

MARYLAND ALLIANCE FOR JUSTICE REFORM

Working to end unnecessary incarceration and build strong, safe communities



January 28, 2022

Chairman Luke Clippinger
House Judiciary Committee
House Office Building, Room 101
Annapolis, MD 21401

RE: House Bill HB 0278 – Favorable
Written Testimony – Olinda Moyd, Esq.

Dear Chairman Clippinger, Delegate Davis and other members of the Judiciary Committee,

The Maryland Alliance for Justice Reform supports a favorable report of HB 0278.

This bill requires corrections officials to include certain statistical information related to the cost of living for persons held in its institutions. We receive complaints from incarcerated persons and family members about exorbitant costs associated with their incarceration. It also requires the Maryland Correctional Enterprises to annually report statistics regarding race, age and gender of the population.

We support the proposed language in paragraph seven (7) which would require the reporting of annual costs of living for the population to include the average cost of telephone calls, video calls and items available for purchase at a commissary (including feminine products, toiletries and medications). This reporting is critical in order to accurately capture the true financial burdens placed upon persons detained and their families.

The true costs are often hidden in plain sight. Some of these hidden costs often cannot be measured or calculated in dollars and cents. Some costs, however, we choose to ignore or whitewash. For example, every month, struggling families send money to commissary accounts for their loved-ones behind bars. Even though individuals in prison are given three meals a day and some personal hygiene items, like soap and toothpaste, people rely on commissary when they get hungry between the meager prison meals. Families help individuals who are incarcerated survive the day-to-day realities of prison life. Maintaining family contact during incarceration by either prison phone calls or prison visits can become extremely expensive as well. Some facilities allow email communication and Skype visits, even more so during the COVID-19 pandemic. But even those can be costly and the restrictions for use are very intimidating because they are often accompanied by very strict use instructions, access to technology and require several levels of security clearance to get approved. These costs rise during the holiday season when relatives of people behind bars try make more visits, call more often, and send more care packages just to keep their loved ones

hopeful. The Prison Policy Initiative, an organization working to reduce mass incarceration, estimates that families spend \$2.9 billion a year on commissary accounts and phone calls.¹ In a report by The Marshall Project, one family member reported that she spent \$100 a month on her boyfriend who was incarcerated for failing a drug test, a violation of his parole for an earlier offense.² More than a third of families go into debt to pay for phone time and visits, alone, not to mention lost wage-earners and other costs associated with supporting an incarcerated loved one.³ Private vendors and substantial markups for service fees by private companies often rob families of their minimal earnings, especially when they are forced to only use certain vendors per institutional mandates. The cost in African-American communities is especially devastating, since the number of people of color behind bars is disproportionate in comparison to persons from other communities. Delineating the costs for the categories of the basic necessities outlined in this bill will provide all of us an accurate picture of these hidden costs.

The proposed regulation also requires that persons who are employed at facilities under the authority of Maryland Correctional Enterprises (MCE) be identified by race, age and sex disaggregated by job classification and wage scale. This will illuminate any practice of showing favoritism to any particular segment of the population, which limits placement in the most preferred jobs to certain residents. Transparency is essential.

For these reasons, we urge a favorable report on this bill.

Thank you,

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¹ See *Following the Money of Mass Incarceration*, Prison Policy Initiative, By Peter Wagner and Bernadette Rabuy, January 25, 2017. [Following the Money of Mass Incarceration | Prison Policy Initiative](#)

² See *The Hidden Cost of Incarceration: Prison costs taxpayers \$80 billion a year. It costs some families everything they have.* The Marshall Project News, December 17, 2019. [The Hidden Cost of Incarceration | The Marshall Project](#)

³ *Who pays? The true cost of incarceration of families*, Ella Baker Center for Human Rights (Sept. 2015), [Ella Baker Center for Human Rights Who Pays? The True Cost of Incarceration on Families](#)