



SB0594

District Court - Small Claims - Enforcement of Money Judgments

Position: Favorable

Bill Sponsor: William C. Smith, Chair

Committee: Senate Judicial Proceedings

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Aileen Alex, Executive Committee

Position: FAVORABLE

I am submitting this testimony in favor of SB0594 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists, and our Coalition supports well over 30,000 members.

Debtors prisons - a vestige of the 19th century - live on in the Free State despite the Maryland Constitution's explicit proscription: No person shall be imprisoned for debt. Sec. 38. Judges are empowered to imprison those found to owe monies if they fail to answer interrogatories or respond to subpoenas to appear at a deposition. The ostensible reason for this authority is to facilitate the collection of debt. But:

- Creditors can obtain information on assets held by debtors through modern technology and do not need to rely on so-called "body attachments."
- Permitting the imprisonment of debtors exacerbates our two-tiered justice system which incarcerates the poor and struggling as criminal behavior by wealthy defendants is pursued less vigorously.
- Locking up debtors weakens and can even destroy families and ironically reduces the likelihood that the creditor will ever be made whole.

The Maryland Legislative Coalition supports policies that end the criminalization of poverty. We ask that the Committee issue a favorable report on SB0594.