

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

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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