

**Testimony on Hous Bill 1057 Sponsored by Delegate Terri Hill
By H. David Jenkins, PhD and Stephen J. Steurer, PhD*
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If enacted House Bill 1057 would require Maryland Correctional Enterprise to pay a salary of \$5.00 per hour to all inmate employees. From our personal experience and research into current law and data from DPSCS, there are a number of serious issues with the bill as currently written.

MCE is not a private business and has no control over the price of its products and services. Maryland law requires that MCE "...must sell for prices not exceeding market prices as determined by the selection committee of the Department of General Services." This requirement demonstrates that MCE cannot change the price of its products to cover any increase in salaries. The market for its products and services is limited. By law MCE can only sell to other government agencies and non-profits. MCE provides a number of products including office and dormitory furniture, clothing for state workers, printing services, welding and metal fabrication, and cardboard boxes. Like most businesses, MCE has to pay the salary of its state employees (20% of them are ex-offenders), for its buildings, utilities, general maintenance, its own fleet of trucks and other business expenses.

According to MCE there were 1030 workers as of March 4, 2023. If all the workers were paid \$5.00 per hour the additional annual costs would be \$6,750,000. These numbers take into account the number of holidays and a 30 hour work week. Since MCE does not have the ability to increase product prices the funds would have to come from the Department of Public Safety and Correctional Services or from specials funds provided by the Maryland legislature.

Currently, other inmate wages range from .90 to 2.75 /per day and apply to thousands of inmates assigned to a number areas such as dietary, maintenance, grounds keeping, sanitation and clerks working in libraries, vocational training programs and school offices. Current MCE wages are about \$5.00 per day. As a result, many inmates want to work for MCE instead of lower paying jobs or even school. Inmates who attend school are paid at the lowest per diem. Most inmates would not choose to go to school. As a result, decades ago mandatory education for 120 days was created for all inmates who do not have a high school diploma. Currently, students must attend for 18 months, at which time they can opt out or continue to study.

There is also one federal PIE (Prison Industry Enhancement) program at the Maryland Correctional Institution – Hagerstown where 13 inmates are paid a prevailing wage by a company that trains them to make electrical boxes. Out of these wages all 13 must pay room and board as well as any restitution required by the court. While PIE is a very commendable program and many states have larger programs than Maryland, it has been extremely difficult for DPSCS to find private companies willing to participate.

Another issue is the language in the bill would require ALL offenders not excluded for security reasons to be assigned to occupational training while incarcerated, This indicates that that the bill writers lack a basic understanding of the demographics of the inmate population and how long many offenders are actually incarcerated. They do not understand the large number of offenders who need academic remediation in order to qualify for PIE and career training.

It is worth noting that the training offered offenders working in MCE plants has been recognized for its high quality. The American Correctional Association has awarded MCE with 100% compliance to national standards since 2010. This accreditation includes requirements to uphold standards of care in the treatment of inmate employees. About 20% of its state employees are ex-offenders who have gone through MCE programs.

It should also be noted that using DPSCS data average the daily DOC population is about 15,600.

We commend the purpose of the bill to increase inmates wages, all of which are very low. We believe that the best direction for the legislature would be to withdraw House Bill 1057 for further study. The entire bill needs additional input from agencies and staff who have actual experience with the issues and a full understanding of what is financially possible under current funding levels for DPSCS.

**H David Jenkins and Stephen Steurer worked for many decades for the Department of Corrections and the Maryland State Department of Education. They are both retired from state employment and continue to advocate for quality education and other programs for those incarcerated in Maryland prisons. Additionally, they have published extensively and participated in research for the RAND Corporation and Educational Testing Service.*