

Support for SB499-Workgroup to Study Reentry.pdf

Uploaded by: Carrie Williams

Position: FAV



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To: Members of The Senate Judicial Proceedings Committee
From: Carrie J. Williams, Chair, Legislative Committee, Criminal Law and Practice
Section
Date: 2/17/23
Subject: SB499—Workgroup to Study Reentry
Position: **Support**

The Legislative Committee of the Criminal Law and Practice Section of the Maryland State Bar Association (MSBA) Supports SB499-Workgroup to Study Reentry.

Successfully reintegrating formerly incarcerated people into society is critical to lowering recidivism, which in turn is critical to crime prevention and public safety. Studying the role of State agencies in assisting people who recently completed their terms of confinement is important and necessary. As is making recommendations to improve reentry in Maryland.

For the reasons stated, we Support SB499-Workgroup to Study Reentry. If you have questions about the position of the Criminal Law and Practice Section's Legislative Committee, please feel free to address them to me at carriej.williams@gmail.com.

Additional information can also be provided by Shaoli Katana at MSBA - shaoli@msba.org.

Senator West FAV Testimony SB499.pdf

Uploaded by: Christopher West

Position: FAV

CHRIS WEST
Legislative District 42
Baltimore and Carroll Counties

Judicial Proceedings Committee



THE SENATE OF MARYLAND
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February 22, 2023

Senate Judicial Proceedings Committee
The Honorable William C. Smith, Jr.
2 East Miller Senate Building
Annapolis, Maryland 21401

Re: Senate Bill – 499 – Workgroup to Study Reentry

Dear Chairman Smith and Members of the Committee,

Senate Bill 499 simply establishes a Workgroup to examine the current role of State and local agencies in the reentry of formerly incarcerated individuals after completing their terms of confinement in State and local prisons. Following the study, the Workgroup will report its findings and provide policy recommendations to improve state reentry efforts. The goal of this Workgroup is to ensure that those who were formerly incarcerated are prepared to be productive members of society and reduce the rate of recidivism. Marylander's should not be punished after serving their time.

I appreciate the Committee's consideration of Senate Bill 499 and will be happy to answer any questions the Committee may have.

SB499 FAV Testimony - JOTF - Workgroup to Study Re

Uploaded by: Ioana Stoica

Position: FAV

JOTF JOB OPPORTUNITIES TASK FORCE

Advocating better skills, jobs, and incomes

TESTIMONY IN SUPPORT OF SENATE BILL 499:

Workgroup to Study Reentry

TO: Chair Will Smith, and members of the Senate Judicial Proceedings Committee

DATE: February 21, 2023

The Job Opportunities Task Force (JOTF) is an independent, nonprofit organization that develops and advocates policies and programs to increase the skills, job opportunities, and incomes of low-skill, low-wage workers and job seekers in Maryland. **We support SB 499 as a means of reducing the impact of incarceration and enhancing employment opportunities for lower-income workers and job seekers throughout the state.**

A criminal record can be both the cause and consequence of poverty and has detrimental effects on the employment prospects for the [estimated 25% of working-age Marylanders with a record](#) (pg.26). Every year, approximately 15,000 Marylanders are released from state prisons and struggle to secure a job, find a place to live and reenter society. Demographically, [71% of Maryland's prison population is black](#) (pg.20), the highest in the nation, and one out of three Marylanders returning from incarceration return to Baltimore City. The Department of Justice has [found](#) high rates of recidivism among returning citizens, with half of all returning citizens recidivating within 3 years and 60 percent recidivating within 5 years. One of the primary drivers of high recidivism rates is the inability of returning citizens to find a job: [over 60 percent of formerly incarcerated persons remain unemployed](#) one year after their release. This is mainly because more than [85% of employers perform background checks on all of their job applicants](#) and deny employment to many returning citizens based on a record. A past criminal conviction of any sort reduces job offers by half. This leaves many of the 1.5 million Marylanders with a criminal record out in the cold when trying to obtain gainful employment. A 2015 Manhattan Institute study [revealed](#) that employment, especially within the first six months of release, drastically lowers the likelihood of recidivism for nonviolent offenders.

According to a [recently released report](#) (pg.4-5) from Collateral Consequences Resource Center (CCRC), 42 other states have shorter waiting periods for misdemeanor expungement, including Texas, Alabama, Mississippi, and Utah. Regarding non-violent felonies, Maryland ranks 35th in the nation on

JOTF JOB OPPORTUNITIES TASK FORCE

Advocating better skills, jobs, and incomes

expungement waiting periods, far behind Colorado, Arkansas, North Dakota, and Oklahoma. This means that the consequences that come with a record aren't temporary but derail returning citizens for decades to come since the waiting periods are often far longer than the actual sentence.

The American Bar Association also acknowledges that there are over 1100 Collateral Consequences for having a record, and they often combine to make proper reentry untenable. For example, a citizen recently returning from incarceration may find that his/her driver's license has been suspended for failure to provide child support, sharply restricting their mobility and job prospects. Most criminal convictions will also prohibit returning citizens from receiving public housing assistance or welfare and student aid benefits. Depending on the nature of their conviction, they may also be evicted from any public sector housing. Four out of five landlords perform background checks on every applicant that applies for housing and have the power to deny access based on a record. It is similar to occupational licensing. 55 of the most common licensing boards in the state of Maryland will examine an individual's record and are known for preventing the distribution of the license based on the conviction, regardless of if the returning citizen trained for that position.

These are a sample of the issues that individuals with a criminal record face when re-entering society. More information laying out the impact of incarceration on Marylanders can be found in Part III of [JOTF's Criminalization of Poverty Report](#) from 2018. These concerns must be addressed and SB 499 seeks to do just that by examining what role DPSCS can better play in the re-entry process. For these reasons, we urge a **favorable report on SB 499** and are open to discussing the bill's provisions with the committee members.

For more information, contact:

Ioana Stoica / Policy Advocate / ioana@jotf.org / 240-643-0059

MD Catholic Conference_FAV_SB0499.pdf

Uploaded by: MJ Kraska

Position: FAV



MARYLAND
CATHOLIC
CONFERENCE

February 22, 2023

SB 499

Workgroup to Study Reentry

Senate Judicial Proceedings Committee

Position: Favorable

The Maryland Catholic Conference is the public policy representative of the three (arch)dioceses serving Maryland, which together encompass over one million Marylanders. Statewide, their parishes, schools, hospitals, and numerous charities combine to form our state's second largest social service provider network, behind only our state government.

Senate Bill 499 establishes the Workgroup to Study Reentry staffed by the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS). The workgroup must (1) study the current role of State and local agencies in the reentry of formerly incarcerated individuals after completing their terms of confinement in State and local correctional facilities and (2) make recommendations regarding policy changes for improvement of reentry in the State. A workgroup member may not receive compensation but is entitled to reimbursement for expenses.

The United States Conference of Catholic Bishops recently issued a letter to the Congressional House Judiciary Committee stating *"Unfortunately, too few of those who return to our communities from prison or jail are prepared for their release or receive any supportive services beyond a bus ticket and a few days' spending money. One-third of all corrections departments provide no funds whatsoever to prisoners upon release. In addition, many of those leaving jail and prison suffer from chronic health problems, have no housing, little education or job training, and generally lack the supportive services needed for a successful re-entry. As a result, sixty-seven percent of persons released from state prisons were arrested for new crimes within the first three years after release, according to a 2002 study by the Justice Department."*

Additionally, the Conference firmly supports restorative justice practices. The United States Conference of Catholic Bishops has stated that *"People must be held accountable for their actions, but justice and restoration must be the object of punishment which must have a constructive and reformative purpose"* (*Restorative Justice: Healing and Transformation of Persons, Families and Communities*, USCCB, 2015).

The Conference appreciates your consideration and respectfully urges a **favorable** report for Senate Bill 499.

Workforce Study Reentry - SB499.pdf

Uploaded by: Psalms Rojas

Position: FAV



TESTIMONY IN SUPPORT OF SB499
Workgroup to Study Reentry

February 21, 2023

Senator William C. Smith
2 East
Miller Senate Office Building
Annapolis, MD 21401

Testimony of Marian House in Support of SB499

Dear Chairman Smith, Vice-Chair Waldstreicher,
and members of the Judicial Proceedings Committee,

Marian House is a holistic, healing community for women and their children who are in need of housing and support services. Marian House provides comprehensive support services to assist women with experiences of trauma, including poverty, substance abuse, and incarceration. **I write to urge you to support Senate Bill 499 – Workgroup to Study Reentry.**

Over forty years ago, Marian House was opened to provide reentry supports for women leaving incarceration as Sisters and laywomen recognized that lack of support contributed to recidivism rates. Today, we have also expanded to serve women with histories of trauma including homelessness, incarceration, neglect, substance abuse and mental health needs. Since our opening, we have assisted women who have been victims of crime in reinventing and rebuilding themselves through services such as: counseling, substance abuse treatment, job training and providing both long and short-term housing. All the women we have served have overcome obstacles on their journeys to become contributing members of society in the Baltimore area.

In FY2022 alone, DPSCS released 4,301 Marylanders from prison. Although these individuals have already completed their terms of confinement, they continue to pay a price and face barriers as they try to rebuild their life after release. This Workgroup can help inform how we as a state help and/or inhibit someone's successful reentry. We must move away from a policy framework that focuses on punishment as a tool for controlling risk in favor of a holistic framework that focuses on human rights, harm reduction, and the social, political, and economic reintegration of individuals who were incarcerated. On behalf of the women we serve at Marian House, I respectfully urge you to take the call to action in **SUPPORT of SB499**

Thank you for your support,

Katie Allston, LCSW-C
President and C.E.O.

SB0499 Support with Amendment.docx.pdf

Uploaded by: Anne Kirsch

Position: FWA



PREPARE
PREpare for PARole and REentry

Anne Bocchini Kirsch
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SBO499 - Workgroup to Study Reentry - Support With Amendment

In my work as Director of Advocacy for PREPARE, a non-profit organization with the mission to support incarcerated people in making their best case for parole and having a successful transition back to the community, I understand the critical need for reentry resources that are strong, organized and efficient. This is a new and growing community that serves an incredibly important function in our society. Over 95% of people who are currently incarcerated will return to the community, and when they return with the support and education they need to become productive citizens, everyone wins.

In my work, I've found that the best results come from the best communication and collaboration. When DPSCS, other State departments such as DLR and MDH, community organizations, families, and the impacted individuals work together toward the common goal of rehabilitation and successful reentry we can build the positive outcomes that improve public safety and allow returning citizens to really engage and even give back to the community with their lived experience. But with so many people and organizations building at once to meet a growing need, the question then becomes how do we foster that needed communication. SBO499 creates the table where we can come to sit, strategize and organize the reentry community. It is a space where we can learn from each other's mistakes and come up with creative solutions together.

The amendment, which has been submitted by Senator West's office, brings the right people to the table. In order to do the work that this workgroup must, we need people with actual experience in the field - people who have created reentry solutions for different populations and know firsthand what the challenges are, where the gaps need to be filled, and how to get things done in the real world. We need people who know how to work with men, women, and people suffering from mental health concerns and substance use disorder. We need to put housing first and make sure everyone that leaves a correctional institution has a bed to sleep in that night. We need people from DPSCS who work front line in reentry and community supervision that can tell us what

PREPARE
PO Box 16274, Baltimore, MD 21210



challenges they face and how we can help, and people from the non-profit community who can design and seek funding for solutions.

As one link in this newly forming chain of supportive services for incarcerated and returning individuals, I am excited to be a part of this growth. I look forward to the opportunity to learn from other organizations that have seen the problem from a different viewpoint and working together to achieve success I'm sure I can't imagine on my own. When this group is formed, the whole will be much greater than the sum of its parts, and all of Maryland will benefit. I urge you to support HBO499 with the amendments.

PREPARE
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SB 499 MOPD FWA Workgroup to Study Reentry.pdf

Uploaded by: Brian Saccenti

Position: FWA



NATASHA DARTIGUE
PUBLIC DEFENDER

KEITH LOTRIDGE
DEPUTY PUBLIC DEFENDER

MELISSA ROTHSTEIN
CHIEF OF EXTERNAL AFFAIRS

ELIZABETH HILLIARD
ACTING DIRECTOR OF GOVERNMENT RELATIONS

POSITION ON PROPOSED LEGISLATION

BILL: SB 499 – Workgroup to Study Reentry

FROM: Maryland Office of the Public Defender

POSITION: Favorable with amendments

DATE: 2/21/2023

The Maryland Office of the Public Defender respectfully requests that this Committee issue a favorable report with amendments on Senate Bill 499.

Reentry services – preparing incarcerated individuals for their release from prison, developing a robust reentry plan that meets their needs when released, and providing support as they make that transition – significantly reduce recidivism and greatly increase the likelihood that a returning citizen will be a successful and contributing member of society. Senate Bill 499 creates a workgroup to “study the current role of State and local agencies in the reentry of formerly incarcerated individuals after completing their terms of confinement in State and local correctional facilities” and “make recommendations regarding policy changes for improvement of reentry in the State.” The Office of the Public Defender (OPD) supports this bill in the hope that it will improve reentry planning, services and support for returning citizens, but recommends changes in the membership of the Workgroup to help it accomplish this important goal.

The OPD recommends the following changes to subsection (b) of the bill, which sets forth the membership of the Workgroup:

(b) The Workgroup consists of the following members:

(1) two members of the Senate of Maryland, appointed by the President of the Senate;

(2) two members of the House of Delegates, appointed by the Speaker of the House;

(3) ~~the Secretary of State Police, or the Secretary's designee;~~ THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

(4) THE FOLLOWING MEMBERS APPOINTED BY THE GOVERNOR:

(I) ONE STATE'S ATTORNEY WHOSE OFFICE HAS A SENTENCE REVIEW UNIT, OR THE STATE'S ATTORNEY'S DESIGNEE;

(II) TWO REPRESENTATIVES OF TWO LOCAL GOVERNMENTAL ORGANIZATIONS THAT ASSIST INDIVIDUALS WHO HAVE BEEN INCARCERATED WITH RE-ENTRY; AND

(III) A RESEARCHER FROM AN AREA ACADEMIC INSTITUTION WITH EXPERIENCE ANALYZING DATA ON REENTRY ISSUES

~~(4)~~ (5) the Public Defender, or the Public Defender's designee;

(6) THE FOLLOWING MEMBERS APPOINTED BY THE PUBLIC DEFENDER:

(I) TWO REPRESENTATIVES OF TWO NON-GOVERNMENTAL ORGANIZATIONS WITH EXPERIENCE ASSISTING INDIVIDUALS WHO HAVE BEEN INCARCERATED WITH RE-ENTRY; AND

(II) THREE INDIVIDUALS WHO HAVE BEEN INCARCERATED AND ARE NOW WORKING OR VOLUNTEERING IN THE FIELD OF PRISONER RE-ENTRY;

~~(5)~~ ~~the President of the Maryland State's Attorneys' Association, or the President's designee;~~

~~(6)~~ (7) the Executive Director of the American Civil Liberties Union of Maryland, or the Executive Director's designee; and

~~(7) the President of the Maryland State Lodge of the Fraternal Order of Police, or the President's designee.~~

(8) THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL SERVICES, OR THE SECRETARY'S DESIGNEE; AND

(9) THE FOLLOWING MEMBERS APPOINTED BY THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL SERVICES:

(III) ONE REPRESENTATIVE OF THE DIVISION OF CORRECTION;

(II) ONE REPRESENTATIVE OF THE PAROLE COMMISSION;
AND

(III) ONE REPRESENTATIVE OF THE DIVISION OF PAROLE AND PROBATION.

Here's why we're recommending these changes:

Adding the Executive Director of the Governor's Office of Crime Prevention, Youth, and Victim Services, or the Executive Director's designee. Adding the Executive Director or their designee ensures that the Governor's perspective is heard in the Workgroup meetings and informs the Workgroup's deliberations and proposals. In addition, the Executive Director is well situated to facilitate input from and collaboration among other Executive Branch stakeholders.

Adding the Secretary of Public Safety and Correctional Services (or her designee) and representatives from the Division of Correction, the Division of Parole and Probation, and the Parole Commission. The most effective reentry planning begins when an individual begins their term of incarceration, not when they're on their way out. Adding a representative from the Division of Corrections ensures that enhancing efforts to rehabilitate incarcerated individuals and prepare them to one day reenter free society is a part of the conversation. Whether a person is released on parole or through a sentence modification and the conditions of parole or probation often depend on the extent to which they have participated in programs while incarcerated and

the support they have in place to assist them if they are released. Adding representatives from the Parole Commission and the Division of Parole and Probation makes sense because these entities have a role in creating and supporting reentry plans. Lastly, adding the Secretary or her designee will help to ensure effective coordination of reentry planning and implementation within DPSCS and with outside stakeholders.

Substituting “two representatives of two local governmental organizations that assist individuals who have been incarcerated with reentry” for representatives of the State Police and the Fraternal Order of Police (FOP). Although they both have important roles in the criminal legal system, the State Police and the FOP do not have any special experience in reentry. It isn't in their bailiwick. The Department of Public Safety and Correctional Services, especially the Division of Correction, the Parole Commission, and the Division of Parole and Probation play a much more significant role in reentry, and that is why OPD recommends their inclusion in the Workgroup. When law enforcement organizations become involved in reentry, it is normally done as part of a collaboration with other local government units. Two examples:

- The Anne Arundel County Department of Detention Facilities Office of Re-Entry & Community Collaboration is an inter-agency collaboration between the Health Department, the Department of Detention Facilities, the Department of Social Services, the Department of Family Services and other community based partners.
- In Prince George's County, the Bridge Center at Adam's House, an inter-agency collaboration between the Health Department, the Department of Corrections, the Department of Social Services, the Department of Family Services and other community based partners, provides holistic reentry assistance to county residents.

Adding representatives of such collaborations will ensure that the reentry experience of local governments – including but not limited to law enforcement – inform the Workgroup's discussions.

Substituting a “State’s Attorney whose office has a sentence review unit, or the State’s Attorney’s designee” for “the President of the Maryland State’s Attorneys’ Association, or the President’s designee.” In general, State’s Attorneys have little involvement or experience in the field of reentry. The exceptions are the two State’s Attorneys whose offices have sentence review units: the Baltimore City State’s Attorney’s Sentence Review Unit and the Prince George’s County State’s Attorney’s Sentence Integrity Unit. As part of their mandate to assess whether the interests of justice merit a sentence reduction in certain cases, these units have experience evaluating proposed release plans and are familiar with entities that assist returning citizens with reentry. A representative of an office with one of these units would bring more reentry experience to the Workgroup than one from an office that does not do this work.

Adding “two representatives of two non-governmental organizations with experience assisting individuals who have been incarcerated with reentry.” Community organizations play an invaluable part in assisting returning citizens navigate the challenges of reentry. They assist them with obtaining identification, getting a Social Security card, getting clothes, applying for medical insurance and other benefits, finding employment, locating peer mentorship and support, and adapting to rapid technological changes. Such organizations need to be represented on the Workgroup if it is to have a full and comprehensive understanding of the needs of returning citizens and the role of non-governmental organizations in meeting them.

Adding “three individuals who have been incarcerated and are now working or volunteering in the field of prisoner reentry.” No one understand the challenges of reentry, the importance of rehabilitative programs in prisons and pre-release planning, and the role of governmental and non-governmental entities in supporting returning citizens as they are leaving prison better than someone who has been incarcerated, experienced the reentry process, and gone

on to assist other returning citizens in navigating these challenges. By virtue of their experience, they know of barriers to successful reentry that other might overlook. Lived experience is important, and this Workgroup will be better and more effective if its members include formerly incarcerated individuals working or volunteering in the field of prisoner reentry.

For these reasons, we urge this Committee to issue a favorable report with the foregoing amendments for Senate Bill 499.

Submitted by: Maryland Office of the Public Defender, Government Relations Division.

Carrington 2023 Testimony SB499 Workgroup to Study

Uploaded by: Darrell Carrington

Position: FWA



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SB499 – Workgroup to Study Reentry

FAVORABLE WITH AMENDMENT

Carrington & Associates, LLC, requests a FAVORABLE report for SB499 with an amendment. This bill establishes the Workgroup to Study Reentry staffed by the Governor’s Office of Crime Prevention, Youth, and Victim Services (GOCPYVS). The workgroup must (1) study the current role of State and local agencies in the reentry of formerly incarcerated individuals after completing their terms of confinement in State and local correctional facilities and (2) make recommendations regarding policy changes for improvement of reentry in the State. A workgroup member may not receive compensation but is entitled to reimbursement for expenses. The workgroup must report its findings and recommendations to the Governor and the General Assembly by December 31, 2024.

We would like to thank Senator West for bringing this important legislation forward. We respectfully suggest, which we hope the Senator, and the Committee will find “friendly,” that would add *“a person that currently, or formerly, worked with returning citizens”* to the bill. We believe this would add an important voice to the impressive list of Workgroup members envisioned by the bill.

For the stated reasons, we ask for a FAVORABLE report on SB499 with the amendment.

Please feel free to contact Darrell Carrington, at darrell.carrington@verizon.net, if you have any questions and/or would like additional information.

2023 - SB 499 - FWA.pdf

Uploaded by: Grason Wiggins

Position: FWA



EMPLOY PRINCE GEORGE'S
1801 McCormick Drive, Suite 400,
Largo, Maryland 20774
www.employpg.org
Walter L. Simmons, President

Senate Bill 499

Committee: Judicial Proceedings

Date: February 21, 2023

Position: Favorable with Amendments

This testimony is offered on behalf of Employ Prince George's, the principal workforce development entity for Prince George's County that provides nationally recognized community and workforce development programming. At Employ Prince George's, we deliver a demand-driven workforce system that generates economic mobility for workers, delivers qualified workers to businesses, and drives economic success for every Maryland resident and business.

To facilitate the success of formerly incarcerated individuals, Senate Bill 499 (SB 499) establishes the Workgroup to Study Reentry, and directs the workgroup to "study the current role of State and local agencies in the reentry of formerly incarcerated individuals after completing their terms of confinement in state and local correctional facilities." Employ Prince George's supports SB 499, but respectfully requests an amendment to include a representative of a local workforce development board (LWDB) on the workgroup.

Including the Prince George's County Workforce Development Board, Maryland has thirteen (13) LWDBs that provide critical career and employment services to formerly incarcerated individuals. Through that work, LWDBs have gained valuable insight and first-hand experience that would greatly benefit the workgroup. **For this reason, Employ Prince George's respectfully requests the adoption of the amendment included below and a favorable report on SB 499.**

Amendment:

On page 1, line 20, after "designee." insert "**(8) A REPRESENTATIVE OF A LOCAL WORKFORCE DEVELOPMENT BOARD, APPOINTED BY THE GOVERNOR.**"

2023-02-22 SB 499 (Support with Amendment).pdf

Uploaded by: Hannibal Kemerer

Position: FWA

ANTHONY G. BROWN
Attorney General



CANDACE McLAREN LANHAM
Chief of Staff

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February 22, 2023

TO: The Honorable Will Smith Jr.
Chair, Judicial Proceedings Committee

FROM: Hannibal G. Williams II Kemerer
Chief Counsel, Legislative Affairs, Office of the Attorney General

RE: SB499 - Workgroup to Study Reentry – **(Support with Amendment)**

The Office of the Attorney General “OAG” requests a friendly amendment and a favorable report on Senator Chris West’s Senate Bill 499. Senate Bill 499 establishes the Workgroup to Study Reentry staffed by the Governor’s Office of Crime Prevention, Youth, and Victim Services (GOCPYVS). The workgroup must: (1) study the current role of State and local agencies in the reentry of formerly incarcerated individuals after completing their terms of confinement in State and local correctional facilities; and (2) make recommendations regarding policy changes for improvement of reentry in the State. With the charges of the workgroup in mind, the OAG respectfully requests a friendly amendment to add the Attorney General or his designee to the Workgroup to Study Reentry.

We respectfully request a favorable report on SB 499, as amended, to include the Attorney General or his designee on the Workgroup to Study Reentry.

cc: Committee Members

This bill letter is a statement of the Office of Attorney General’s policy position on the referenced pending legislation. For a legal or constitutional analysis of the bill, Members of the House and Senate should consult with the Counsel to the General Assembly, Sandy Brantley. She can be reached at 410-946-5600 or sbrantley@oag.state.md.us

HPP SB 449 Testimony- FWA.pdf

Uploaded by: Jessica Emerson

Position: FWA

Testimony of the Human Trafficking Prevention Project

BILL NO: Senate Bill 449
TITLE: Workgroup to Study Reentry
COMMITTEE: Judicial Proceedings
HEARING DATE: February 22, 2023
POSITION: **SUPPORT WITH AMENDMENTS**

Senate Bill 449 would establish a Workgroup to Study Reentry tasked with examining the current role of State and local agencies in the reentry of formerly incarcerated individuals after completing their terms of confinement in State and local correctional facilities, and requiring the Workgroup to report its findings and recommendations regarding policy changes for improvement of reentry to the Governor and the General Assembly by December 31, 2024. As an organization whose mission it is to support criminalized survivors of human trafficking, the Human Trafficking Prevention Project supports this bill with amendments because it will provide essential information to inform the decisions of policymakers and service providers alike who seek to reduce the impact of incarceration and enhance employment and housing opportunities for all Marylanders with a criminal record, including survivors of human trafficking.

A criminal record can be both the cause and consequence of poverty and has detrimental effects on the employment prospects for the estimated 25% of working-age Marylanders with a record.¹ Every year, approximately 15,000 Marylanders are released from state prisons and struggle to secure a job, find a place to live and reenter society. Demographically, 71% of Maryland's prison population is black,² the highest in the nation, the majority of which return to Baltimore City.³ The Department of Justice has found high rates of recidivism among returning citizens, with half of all returning citizens recidivating within 3 years and 60 percent recidivating within 5 years.⁴ One of the primary drivers of high recidivism rates is the inability of returning citizens to find a job: over 60 percent of formerly incarcerated persons remain unemployed one year after their release.⁵ This is mainly because anywhere from 80-90% of employers perform background checks and deny employment to many returning citizens based on a record.⁶ A past criminal conviction of any sort reduces job offers by half. This leaves many of the 1.5 million Marylanders with a criminal record out in the cold when trying to obtain gainful employment. A 2015 Manhattan Institute study revealed that employment, especially within the first six months of release, drastically lowers the likelihood of recidivism for nonviolent offenders.⁷

The American Bar Association also acknowledges that there are over 1100 Collateral Consequences for having a record, and they often combine to make proper reentry untenable. For example, a citizen recently returning from incarceration may find that his/her driver's license has been suspended for failure to provide child support, sharply restricting their mobility and job prospects. Most criminal convictions will also prohibit returning citizens from receiving public housing assistance or welfare and student aid benefits. Depending on the nature of their

¹ U.S. Dep't of Justice, *Survey of State Criminal History Information Systems* 26 (2012), <https://bjs.ojp.gov/library/publications/survey-state-criminal-history-information-systems-2012>.

² The Sentencing Project, *The Color of Justice: Racial and Ethnic Disparity in State Prisons* 20 (2021), <https://www.sentencingproject.org/app/uploads/2022/08/The-Color-of-Justice-Racial-and-Ethnic-Disparity-in-State-Prisons.pdf>.

³ See generally Prison Policy Initiative, *Where People Come From: The Geography of Mass Incarceration in Maryland* (June 2022) <https://justicepolicy.org/wp-content/uploads/2022/06/Where-People-in-Prison-Come-From.pdf>.

⁴ Matthew R. Durose, Alexia D. Cooper, & Howard N. Snyder, *Recidivism of Prisoners Released in 30 States in 2005: Patterns from 2005-2010 – Update* (Apr. 2014), <https://bjs.ojp.gov/library/publications/recidivism-prisoners-released-30-states-2005-patterns-2005-2010-update>.

⁵ Leah Wang & Wanda Bertram, *New Data on Formerly Incarcerated People's Employment Reveal Labor Market Injustices* (Feb. 2022), <https://www.prisonpolicy.org/blog/2022/02/08/employment/>.

⁶ See generally The John Jay College Institute for Justice and Opportunity, *Beyond the Record: A Justice-Oriented Approach to Background Checks* (Aug. 2021), <https://justiceandopportunity.org/wp-content/uploads/2021/09/Institute-Background-Check-Reviewer-Guide.pdf>.

⁷ Aaron Yelowitz & Christopher Bollinger, *Prison-to-Work: The Benefits of Intensive Job Search Assistance for Former Inmates* 8 (2015), https://media4.manhattan-institute.org/sites/default/files/cr_96.pdf

conviction, they may also be evicted from any public sector housing. Four out of five landlords perform background checks on every applicant that applies for housing and have the power to deny access based on a record. It is similar to occupational licensing. 55 of the most common licensing boards in the state of Maryland will examine an individual's record and are known for preventing the distribution of the license based on the conviction, regardless of if the returning citizen trained for that position.

It is also important to note that criminal records are both a predictor *and* the result of exposure to human trafficking. Criminal convictions create significant barriers to individuals who seek to find lawful employment, safe housing and education and continue to haunt trafficking survivors long after they escape their trafficking situation. Data obtained from a national survey of both sex and labor trafficking survivors shows 91% of survivors reporting having been arrested at some point in their lives with over 50% of those survivors stating that every single arrest on their record was a direct result of their trafficking experience.⁸ Of the 24.6% of respondents who reported they had cleared, or had begun to clear their records, all reported it was a long and painful process.⁹ Given the fundamental injustice that so many survivors are already forced to endure due to the consequences of a criminal record that so often stems from crimes they were compelled to commit, it is essential that any state-based remedy allow for the broadest possible relief, rather than impose additional hurdles that prevent survivors from moving forward with their lives.

In recent years, Maryland has shown its strong support for remedying the impact a deeply flawed criminal legal system has on the ability of its citizens to escape poverty and lead productive lives. Enacting a workgroup to study this issue further is a strong step towards allowing all Marylanders, including criminalized survivors, to escape the shadow of their criminal records. For these reasons, the Human Trafficking Prevention Project supports Senate Bill 449 with amendments designed to more accurately represent the depth and breadth of challenges awaiting returning citizens and those struggling with the collateral consequences of criminal records, and respectfully urges a favorable report.

**For more information, please contact:
Jessica Emerson, LMSW, Esq.
Director, Human Trafficking Prevention Project
(E): jemerson@ubalt.edu**

⁸ National Survivor Network, *National Survivor Network Members Survey: Impact of Criminal Arrest and Detention on Survivors of Human Trafficking* (2016), <https://nationalsurvivornetwork.org/wp-content/uploads/2017/12/VacateSurveyFinal.pdf>.

⁹ *Id.*

SB499 Workgroup Reentry Support .pdf

Uploaded by: John Giannetti

Position: FWA

Maryland Criminal Defense Attorneys' Association



MD Senate – Judicial Proceedings Committee

February 22, 2023

Hearing on SB 499

Workgroup to Study Re-entry

MCDAA POSITION: SUPPORT WITH AMENDMENT

Brief bill explanation: This bill establishes the Workgroup to Study Reentry; it requires the Workgroup to examine the current role of State and local agencies in the reentry of formerly incarcerated individuals after completing their terms of confinement in State and local correctional facilities. The bill requires the Workgroup to report its findings and recommendations regarding policy changes for the improvement of reentry to the Governor and the General Assembly by December 31, 2024.

MCDAA's position: MCDAA members are all criminal defense attorneys, and work in either the public sector or the private sector. The challenges of MCDAA's former clients, criminal defendants, to reintegrate into society is of paramount interest to our organization, and our members have first-hand information on the challenges faced by criminal defendants. We have asked the sponsor to include an MCDAA member in the workgroup, but our support for the legislation is not dependent on our membership nor participation.

For additional information or questions regarding this legislation, please contact MCDAA Government Relations Contact John Giannetti 410.300.6393, JohnGiannetti.mcdaa@gmail.com

SB499_MACC_JGreene_FAV.pdf

Uploaded by: Johntel Greene

Position: FWA

JUDICIAL PROCEEDINGS COMMITTEE

Testimony by
Dr. Brad Phillips, Executive Director
February 22, 2023

SB499 – Workgroup to Study Reentry

Position: Support with amendment

The Maryland Association of Community Colleges, representing Maryland's 16 public two-year institutions of postsecondary education, support this legislation and thanks Senator West for amending SB499 to include us among the institutions involved in the Workgroup to Study Re-entry.

Serving this population is considered a part of the community college mission. Our community colleges have provided educational programs to the inmates in Maryland's prisons for several decades. Our institutions know that providing education in prisons is proven to reduce recidivism rates, increase post-incarceration employment rates, improve public safety, and allows formerly incarcerated individuals to better reintegrate into society.

Community colleges offer both credit and non-credit courses of study, including Pell-eligible post-secondary courses. Most community college courses provided to inmates are non-credit courses of study that have evolved with need and demand over time. A sample of the training offered includes:

- Adult Basic Education
- Barber Stylist
- Business Office Management
- Construction Math
- Employment Readiness Workshops
- Introduction to Computers
- Internet Job Search
- Financial Literacy
- Parenting

We are pleased to offer the extensive experience that our community colleges have in educating this segment of our population and supporting their successful re-entry into the wider community. We are asking you to support the legislation as amended. Thank you for your consideration of this bill, and all your efforts to meet the needs of all Marylanders and the students we serve.

MACC requests a favorable position with amendment on SB499.

MCPA-MSA_SB 499 Workgroup to Study Reentry -SWA.p

Uploaded by: Natasha Mehu

Position: FWA



Maryland Chiefs of Police Association Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable William C. Smith, Jr., Chair and
Members of the Judicial Proceedings Committee

FROM: Sheriff Darren Popkin, Co-Chair, MSA, Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee
Natasha Mehu, Representative, MCPA-MSA Joint Legislative Committee

DATE: February 23, 2022

RE: **SB 499 Workgroup to Study Reentry**

POSITION: **SUPPORT WITH AMENDMENTS**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **SUPPORT WITH AMENDMENTS** SB 499. This bill establishes a workgroup to study reentry.

The charge of the workgroup is to study and make recommendations on the role of state and local agencies in the reentry of previously incarcerated individuals. The workgroup includes a number of members from the state sphere but no local representatives. Several local jails are under the operation of county sheriffs who have knowledge and experience with local reentry. Additionally, local police chiefs would have a perspective to provide that would complement that of the State Police counterparts who are named on the workgroup.

MCPA and MSA, support the desire to improve reentry in the state and ask that the bill be amended to include a representative of the MCPA and the MSA to provide valuable local input.

For these reasons, MCPA and MSA **SUPPORT SB 499** and urge a **FAVORABLE WITH AMENDMENTS** Committee report.

SB0499-JPR_MACo_SWA.pdf

Uploaded by: Sarah Sample

Position: FWA



Senate Bill 499

Workgroup to Study Reentry

MACo Position: **SUPPORT**

To: Judicial Proceedings Committee

WITH AMENDMENTS

Date: February 22, 2023

From: Sarah Sample

The Maryland Association of Counties (MACo) **SUPPORTS SB 499 WITH AMENDMENTS**. This bill would study the reentry process for individuals following a completed term of incarceration in either a state or local correctional facility. Counties commend the establishment of this workgroup but believe the recommendations and outcomes would benefit from the inclusion of local correctional representatives having a voice in the process.

Justice-involved individuals encounter a great number of challenges when they embark on the process of rebuilding their lives from whatever struggles led them to incarceration. Many county correctional facilities provide reentry plans to help set up these individuals for success, such as connecting them to community-based services, local health department programs, medical coverage, transportation, education, and more. These local officials have a great deal of insight to offer on how these programs work and could be improved.

True rehabilitation hinges on the ability to incorporate oneself back into society as a productive, law-abiding citizen. These individuals need to establish housing, employment, transportation, and more for themselves and potentially dependents. These priorities must also be managed in conjunction with reentry requirements like navigating medical treatments, accessing peer services, and keeping up with check-ins and parole protocols. Reentry services have the potential to influence how well an individual is prepared to navigate this process and help eliminate obstacles that might present a setback.

These teams in each jurisdiction face similar challenges as state programs but from a slightly different vantage point. Resources are often limited, and challenges abound, but they are steadfast in their resolve. Recommendations that are applicable to every stage of reentry will ensure that programs at both the state and county level can hedge success for as many individuals as possible.

For these reasons, MACo urges a report of **FAVORABLE WITH AMENDMENTS** for SB 499, to include local correctional representatives in the workgroup.