



**Testimony for the House Judiciary Committee  
February 1, 2022**

**HB 0278 - Correctional Services – Inmate Cost-of-Living Report –  
Maryland Correctional Enterprises Diversity Report**

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**FAVORABLE**

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The American Civil Liberties Union of Maryland urges a favorable report on HB 0278, which expands the information that must be included in the Commissioner of Correction Annual Report to include the cost of living and labor statistics by demographic for incarcerated people. This includes but is not limited to the cost of calls and commissary products, such as medication and feminine hygiene products. For complete understanding of the cost of living, this would also include statistics on employment under Maryland Correctional Enterprises, including wages and demographics of workers.

As of 2019, Maryland corrections workers earned between 17 cents and \$1.16 per hour.<sup>1</sup> These extremely low wages raise concerns regarding remittance (i.e. inmates' ability to send funds home to support their families), but also indicate a deficit in affordability for paying for basic necessities, such as toiletries and food. The burden ends up being placed on incarcerated people and their families which ultimately punishes inmates for their poverty.

**There are upcharges on services and goods sold in commissaries**

There are discrepancies in the magnitude of upcharges of goods in prisons because of the lack of records, but there is no disputing that basic goods are more expensive in jail. Corrections companies often outsource the products, so either the companies or the commissaries themselves are increasing prices - according to some reports by up to 350%.<sup>2</sup> One common example is the price of Cup of Noodles. In a Florida prison that reported their commissary data, the equivalent of a 24-pack of ramen noodles costs nearly \$17 in prison compared to \$2 in a Walmart.<sup>5</sup> Multiple sources have reported a phone call - such as to doctors, lawyers, or family members - costs \$20.<sup>4, 5</sup> These are ridiculously high fees in comparison to daily earnings.

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<sup>1</sup> Knezevich, A. (2020, January 2). Thousands of Maryland inmates work in prison. A new law shows us how much they're paid. Retrieved January 27, 2022, from <https://www.baltimoresun.com/politics/bs-md-prison-wages-20200102-6kix5nzhtzfw3fmin662lcqcm-story.html>

<sup>2</sup> Graves, A. (2018, January 22). Claims about prison price-gouging decry \$17 soup, \$18 tampons. Retrieved January 27, 2022, from <https://www.politifact.com/article/2018/jan/22/claims-about-prison-price-gouging-decry-17-soup-18/>



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### **Transparency in commissaries can enable policy reforms**

A lack of clear records on commissaries allows for exploitation and makes it more difficult to make policy and administrative decisions of how to best operate prison commissaries. Illinois, Massachusetts, and Washington state keep record of their commissaries as well as their different management styles to increase efficiency and regulation.<sup>3</sup> Studies show that adjusting prices to be more reasonable and affordable will still provide a profit without creating such a damaging financial burden for people within the criminal legal system and their families.<sup>6</sup>

With public information about the cost of living for incarcerated individuals in comparison to wages and demographic information, administration and policy makers can regulate prison commissary systems and address predatory pricing for basic necessities. This bill also increases general transparency for the Maryland Corrections institutions.

For the foregoing reasons, the ACLU of Maryland urges a favorable report on HB 0278.

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<sup>3</sup> Raher, S. (2018, May). The Company Store: A Deeper Look at Prison Commissaries. Retrieved January 27, 2022, from <https://www.prisonpolicy.org/reports/commissary.html>