



POSITION ON PROPOSED LEGISLATION

Bill: HB 74 Courts - Jury Service - Disqualification

Position: Favorable

Date: January 17, 2022

The Maryland Office of the Public Defender respectfully requests that the Committee issue a favorable report on House Bill 74.

HB 74 would limit the number of individuals who are currently disenfranchised from serving on a jury in Maryland. Where one third of all Americans have a criminal record, this bill would allow more Marylanders to serve their community through jury service. In particular, this bill would have a significant impact on increasing opportunities for jury representation, whereby Maryland currently leads the nation in incarcerating young Black men – such that Maryland has incarcerated the highest percentage of people who are Black in this country, more than twice the national average. The Justice Policy Institute (JPI) has found more than 70% of all people in Maryland’s prisons, double the national average, and almost 80% of people serving at least 10 years, are Black.¹ These are the highest rates in the country, easily eclipsing the next closest states – Mississippi, South Carolina and Georgia.

The bill changes the current law which has a more expansive view of individuals ineligible for jury service because of criminal convictions. Individuals with criminal records are still members of their community and should not be silenced or prevented from one our country’s most basis civic duty, but also one that individuals with criminal records are directly impacted by and should a right to participate in after their sentences have been served.

For these reasons, the Maryland Office of the Public Defender strongly urges a favorable report on House Bill 74.

¹ <http://www.justicepolicy.org/research/12702>.

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