings Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with Out for Justice and the Job Opportunities Task Force. I am a resident of District 40. **I am testifying in support of Senate Bill 704.**



This bill will remove fees for pre-trial home monitoring systems for “indigent” defendants.

In a just legal system, no person should be kept in a jail cell merely because they cannot afford a monetary payment. Yet that is exactly what is happening every day throughout the state of Maryland. When a person is arrested and accused of a criminal offense, a judge decides whether to release or detain the person and, if the judge releases the person, what conditions to impose. As COVID-19 continues to spread, judges have increasingly opted for home detention and electronic monitoring. This allows a person to stay out of jail, while imposing other constraints on the person’s liberty and movement.

However, home detention and electronic monitoring come at a steep price: \$11–17 per day, which can add up to *over \$500 per month*, as the [Baltimore Sun reported in August, 2020](#). These costs add up to even more as the Covid-19 pandemic causes delays and closures, meaning those charged with crimes will be in home detention for longer.

It doesn’t have to be this way. Effective January, 2021, Baltimore County eliminated the home monitoring fees. [Baltimore County Executive Johnny Olszewski explained](#) clearly why this decision was made: *“This is an issue of simple fairness. Individuals on home detention, most of whom are individuals not convicted and awaiting adjudication of non-violent crime charges, should not have to face additional financial burdens...Expensive home monitoring fees create unnecessary impediments, and the elimination of home monitoring fees will better allow these residents to support themselves and their families.”* Additionally, the cost for eliminating the fees in the county (\$538,000 per year) was much lower than if those people were held in the detention center (more than \$3 million per year). Therefore, eliminating the fees or providing funding for those who need it may allow the state to put more money into other necessities.

Last year, Senate Bill 23 was passed which provided funding for home detention and electronic monitoring, but only for fiscal year 2022; while COVID-19 may have been the catalyst for this policy, the moral, social, and financial imperatives demand it’s continuation. Without funding, people who are safe to be released after arrest, but who cannot afford their own electronic monitoring, are forced to remain in a jail cell. No righteous or benevolent state could allow such a callous two-tiered justice system to exist.

It is for these reasons that I am encouraging you to vote **in support of Senate Bill 704**.

Thank you for your time, service, and consideration.

Sincerely,
Jonathan Smeton
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Showing Up for Racial Justice Baltimore