

Barnett_Testimony_SB948.pdf

Uploaded by: Alan Barnett

Position: FAV

Last year our son was arrested and detained pretrial for behavior that was caused by severe mental illness. Our experience during his intake and incarceration convinced us that communication between incarcerated people and their friends and family is very important for the mental health of the incarcerated individual. Furthermore, the harm caused by lack of communication decreases the chance that the incarcerated person, when released, will resume life as a productive citizen. Although the details of our son's case are unusual, I believe that the difficulties communicating with family and the potential consequences of failure to do so are faced by many incarcerated people. We therefore strongly urge you to act to make phone calls from jails and prisons free and readily available.

Last February, our son was arrested by Montgomery County police on a warrant issued by the State of Florida. He was held in Maryland for several weeks pending extradition. His actions that led to the warrant were not crimes in Maryland, caused no harm, and were the result of mental illness. After his arrest he was taken to the Seven Locks facility. He was permitted to call us to inform us of his arrest. He was then transferred to Clarksburg. We were informed of his transfer, but he was not permitted to call us from Clarksburg; incarcerated people cannot initiate phone calls until an account is set up with ICS, the phone service provider.

To talk to our son, we first had to locate him. We first had to find the jail phone number on the internet. When we called it, no one answered, even during business hours, and the messages we left were not returned. It took us two days before we finally reached someone who was able to locate him and tell us how to set up an account that would permit him to call us. He also had to be informed that the account was set up and told how to use it. He had to initiate all contact; incarcerated people cannot accept incoming calls.

The jail's website states that incarcerated people can make collect calls. This is not true, and the process of funding the prepaid phone account through ICS is extremely difficult and opaque. The caller must go through layers of automated messages that are hard to follow. Human operators are supposedly available, but we were never able to connect to one. To fund an account one has to use a credit or debit card, which many poor people do not have.

We are fairly well off and could afford the expensive prepaid phone plan for our son. Many incarcerated people are not so fortunate; when our son was finally able to call us, he told us that many of the incarcerated people he met are not able to call their families because they lack the resources to set up a phone account. We made multiple calls on behalf of our son's cell mate, who could not otherwise reach his own family. This situation is not uncommon.

Our son was incarcerated during a period of severe mental illness. While in jail he received no medical or psychiatric treatment of any kind. He was under a lot of stress, and during our calls he frequently broke down and cried. His condition would have become much worse if he had not been able to get the emotional support our daily phone conversations provided. Many incarcerated people cannot get such support because of the expense and difficulty of making phone calls.

Although our son was held in the Montgomery county jails, many of the issues we faced also apply to people held in Maryland prisons. We believe that phone calls should be free and easily available for all people incarcerated in Maryland. Since jails are run by the counties, a law mandating free phone service in jails is beset with administrative hurdles. Providing the service to people held in Maryland prisons, as SB948 would do, is much more straightforward and is a necessary first step. Please make a difference in the lives of incarcerated people and their families by passing SB948.

2024.02.09 - MD Impact Stories.pdf

Uploaded by: Alyssa Ackbar

Position: FAV

MARYLAND FAMILIES ON THE COST OF PRISON



*“I have two children who love and care for their father as I do. To keep them connected is costly. I add money on the phone weekly to keep my family in touch, but at times I have to say no, and that hurts. I say no because I am a single mother, and I am unable to take care of them while also paying for calls” - **Deja Johnson, wife of a currently incarcerated loved one***

*“My mother was an elderly woman on a fixed income and could not afford to pay for phone calls at the time. My mother was dying of cancer, and I was unable to speak to her before she passed away due to the phone system and not wanting to be a burden on my family.” - **Albert Brown, a formerly incarcerated loved one***

*“Communication is an essential lifeline to families and friends of people in prison. If I could pay less to support my son while he’s in prison, it means I might be able to do a little bit more for his children on the outside.” - **Michele Kennedy-Kouadio, mother of a currently incarcerated loved one***

*“It seems like you’re being punished with every single call that comes through like someone is making it hard.” - **Penni and Alan Barnett, parents of a formerly incarcerated loved one***

*“My little brother is also incarcerated. Financially, my mother must make a choice at times of who she is going to talk to, and whether she can talk with any of us at all.” - **Jerome Collier, a currently incarcerated loved one***

*“Many times, I have been unable to call home and check on my family members. My mother has been diagnosed with early signs of dementia, and my father is the primary caretaker. He has a limited income and is unable to keep money on the phone.” - **Corey Downs, a currently incarcerated loved one***

HELP CONNECT FAMILIES

2024.03.04 - Fact Sheet.pdf

Uploaded by: Alyssa Ackbar

Position: FAV

VOTE TO CONNECT MARYLAND FAMILIES



WHAT WILL SB 948 AND HB 1366 DO?

- Allow Maryland residents to communicate with their incarcerated loved ones in state correctional facilities at no cost
- Protect in-person visits for Maryland residents with incarcerated loved ones

Sen. Waldstreicher
Del. Roberson

“Many times, I have been unable to call home and check on my family members. My mother has been diagnosed with early signs of dementia, and my father is the primary caretaker. He has a limited income and is unable to keep money on the phone.”

- Corey Downs, a currently incarcerated loved one

\$12.3 M → **\$3.0 M**

Annual spending by families on communication
MD DPSCS charges \$0.03 per minute to speak with an incarcerated loved one, or \$0.45 for a 15-minute phone call.

Annual cost to state of making communication free
Providing free communication in prisons is **cost-effective program that promotes rehabilitation** and becoming increasingly so with innovative models being pioneered across the nation.

SUPPORT CONNECTING FAMILIES BECAUSE...

- **1 in 3 families with an incarcerated loved one goes into debt** trying to pay predatory prison telecom vendors to maintain contact and 87% of the financial burden is borne by women.
- Every child deserves to hear “I love you” from their parent. Communication **mitigates the trauma suffered by the 1 in 28 children whose parents are incarcerated.**
- Communication with loved ones disrupts the toxicity of prisons and creates hope. When supported, incarcerated people are more committed to their own success and engaged in rehabilitative behaviors, which **decreases incidents in facilities and reduces recidivism, making officers and us all safer.**
- **No program is more accessible and effective at improving reentry success** than communication that strengthens relationships between incarcerated people and their support networks.
- The positive social and fiscal benefits associated with communication significantly outweigh its costs.



MARYLAND ALLIANCE FOR JUSTICE REFORM
Citizens working to reform criminal justice in Maryland



United Church of Christ
Media Justice Ministry



MARYLAND OFFICE OF THE
PUBLIC DEFENDER



Contact Alyssa Ackbar (aackbar@worthrises.org) with questions.

2024.03.04 - MD Coalition Letter.pdf

Uploaded by: Alyssa Ackbar

Position: FAV



January 9th, 2024

Maryland General Assembly
90 State Circle
Annapolis, MD 21401

Re: The Connecting Families Coalition urges the Maryland legislature to make prison and jail communications free in the 2024 legislative session.

Dear Maryland General Assembly members,

Recent data has shown what is glaringly obvious to incarcerated people and their families — consistent family contact positively impacts the health and wellness of incarcerated people, their families, and safety more broadly.¹ Free prison and jail communications reduces recidivism rates, improves parent-child relationships, improves mental and emotional health outcomes, and more.

Yet, in Maryland, incarcerated people are currently charged 45 cents for a 15-minute phone call at state-run facilities or up to \$3.15 at some local facilities.² If they are working, incarcerated people can make as little as 30 cents an hour. This means that often families must shoulder the burden of paying for communication, and many are forced to go into debt or cut ties altogether when they can no longer bear it.

We write to you as the **Connecting Families Coalition of Maryland**, a coalition of local, state, and national advocacy organizations, along with concerned and directly impacted community members, urge the Maryland General Assembly to make prison and jail communications free during the 2024 legislative session. We ask you as our representatives to take a stand and end the exploitation of the basic needs of families to stay connected.

For years, thousands of Maryland families have struggled to afford to stay connected with their incarcerated loved ones without being trapped in a cycle of debt and poverty. In fact, about 65 percent of families with an incarcerated loved one struggle to meet basic housing and food needs.³ One in three families goes into debt just to stay in touch with a loved one behind bars, and women — largely Black and brown women — carry 87 percent of the burden.⁴ **Families should not have to choose between paying for meals, utility bills, car notes, or rent and paying for a phone call to their loved one.**

Moreover, having support from loved ones is an essential human need and vital for social success. When

¹ Leah Wang. “Research roundup: The positive impacts of family contact for incarcerated people and their families,” Prison Policy Initiatives (2021), https://www.prisonpolicy.org/blog/2021/12/21/family_contact/

² “Prison & Jail Telecom Data,” Worth Rises (2022), <https://connectfamiliesnow.com/data>

³ *Who Pays? The True Cost of Incarceration on Families*, Ella Baker Center, Forward Together, Research Action Design (2015), <https://ellabakercenter.org/who-pays-the-true-cost-of-incarceration-on-families>

⁴ *Id.*

incarcerated people stay connected to their support networks, they are able to play an active role in their own rehabilitation. They are also better able to plan for release, increasing their likelihood of reentering successfully and enhancing public safety.⁵ The positive impacts are similar for families: Children do better at home and at school when they are able to maintain relationships with their parents in prison.⁶

Since 2021, California, Colorado, Connecticut, Massachusetts, and Minnesota have passed legislation making prison and jail communications free. Many major counties and cities have done the same in their jails, including Los Angeles, Miami, New York City, San Diego, and San Francisco. As a result, correctional environments have improved, critical familial and social connections have been reestablished and strengthened, and people are being released with strong social and emotional support systems. Today, another dozen states are considering similar policies for the 2024 legislative cycle. **Maryland’s legislators must prioritize this important family, economic, racial, gender, and criminal justice intervention, which would promote public safety, strengthen communities, and provide relief for thousands of incarcerated people and families in the state.**

We ask you to make our communities safer while also protecting some of Maryland’s most marginalized families. Those struggling to support their loved ones behind bars, who cannot share or hear comforting words without threatening their own financial stability, deserve your action and commitment to this policy. We urge you to stand with our coalition in the 2024 legislative session by supporting and advancing legislation that removes the financial burden of communications with an incarcerated loved one in Maryland.

Sincerely,

ACLU of MD
Center for Criminal Justice Reform, University of Baltimore School of Law
Civil Rights Corps
Fines and Fees Justice Center
Interfaith Action for Human Rights
Job Opportunities Task Force
Life After Release
Maryland Alliance for Justice Reform
Maryland Office of the Public Defender
Maryland Reentry Resource Center
Public Justice Center
United Church of Christ Media Justice Ministry
Worth Rises

⁵ Leah Wang. “Research roundup: The positive impacts of family contact for incarcerated people and their families,” Prison Policy Initiatives (2021), https://www.prisonpolicy.org/blog/2021/12/21/family_contact/

⁶ *Id.*

Worth Rises Testimony.pdf

Uploaded by: Alyssa Ackbar

Position: FAV

My name is Alyssa Ackbar, and I am a Policy Campaign Associate at Worth Rises, a national non-profit dedicated to ending the exploitation of people impacted by incarceration. We have helped jurisdictions across the country pass and implement policies that make communication free for incarcerated people and their support networks, including in Connecticut, California, Minnesota, Massachusetts, and Colorado. With this legislation, Maryland has the opportunity to join these other states in providing overdue relief to millions of families with incarcerated loved ones, by simply making communication free.

Maryland families currently pay the state’s prison telecom vendor, Global Tel Link, an estimated \$12.3 million each year to speak to their incarcerated loved ones. Families are often forced to choose between paying for basic necessities, housing, and food and paying to hear the voices of their incarcerated loved ones. In fact, one in three families with an incarcerated loved one goes into debt trying to stay connected, and 87% of those bearing this enormous financial burden are women.^[1]

Family support can change how successful a person is both during and after their incarceration. It increases hope, reduces desperation, and encourages positive behavior, which in turn reduces violence and improves the correctional environment for incarcerated people and correctional officers alike.

Further, incarcerated people who maintain connection with their family and community during their incarceration have a better chance at successfully reentering the community upon release. With their families help, they are more likely to secure housing and employment and generally have transition support. This increased success also translates into lower recidivism and increased public safety.^[4]

Based on our work across the country, we estimate that providing free phone calls to incarcerated people and their loved ones will save Maryland families \$12.3 million annually, and cost the state \$3.0 million per year. This fiscal assessment assumes that Maryland is able to secure similar rates to other states that have prioritized low costs, or specifically one cent per minute, as charged roughly in Illinois and New Hampshire. At current phone call volumes, which are not expected to change given current usage, providing free phone calls to Maryland families would cost the state \$3.0 million per year.

We urge the committee to vote yes on SB 948 and provide this necessary relief to Maryland’s communities.

Written Testimony HB1037 '24.pdf

Uploaded by: Arianna Evans

Position: FAV

My name is Qiana Johnson, and I am the Executive Director of Life After Release. Today, I want to speak to you about an issue that is deeply personal to me and families across this state - the impact of incarceration on families, particularly children.

Having experienced incarceration myself, I understand firsthand the importance of maintaining connections with loved ones behind bars. During my three-year incarceration, my two sons were still in school. For me, as a mother, it was crucial to stay in communication with them despite the barriers of incarceration.

Research underscores the profound trauma experienced by children who are separated from their incarcerated parents. It's a trauma that often goes unexpressed, but it lingers, affecting their emotional and psychological well-being. Shockingly, statistics reveal that Black children are six times more likely to have an incarcerated parent, amplifying the disparities and injustices within our criminal legal system.

But staying connected comes with a price tag - a price that many families simply cannot afford. Legal fees, fines, prison visits, commissary expenses, and perhaps one of the highest costs, the cost of phone calls and video calls from jail. These financial burdens only serve to deepen the divide between incarcerated individuals and their families, adding on to the already significant challenges they face.

That's why I stand here today to urge the Judiciary Committee and the Maryland General Assembly to support legislation like HB1366. This bill, if passed, would eliminate the cost of jail phone calls, a crucial step in reconnecting families torn apart by incarceration.

Let's imagine the impact of this legislation - children being able to hear their parents' voices without the barrier of financial strain, mothers being able to comfort their babies with a simple phone call, families being able to maintain a bit of normalcy amidst the trauma of incarceration.

The time for change is now. We cannot continue to allow financial barriers to dictate the strength of familial bonds. We cannot turn a blind eye to the suffering of children with incarcerated parents. It is our duty, as legislators, as mothers, as organizers, as human beings, to take action.

So, I implore you, vote to advance Senate Bill 948. Stand with us in ensuring that no family is left behind, that no child suffers in silence, and that the bonds of love and support transcend the confines of prison walls.

Free Them All, Peace

Telephone Cost (2).pdf

Uploaded by: Dr. Carmen Johnson

Position: FAV

HELPING
OURSELVES TO
TRANSFORM
EDUCATING AND PROMOTING
MASS LIBERATION

**State Correctional Facilities – Incarcerated Individuals – Costs of Telephone 3
Communications
HOUSE BILL 1366 - SENATE BILL 948
FAVORABLE VOTE**

3-4-2024

Dear
Senator West Senate Bill 948
Delegate Roberson House Bill 1366

Helping Ourselves to Transform firmly supports SB948 and its companion bill HB1366, which aim to revolutionize the cost structure of telephone communications in state correctional facilities.

This legislation ensures that the financial burden of telephone calls falls upon the facilities themselves under specified conditions, prohibiting the charging of incarcerated individuals or their contacts for telephone services.

Additionally, it safeguards the right to in-person visitation, clarifying that access to phone services should not replace face-to-face interactions. Essentially, this bill advocates for equitable access to communication for those incarcerated, facilitating their connection with the outside world without undue financial strain.

Please vote on this bill favorably.

Sincerely,



Dr. Carmen R. Johnson, Founder

***Certified Paralegal with Advanced Studies in Criminal Law, Author, Advocate & Humanitarian.
Lecture Specialist for prison and justice reform to Law Schools, Law Clinics, Students and the
Community and a lobbyist in the State of Maryland***

Web: <https://www.helpingourselves.org>

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Maryland Equitable Justice Collaborative sub-committee(s)

Chairwoman, Advocacy and Legislation for MSARC re-entry board formerly created by the US States Attorney for the District of Maryland.

The National Congress of Black Women Inc. Washington, DC - Life Time Member

Member of The Ladies of HOPE Ministries, Inc

Director of Court Watch & Judicial Accountability-LAR of Prince George's County

Member of Returning Citizen Affairs Division (RCAD) a pillar of the County Executive of Prince George's County

Partner with The Court Services and Offenders Supervision Agency (CSOSA)

Member of the Maryland Agriculture Council, Inc.

Member of CCE Council for Court of Excellence

Member of Progressive Prison Ministries, White Collar support Group

Member of The Uplift - "Together We Rise"

Member of Progressive Maryland- REWG

Member of Community Family Life Services, Speaker's Bureau

Member of First Alliance Consulting, LLC

Member of the National Criminal Justice Association

Member of ACTCP - ADA Legal Advocate Trainee

Endorsed by Maryland Alliance Justice Reform

Parkmont School in Washington, DC

Montgomery County High School Volunteer Center -Montgomery County School System



2024.03.05 SB 948 CCJR FAV.pdf

Uploaded by: E. Flannery Gallagher

Position: FAV



TESTIMONY IN SUPPORT OF SENATE BILL 948

State Correctional Facilities - Incarcerated Individuals - Costs of Telephone Communications

TO: Members of the Senate Judicial Proceedings Committee

FROM: Center for Criminal Justice Reform, University of Baltimore School of Law

DATE: March 5, 2024

The University of Baltimore School of Law’s Center for Criminal Justice Reform (“the Center”) is dedicated to supporting community-driven efforts to improve public safety and address the harm and inequities caused by the criminal legal system. The Center submits this written testimony in strong support of Senate Bill 948.

This important bill will eliminate the cost of telephone calls for incarcerated individuals in state correctional facilities and their families, ensure these individuals are able to maintain contact with their loved ones, and promote fair access to communication services in Maryland’s correctional facilities.

The Center urges a favorable report on Senate Bill 948 for three primary reasons. First, Senate Bill 948 will reduce recidivism and promote public safety. Second, Senate Bill 948 will afford incarcerated individuals and their already burdened loved ones with a more viable means of continued communication. Third, by increasing access to communications and supportive community ties, Senate Bill 948 will improve conditions in Maryland correctional facilities for both incarcerated people and the correctional workforce, thereby promoting much-needed retention for staff and maintaining critical programming.

I. Communication strengthens connections between incarcerated people and their support networks, thereby improving public safety.

Research shows that communication between incarcerated people, their families, and support networks leads to myriad benefits.¹ First, social ties, strengthened by continued communication, have been found to support increased parole success rates and decreased recidivism.² These

¹ Leah Wong, *Research Roundup: The Positive Impacts of Family Contact for Incarcerated People and Their Families*, PRISON POLICY INITIATIVE (Dec. 21, 2021), https://www.prisonpolicy.org/blog/2021/12/21/family_contact/.

² Kelle Barrick et al., *Reentering Women: The Impact of Social Ties on Long-Term Recidivism*, 94 PRISON J. 279, 283 (2014); see also Rebecca L. Naser & Christy A. Visher, *Family Members’ Experiences with Incarceration and Reentry*, W. CRIMINOLOGY REV., Aug. 2006, at 21 (citing multiple studies that illustrate a “remarkably consistent association . . . between family contact during incarceration and lower recidivism rates”).

findings remain true even among individuals categorized as “high-risk.”³ Decreased recidivism rates will make the public safer. Second, Senate Bill 948 supports public safety in another key respect: by reducing violence and disorder within correctional facilities. One study found that phone calls from children to their incarcerated parents reduce rule violations by the incarcerated individuals during incarceration.⁴ Strengthening communication and connections between incarcerated people and their loved ones will reduce anti-social behavior, improve conditions of confinement, and otherwise promote human dignity behind the walls and will serve to improve safety both inside institutions and in the communities to which formerly incarcerated people return.

II. The high costs of communication put an immense burden on low-income families.

Though DPSCS has made great strides recently in offering tablets and other means of communicating with families, talking on the telephone remains the most common way for incarcerated individuals to stay in touch with loved ones.⁵ Currently, however, costs for such communications are a significant barrier. Indeed, from January through August 2022, telephone calls made by incarcerated individuals resulted in \$746,399 in costs for incarcerated individuals and their families.⁶ Based on population figures from June 2022, this amounted to \$18.77 a month per individual.⁷ A study surveying fourteen states examined the burdens of these communication costs borne by an incarcerated person’s loved ones.⁸ This study found that a staggering number of families—1 in 3—went into debt in order to cover the costs of maintaining contact with their incarcerated loved ones.⁹ Many incarcerated individuals have low-income families¹⁰ that are not well positioned to bear these financial burdens, and the many others experience the traumatizing

³ *Id.* at 284 (describing the demographic of study participants). While the study found that participants who were most likely to recidivate were “younger at the time of their first arrest” and had a greater number of prior charges, greater family contact during incarceration still suggested reduced recidivism. *Id.* at 290, 293.

⁴ Kelle Barrick et al., *Reentering Women: The Impact of Social Ties on Long-Term Recidivism*, 94 PRISON J. 279, 283 (2014).

⁵ *Phone Services*, MD. DEP’T OF PUB. SAFETY & CORR. SERVS., https://www.dpccs.state.md.us/inmateservs/phone_services.shtml (last visited Feb. 27, 2024).

⁶ MD. DIV. OF PUB. SAFETY & CORR. SERVS., OPERATIONS ANNUAL REPORT FY 2022, at 19 (2022), [https://dlslibrary.state.md.us/publications/Exec/DPSCS/DOC/COR3-207\(d\)_2022.pdf](https://dlslibrary.state.md.us/publications/Exec/DPSCS/DOC/COR3-207(d)_2022.pdf).

⁷ ANALYSIS OF FY 2025 BUDGET, *supra* note 7, at 21. While the Center strongly supports SB 948 as written, it would also support it if amended to apply to county jails in addition to state correctional facilities. Accordingly, the Center finds it important to note that in some counties, monthly costs to incarcerated individuals and their families are likely higher, as 15-minute phone calls cost as much \$3.15. *Prison Jail Telecom Data: County*, WORTH RISES (Feb. 23, 2024), <https://github.com/WorthRises/PrisonJailTelecomData/blob/main/2024/02-23-24/county.csv> (citing costs as high as \$3.15 for a 15-minute call in Caroline, Carroll, Dorchester, Queen Anne’s, and Worcester counties).

⁸ SANETA DE VUONO-POWELL ET AL., WHO PAYS?: THE TRUE COST OF INCARCERATION ON FAMILIES 30 (2015), <https://static.prisonpolicy.org/scans/who-pays%20Ella%20Baker%20report.pdf>. Survey participants resided in California, Louisiana, Washington, Virginia, Ohio, Florida, Illinois, Michigan, Rhode Island, DC, New Jersey, Kansas, Texas, and New York. *Id.* at 53.

⁹ *Id.* at 30.

¹⁰ All off the five counties with the highest imprisonment rate per 100,000 had poverty rates of over 10% in 2021 with two (Baltimore City and Somerset County) estimated to have over a 20% poverty rate. *See Number of People in Prison in 2020 from Each Maryland County*, PRISON POLICY INITIATIVE, <https://www.prisonpolicy.org/origin/md/2020/county.html> (last visited Feb. 27, 2024); *Household Income*, MD. MANUAL ONLINE: ECONOMY, <https://msa.maryland.gov/msa/mdmanual/01glance/economy/html/income.html> (last visited Feb. 27, 2024).

set of changed life circumstances caused by family separation. Removing this financial burden from incarcerated individuals and their families will make continued telephone communication more viable.

III. Expanded access to communication services will improve conditions within correctional facilities to the benefit of incarcerated people and the correctional workforce alike.

The Department of Public Safety and Correctional Services (“DPSCS” or the “Department”) recognizes that “direct lines of communication with family and friends” lead to “reduced agitation, behavioral issues, and idleness among incarcerated individuals.”¹¹ Increasing access to telephone communications by eliminating associated costs will serve to increase these positive effects and will promote safer working conditions for correctional officers (“COs”), thereby increasing staff retention.

Increasing access to telephone communication will create a safer working environment for COs and volunteers. In turn, this would improve job satisfaction, and promote retention at a time when the state is facing significant challenges due to shortages in the correctional work force. The Department has experienced escalating staffing shortages since 2015.¹² These staffing shortages have led to mandatory overtime and burnout among COs¹³, and have negatively impacted morale and job satisfaction, contributing to reduced CO retention rates.¹⁴ While DPSCS efforts, such as \$5,000 new hire bonuses,¹⁵ have supported the hiring of new COs, the Department reports that more COs are departing DPSCS each year than are being hired.¹⁶ Ultimately, increased CO retention would reduce the need for overtime, which cost Maryland \$185.6 million in 2023,¹⁷ and decrease spending on CO hiring bonuses, which cost \$1.59 million in 2023.¹⁸

Staff shortages compound other problems in the correctional system. These shortages adversely impact numerous programs and services, limiting access to in-person visitation, educational activities, recreation, medical appointments, and delay food preparation.¹⁹ The loss of these critical services have been tied to increased assaults between incarcerated individuals and

¹¹ MD. DIV. OF PUB. SAFETY & CORR. SERVS, ANALYSIS OF THE FY 2025 MARYLAND EXECUTIVE BUDGET 22 (2024), <https://mgaleg.maryland.gov/pubs/budgetfiscal/2025fy-budget-docs-operating-Q00B-DPSCS-Corrections.pdf> [hereinafter ANALYSIS OF FY 2025 BUDGET]. While this finding was in relation to the DPSCS’s tablet computer program, an initiative that launched in fiscal year 2023, the tablets are capable of making voice phone calls which cost the same as phone calls from wall phones. *Id.* at 21.

¹² *Id.* at 16.

¹³ *Id.*

¹⁴ *Id.* at 16 (citing “a net loss of COs” in 2023).

¹⁵ *Id.*

¹⁶ MD. DIV. OF PUB. SAFETY & CORR. SERVS, OVERVIEW – Q00: FY 2025 MARYLAND EXECUTIVE BUDGET RESPONSE TO DEPARTMENT OF LEGISLATIVE SERVICES ANALYSIS 6 (2024), <https://dbm.maryland.gov/budget/FY2025Testimony/Q00.pdf> [hereinafter DPSCS RESPONSE].

¹⁷ ANALYSIS OF FY 2025 BUDGET, *supra* note 7, at 15.

¹⁸ MD. DIV. OF PUB. SAFETY & CORR. SERVS, ANALYSIS OF THE FY 2025 MARYLAND EXECUTIVE BUDGET 15 (2024), <https://mgaleg.maryland.gov/pubs/budgetfiscal/2025fy-budget-docs-operating-Q00B-DPSCS-Corrections.pdf> [hereinafter ANALYSIS OF FY 2025 BUDGET]; MD. DIV. OF PUB. SAFETY & CORR. SERVS, OVERVIEW – Q00: FY 2025 MARYLAND EXECUTIVE BUDGET RESPONSE TO DEPARTMENT OF LEGISLATIVE SERVICES ANALYSIS 6 (2024), <https://dbm.maryland.gov/budget/FY2025Testimony/Q00.pdf> [hereinafter DPSCS RESPONSE].

¹⁹ *Id.* at 8.

between incarcerated individuals and staff.²⁰ This further threatens the safety and mental health of COs, and makes expanding access to communication services especially critical.

The Center fully supports this important bill as part of a broader set of efforts to improve public safety, promote safe conditions for the correctional work force and incarcerated population, remove barriers to reentry, alleviate financial burdens on impacted families, and reduce rates of reincarceration. For these reasons, we respectfully urge a favorable report on Senate Bill 948.

²⁰ ANALYSIS OF FY 2025 BUDGET, *supra* note 7, at 9 exhibit 6, 16.

2024.03.05 SB 948 Draft .pdf

Uploaded by: E. Flannery Gallagher

Position: FAV



TESTIMONY IN SUPPORT OF SENATE BILL 948

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FROM: Center for Criminal Justice Reform, University of Baltimore School of Law
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² Kelle Barrick et al., *Reentering Women: The Impact of Social Ties on Long-Term Recidivism*, 94 PRISON J. 279, 283 (2014); see also Rebecca L. Naser & Christy A. Visher, *Family Members’ Experiences with Incarceration and Reentry*, W. CRIMINOLOGY REV., Aug. 2006, at 21 (citing multiple studies that illustrate a “remarkably consistent association . . . between family contact during incarceration and lower recidivism rates”).

findings remain true even among individuals categorized as “high-risk.”³ Decreased recidivism rates will make the public safer. Second, Senate Bill 948 supports public safety in another key respect: by reducing violence and disorder within correctional facilities. One study found that phone calls from children to their incarcerated parents reduce rule violations by the incarcerated individuals during incarceration.⁴ Strengthening communication and connections between incarcerated people and their loved ones will reduce anti-social behavior, improve conditions of confinement, and otherwise promote human dignity behind the walls and will serve to improve safety both inside institutions and in the communities to which formerly incarcerated people return.

II. The high costs of communication put an immense burden on low-income families.

Though DPSCS has made great strides recently in offering tablets and other means of communicating with families, talking on the telephone remains the most common way for incarcerated individuals to stay in touch with loved ones.⁵ Currently, however, costs for such communications are a significant barrier. Indeed, from January through August 2022, telephone calls made by incarcerated individuals resulted in \$746,399 in costs for incarcerated individuals and their families.⁶ Based on population figures from June 2022, this amounted to \$18.77 a month per individual.⁷ A study surveying fourteen states examined the burdens of these communication costs borne by an incarcerated person’s loved ones.⁸ This study found that a staggering number of families—1 in 3—went into debt in order to cover the costs of maintaining contact with their incarcerated loved ones.⁹ Many incarcerated individuals have low-income families¹⁰ that are not well positioned to bear these financial burdens, and the many others experience the traumatizing

³ *Id.* at 284 (describing the demographic of study participants). While the study found that participants who were most likely to recidivate were “younger at the time of their first arrest” and had a greater number of prior charges, greater family contact during incarceration still suggested reduced recidivism. *Id.* at 290, 293.

⁴ Kelle Barrick et al., *Reentering Women: The Impact of Social Ties on Long-Term Recidivism*, 94 PRISON J. 279, 283 (2014).

⁵ *Phone Services*, MD. DEP’T OF PUB. SAFETY & CORR. SERVS., https://www.dpccs.state.md.us/inmateservs/phone_services.shtml (last visited Feb. 27, 2024).

⁶ MD. DIV. OF PUB. SAFETY & CORR. SERVS., OPERATIONS ANNUAL REPORT FY 2022, at 19 (2022), [https://dlslibrary.state.md.us/publications/Exec/DPSCS/DOC/COR3-207\(d\)_2022.pdf](https://dlslibrary.state.md.us/publications/Exec/DPSCS/DOC/COR3-207(d)_2022.pdf).

⁷ ANALYSIS OF FY 2025 BUDGET, *supra* note 7, at 21. While the Center strongly supports SB 948 as written, it would also support it if amended to apply to county jails in addition to state correctional facilities. Accordingly, the Center finds it important to note that in some counties, monthly costs to incarcerated individuals and their families are likely higher, as 15-minute phone calls cost as much \$3.15. *Prison Jail Telecom Data: County*, WORTH RISES (Feb. 23, 2024), <https://github.com/WorthRises/PrisonJailTelecomData/blob/main/2024/02-23-24/county.csv> (citing costs as high as \$3.15 for a 15-minute call in Caroline, Carroll, Dorchester, Queen Anne’s, and Worcester counties).

⁸ SANETA DE VUONO-POWELL ET AL., WHO PAYS?: THE TRUE COST OF INCARCERATION ON FAMILIES 30 (2015), <https://static.prisonpolicy.org/scans/who-pays%20Ella%20Baker%20report.pdf>. Survey participants resided in California, Louisiana, Washington, Virginia, Ohio, Florida, Illinois, Michigan, Rhode Island, DC, New Jersey, Kansas, Texas, and New York. *Id.* at 53.

⁹ *Id.* at 30.

¹⁰ All off the five counties with the highest imprisonment rate per 100,000 had poverty rates of over 10% in 2021 with two (Baltimore City and Somerset County) estimated to have over a 20% poverty rate. *See Number of People in Prison in 2020 from Each Maryland County*, PRISON POLICY INITIATIVE, <https://www.prisonpolicy.org/origin/md/2020/county.html> (last visited Feb. 27, 2024); *Household Income*, MD. MANUAL ONLINE: ECONOMY, <https://msa.maryland.gov/msa/mdmanual/01glance/economy/html/income.html> (last visited Feb. 27, 2024).

set of changed life circumstances caused by family separation. Removing this financial burden from incarcerated individuals and their families will make continued telephone communication more viable.

III. Expanded access to communication services will improve conditions within correctional facilities to the benefit of incarcerated people and the correctional workforce alike.

The Department of Public Safety and Correctional Services (“DPSCS” or the “Department”) recognizes that “direct lines of communication with family and friends” lead to “reduced agitation, behavioral issues, and idleness among incarcerated individuals.”¹¹ Increasing access to telephone communications by eliminating associated costs will serve to increase these positive effects and will promote safer working conditions for correctional officers (“COs”), thereby increasing staff retention.

Increasing access to telephone communication will create a safer working environment for COs and volunteers. In turn, this would improve job satisfaction, and promote retention at a time when the state is facing significant challenges due to shortages in the correctional work force. The Department has experienced escalating staffing shortages since 2015.¹² These staffing shortages have led to mandatory overtime and burnout among COs¹³, and have negatively impacted morale and job satisfaction, contributing to reduced CO retention rates.¹⁴ While DPSCS efforts, such as \$5,000 new hire bonuses,¹⁵ have supported the hiring of new COs, the Department reports that more COs are departing DPSCS each year than are being hired.¹⁶ Ultimately, increased CO retention would reduce the need for overtime, which cost Maryland \$185.6 million in 2023,¹⁷ and decrease spending on CO hiring bonuses, which cost \$1.59 million in 2023.¹⁸

Staff shortages compound other problems in the correctional system. These shortages adversely impact numerous programs and services, limiting access to in-person visitation, educational activities, recreation, medical appointments, and delay food preparation.¹⁹ The loss of these critical services have been tied to increased assaults between incarcerated individuals and

¹¹ MD. DIV. OF PUB. SAFETY & CORR. SERVS, ANALYSIS OF THE FY 2025 MARYLAND EXECUTIVE BUDGET 22 (2024), <https://mgaleg.maryland.gov/pubs/budgetfiscal/2025fy-budget-docs-operating-Q00B-DPSCS-Corrections.pdf> [hereinafter ANALYSIS OF FY 2025 BUDGET]. While this finding was in relation to the DPSCS’s tablet computer program, an initiative that launched in fiscal year 2023, the tablets are capable of making voice phone calls which cost the same as phone calls from wall phones. *Id.* at 21.

¹² *Id.* at 16.

¹³ *Id.*

¹⁴ *Id.* at 16 (citing “a net loss of COs” in 2023).

¹⁵ *Id.*

¹⁶ MD. DIV. OF PUB. SAFETY & CORR. SERVS, OVERVIEW – Q00: FY 2025 MARYLAND EXECUTIVE BUDGET RESPONSE TO DEPARTMENT OF LEGISLATIVE SERVICES ANALYSIS 6 (2024), <https://dbm.maryland.gov/budget/FY2025Testimony/Q00.pdf> [hereinafter DPSCS RESPONSE].

¹⁷ ANALYSIS OF FY 2025 BUDGET, *supra* note 7, at 15.

¹⁸ MD. DIV. OF PUB. SAFETY & CORR. SERVS, ANALYSIS OF THE FY 2025 MARYLAND EXECUTIVE BUDGET 15 (2024), <https://mgaleg.maryland.gov/pubs/budgetfiscal/2025fy-budget-docs-operating-Q00B-DPSCS-Corrections.pdf> [hereinafter ANALYSIS OF FY 2025 BUDGET]; MD. DIV. OF PUB. SAFETY & CORR. SERVS, OVERVIEW – Q00: FY 2025 MARYLAND EXECUTIVE BUDGET RESPONSE TO DEPARTMENT OF LEGISLATIVE SERVICES ANALYSIS 6 (2024), <https://dbm.maryland.gov/budget/FY2025Testimony/Q00.pdf> [hereinafter DPSCS RESPONSE].

¹⁹ *Id.* at 8.

between incarcerated individuals and staff.²⁰ This further threatens the safety and mental health of COs, and makes expanding access to communication services especially critical.

The Center fully supports this important bill as part of a broader set of efforts to improve public safety, promote safe conditions for the correctional work force and incarcerated population, remove barriers to reentry, alleviate financial burdens on impacted families, and reduce rates of reincarceration. For these reasons, we respectfully urge a favorable report on Senate Bill 948.

²⁰ ANALYSIS OF FY 2025 BUDGET, *supra* note 7, at 9 exhibit 6, 16.

free phone service.SB948.pdf

Uploaded by: Judith Lichtenberg

Position: FAV



MARYLAND ALLIANCE FOR JUSTICE REFORM
Citizens working to reform criminal justice in Maryland



www.MA4JR.org

Annapolis Friends Peace and Justice Center
351 Dubois Rd., Annapolis, MD 21401
info@ma4jr.org

Testimony in support of SB948 State Correctional Facilities - Incarcerated Individuals - Costs of Telephone Communications

My name is Judith Lichtenberg. I am testifying on behalf of the [Maryland Alliance for Justice Reform](http://www.MA4JR.org) (MAJR), where I serve on the executive committee and co-chair its Behind the Walls Workgroup. I have lived in Hyattsville/University Park (District 22) for forty years and am professor emerita of philosophy at Georgetown University. Since 2016, I've been teaching, tutoring, and mentoring at Jessup Correctional Institute, Patuxent Institution, and the DC Jail. I have gotten to know many people behind the walls as my students and have learned much about what goes on there.

Prison telecom corporations charge families with incarcerated loved ones as much as a dollar a minute for a simple phone call. Preying on these families, the industry rakes in \$1.4 billion annually and pays hundreds of millions in kickbacks, also called commissions, to correctional agencies.

As a result, one in three families with an incarcerated loved one falls into debt trying to stay connected; of those carrying this burden, 87% are women — largely Black and brown women. Families should not have to choose between paying rent and paying for calls with their loved ones behind bars.

The COVID-19 pandemic only made things worse. Like everyone else, families with incarcerated loved ones faced job losses and the unexpected costs of eldercare and childcare. It exacerbated a crisis that incarcerated people and their families have been living with for decades.

This exploitation affects not just families, including children of incarcerated parents, but also correctional staff and public safety. Incarcerated people in close contact with their communities are more likely to have hope, participate in rehabilitative programs, and engage in positive behavior while inside and to reenter successfully upon release.

Some states and counties have begun to implement policies to make prison and jail communication free. California, Connecticut, Colorado, Massachusetts, and Minnesota have all passed laws to make communication free. On behalf of the Maryland Alliance for

Justice Reform, I urge you to give a favorable report to SB948 so that Maryland can join these other states.

Respectfully,

Judith Lichtenberg
Hyattsville, MD
District 22
301.814.7120
jalichtenberg@gmail.com

SB 948_MD Center on Economic Policy_FAV.pdf

Uploaded by: Kali Schumitz

Position: FAV



MARCH 5, 2024

Costly Prison Phone Call Fees Block Families From Connecting to Incarcerated Loved Ones

Position Statement in Support of Senate Bill 948

Given before the Judicial Proceedings Committee

The cost of living for people who are incarcerated in Maryland includes, but isn't limited to, the cost of phone calls and commissary products, such as medication and hygiene products. These costs can be unaffordable for low-income families trying to stay connected to and support a loved one while they are behind bars. **The Maryland Center on Economic Policy supports Senate Bill 948 because allowing low-cost communication between incarcerated Marylanders and their families can further rehabilitation and increase economic security.**

According to the Prison Policy Initiative, prison phone call fees in Maryland are \$0.48 for a 15-minute callⁱ. Research shows that prison phone calls, between family members or medical providers, are often priced at excessive ratesⁱⁱ. In addition, substandard wages for inmates, varying between \$0.17 and \$1.16 hourly, make it difficult for them to afford these costs on their own. This in turn increases the burden on their families, who often foot these exorbitant bills.ⁱⁱⁱ These fees, which are effectively a regressive tax, should not be levied on Maryland's low-income families. At the same time, these fees are not effective at generating revenue for the state as most incarcerated individuals have little ability to pay^{iv}.

Being able to make phone calls while incarcerated benefits everyone. One study found 83 percent of the interviewed children of incarcerated parents reported improved education outcomes by staying in contact with their incarcerated parent.^v They also reported success in their personal and professional lives as a result of their positive relationship with their incarcerated parent.

Repealing these fees not only allows for more consistent communication between families but saves them from going into debt to stay in touch with their loved ones. **For these reasons, the Maryland Center on Economic Policy respectfully requests that the Judicial Proceedings Committee make favorable report on Senate Bill 948.**

Equity Impact Analysis: Senate Bill 948

Bill summary

Senate Bill 948 will prevent a state correctional facility and a telephone service provider from charging an incarcerated individual or a third party, including the recipient of a telephone call, for an incarcerated individual's use of telephone equipment or telephone services in a state correctional facility. It also states a State correctional facility is responsible for the payment of any cost charged by a telephone service provider for such equipment and services.

Background

Prison phone call fees can be unaffordable for low-income families trying to keep in touch with incarcerated loved ones. The average rate in Maryland in 2021 was \$0.48 for a 15-minute call.

Equity Implications

High-cost telecommunication particularly impacts Black Marylanders, who make up more than 70% of the state's prison population – twice their representation in Maryland's overall population^{vi}.

- Total direct pre-paid and collect calls (fees paid both by incarcerated Marylanders or their family) amount to \$9.6 million in FY23^{vii}. These are funds paid for by individuals and families who are low-income and often result in going into debt.

Impact

Senate Bill 948 would likely **impact racial and economic equity** in Maryland.

ⁱ https://www.prisonpolicy.org/phones/appendices2022_1.html

ⁱⁱ <https://www.npr.org/2023/01/01/1146370950/prison-phone-call-cost-martha-wright-biden>

ⁱⁱⁱ <http://www.mdeconomy.org/budgeting-for-opportunity-justice/>

^{iv} <https://www.brennancenter.org/our-work/analysis-opinion/americas-dystopian-incarceration-system-pay-stay-behind-bars>

^v <https://static1.squarespace.com/static/61bc00634061a13526f653c/t/61cd187f2ea59e4d19ce66d6/1640831107402/Children+of+Incarcerated+Parents+Pathways+to+Resilience+%26+Success+Research+Report+2021.pdf>

^{vi} <https://dpscs.maryland.gov/publicinfo/publications/pdfs/Inmate%20Characteristics%20Report%20FY%202022%20Q4.pdf>

^{vii} https://mgaleg.maryland.gov/2024RS/fnotes/bil_0008/sbo948.pdf

SB 948 - State Correctional Facilities - Incarcera

Uploaded by: Kam Bridges

Position: FAV

JOTF JOB OPPORTUNITIES TASK FORCE

Advocating better skills, jobs, and incomes

Testimony in Support of Senate Bill 948

State Correctional Facilities - Incarcerated Individuals - Costs of Telephone Communications

TO: Hon. Will C. Smith, Chair, and Members of the Senate Judicial Proceedings Committee

FROM: Job Opportunities Task Force

DATE: March 5, 2024

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-wage workers and job seekers in Maryland. **JOTF supports Senate Bill 948, which would prohibit a State correctional facility and a telephone service provider from charging an incarcerated individual or a third party, including the recipient of a telephone call, for an incarcerated individual's use of telephone equipment or telephone services in a State correctional facility.**

Each 15-minute phone call costs a Maryland inmate approximately 48 cents. The minimum wage for unskilled positions with Maryland Correctional Enterprises is \$2.16 per day. This means that incarcerated individuals can use up to a fourth of their daily paycheck on a mere 30-minute phone call. Considering these factors, the struggles that arise from this system should not be surprising. Of course public safety is a concern when children are unable to keep in consistent contact with an incarcerated parent because communication is too expensive, and thus have psychological trauma and run afoul of the law as a result. Of course recently returning citizens struggle with homelessness and employment when they were unable to keep in consistent contact with their support systems outside the wall and strategize prior to their release because communication is too expensive. Of course the chances of successfully reintegrating into society plummet when an incarcerated person develops mental health issues from their experience and is unable to get support from their loved ones because communication is too expensive. The inability for incarcerated people to speak with the people who care about them directly correlates with the likelihood of negative outcomes post-release.

Senate Bill 948 would address this by taking the financial burden of phone calls in a correctional facility away from the incarcerated individual. Making a person choose between a meager amount of conversation with a partner, sibling, child, or parent or saving the literal cents that they so desperately need because of the below poverty wages they earn is cruel. If public safety is of a concern for Marylanders, deconstructing policies that actively sever one's tether to their humanity is a good place to start.

For these reasons, JOTF supports Senate Bill 948 and urges a favorable report.

For more information, contact:

Kam Bridges / Senior Public Policy Advocate / Kam@jotf.org

Inmate phone calls SB948 HB1366 testimony.pdf

Uploaded by: Kimberlee Watts

Position: FAV



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: SB0948/ HB1366: State Correctional Facilities - Incarcerated Individuals - Costs of Telephone Communications

FROM: Maryland Office of the Public Defender

POSITION: Favorable

DATE: 3/5/2024

The Maryland Office of the Public Defender respectfully requests that the Committee issue a favorable report on Senate Bill 948/ House Bill 1366.

The Office of the Public Defender supports this proposed legislation because it promotes rehabilitation, and therefore reduces recidivism which makes our communities safer. For example, A 2014 study of incarcerated women found that those who had any phone contact with a family member were less likely to be reincarcerated within the five years after their release.¹

Having support from loved ones is an essential human need and vital for an individual's success. When incarcerated people stay connected to their support networks, they are able to play an active role in their own rehabilitation. They are also better able to plan for release, increasing their likelihood of reentering successfully and enhancing public safety.² The positive impacts are similar for families: Children do better at home and at school when they are able to maintain relationships with their parents in prison.³

Consistent family contact positively impacts the health and wellness of incarcerated people, their families, and safety more broadly.⁴ Free prison and jail communications will increase the ability of families to stay connected; which in turn will reduce recidivism rates, and improve parent-child relationships and mental and emotional health outcomes. Nevertheless, incarcerated people are currently charged 45 cents for a 15-minute phone call at state-run facilities.⁵ If they are permitted to work within the Division of Corrections, incarcerated people can make as little as \$2.16 per day (less

¹ Barrick, Lattimore, and Visher. "Reentering Women: The Impact of Social Ties on Long-Term Recidivism. The Prison Journal, Sage Publications (2014),

<http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.925.34&rep=rep1&type=pdf>

² Leah Wang. "Research roundup: The positive impacts of family contact for incarcerated people and their families," Prison Policy Initiatives (2021), https://www.prisonpolicy.org/blog/2021/12/21/family_contact/

³ *Id.*

⁴ Leah Wang. "Research roundup: The positive impacts of family contact for incarcerated people and their families," Prison Policy Initiatives (2021), https://www.prisonpolicy.org/blog/2021/12/21/family_contact/

⁵ "Prison & Jail Telecom Data," Worth Rises (2022), <https://connectfamiliesnow.com/data>

than 30 cents an hour for an 8 hour day).⁶ This means that often families must shoulder the burden of paying for communication, and many are forced to go into debt or cut ties altogether when they can no longer bear it.

Thousands of Maryland families struggle to afford to stay connected with their incarcerated loved ones without being trapped in a cycle of debt and poverty. In fact, about 65 percent of families with an incarcerated loved one struggle to meet basic housing and food needs.⁷ One in three families goes into debt just to stay in touch with a loved one behind bars, and women — largely families of color from marginalized communities — carry 87 percent of the burden.⁸

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue a favorable report on Senate Bill 948/ House Bill 1366.

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

Authored by: Kimber D. Watts, Supervising Attorney Forensic Mental Health Division

Kimberlee.watts@maryland.gov, 410-767-9855

⁶ Fiscal and policy note for 2023 HB1123 https://mgaleg.maryland.gov/2023RS/fnotes/bil_0003/hb1123.pdf

⁷ *Who Pays? The True Cost of Incarceration on Families*, Ella Baker Center, Forward Together, Research Action Design (2015), <https://ellabakercenter.org/who-pays-the-true-cost-of-incarceration-on-families>

⁸ *Id.*

SB 948 - PJC - FAV.pdf

Uploaded by: Lucy Zhou

Position: FAV



Lucy Zhou, Attorney
Public Justice Center
201 North Charles Street, Suite 1200
Baltimore, Maryland 21201
410-625-9409, ext. 245
zhoul@publicjustice.org

SB 948: State Correctional Facilities – Incarcerated Individuals – Costs of Telephone Communications

Hearing of the Senate Judicial Proceedings Committee, March 5, 2024

Position: Favorable

The Public Justice Center (“PJC”) is a not-for-profit civil rights and anti-poverty legal services organization that seeks to advance social justice, economic and racial equity, and fundamental human rights in Maryland. The PJC envisions a just society where Black, Latine, Indigenous, Asian, and other historically exploited people are free from systems of oppression, exploitation, and all expressions of discrimination. The PJC **supports SB 948**, which would make telephone communications free for individuals incarcerated in State correctional facilities.

Currently, in State-run facilities across Maryland, incarcerated people are charged 45 cents for a 15-minute phone call.¹ These costs can add up quickly and make phone calls unaffordable, especially because incarcerated people who work may earn only as little as 17 cents per hour.² When incarcerated individuals cannot afford telephone calls, they are often forced to rely on their families and loved ones to shoulder these costs.

These costs, moreover, are not borne equitably. Because the criminal legal system disproportionately targets communities of color, these communities bear the brunt of these costs, and Black and Latina women in particular pay for 87% of the cost associated with connecting with their incarcerated loved ones.³

The benefits to making telephone communications free and accessible for incarcerated Marylanders are significant, including:

- **Reducing the likelihood of recidivism:** Communication with loved ones on the outside strengthens relationships and social support networks, better ensuring that incarcerated people can successfully reenter their communities upon release. Studies show that incarcerated

¹ Prison & Jail Telecom Data, Worth Rises (2022), <https://connectfamiliesnow.com/data>.

² Alison Knezevich, “Thousands of Maryland inmates work in prison. A new law shows us how much they’re paid.” Baltimore Sun (Jan. 2, 2020), <https://www.baltimoresun.com/2020/01/02/thousands-of-maryland-inmates-work-in-prison-a-new-law-shows-us-how-much-theyre-paid/>.

³ *Who Pays? The True Cost of Incarceration on Families*, Ella Baker Center, Forward Together, Research Action Design (2015), <https://ellabakercenter.org/who-pays-the-true-cost-of-incarceration-on-families>.

individuals who have more consistent communication with loved ones were less likely to be reincarcerated within the 5 years after their release.⁴

- **Improving mental health and well-being of incarcerated people:** Consistent contact with family members and loved ones has also been shown to reduce anxiety and depression among incarcerated people.⁵ The rate of violent incidents in prisons also declines, making the carceral environment less dangerous for incarcerated individuals and correctional staff alike.⁶
- **Improving parent-child relationships:** Consistent contact with their incarcerated parents improves outcomes for children as well, with frequent telephone contact associated with greater relationship quality.⁷

Indeed, because the benefits to incarcerated individuals, their families, and society are manifold, the PJC supports expanding the bill to apply to other forms of communications—such as video communications and e-messaging.

In passing such legislation, Maryland would join a growing movement around the country. Since 2021, California, Colorado, Connecticut, Massachusetts, and Minnesota have passed legislation making prison and jail communications free, recognizing the importance of this economic, racial, gender, and criminal justice issue.

For the foregoing reasons, the PJC **SUPPORTS SB 948** and urges a **FAVORABLE** report. Should you have any questions, please call Lucy Zhou at 410-625-9409 ext. 245.

⁴ Johanna B. Folk, et al., *Behind Bars but Connected to Family: Evidence for the Benefits of Family Contact During Incarceration*, J. Fam. Psychol. (Jun. 2019), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6625803/>.

⁵ Karen De Claire et al., *The Effects of Prison Visits from Family Members on Prisoners' Well-Being, Prison Rule Breaking, and Recidivism: A Review of Research Since 1991*, Trauma, Violence, & Abuse (June 2016), <https://journals.sagepub.com/doi/abs/10.1177/1524838015603209>.

⁶ Ann Marie Rocheleau, *Ways of Coping and Involvement in Prison Violence*, Int'l J. Offender Therapy & Comp. Criminol. (Nov. 2013), <https://journals.sagepub.com/doi/abs/10.1177/0306624X13510275?journalCode=ijoe>.

⁷ Danielle L. Haverkate et al., *The Differential Effects of Prison Contact on Parent-Child Relationship Quality and Child Behavioral Changes*, Corrections: Policy, Practice, & Research (2020), https://static.prisonpolicy.org/scans/Haverkate_Wright_2020.pdf.

_ FFJC testimony SB0948 - MD Phone Call Fees.pdf

Uploaded by: Priya Jones

Position: FAV



www.finesandfeejusticecenter.org

psjones@ffjc.us

1325 G St NW

Suite #500

Washington, DC 20005

TESTIMONY IN SUPPORT OF SENATE BILL 0948:

State Correctional Facilities - Incarcerated Individuals - Costs of Telephone Communications

TO: Hon. Will Smith, and members of the Senate Judicial Proceeding Committee

FROM: Priya Sarathy Jones, Deputy Executive Director, Fines and Fees Justice Center

DATE: Monday, March 4, 2024

The Fines and Fees Justice Center (FFJC) thanks the Maryland Senate Judicial Proceedings Committee for scheduling this important hearing and **urges a favorable report on Senate Bill 0948. This bill would prohibit a State correctional facility and a telephone service provider from charging an incarcerated individual or a third party, including the recipient of a telephone call, for an incarcerated individual's use of telephone equipment or telephone services in a State correctional facility.**

Communication between those incarcerated and their friends and families is extremely important. The costs of phone calls are burdensome to those incarcerated, while the benefits of communication between incarcerated individuals and their families extend beyond just the individuals. JOTF requested that FFJC provide testimony on SB0948, and **we urge the Committee to pass SB0948.** This would have a meaningful and direct impact on the residents of the state of Maryland. More importantly, this is the best way to move towards evidence-based policies that reduce recidivism, increase successful reentry, and make incarceration safer for all.

Fines and Fees Justice Center

The Fines and Fees Justice Center is a national hub for information, advocacy, and collaboration for the reform of fines and fees. Our mission is to eliminate fees in the justice system, ensure that fines are equitably imposed, and end abusive collection practices. Fines and fees in the justice system hurt millions of Americans – entrenching poverty, exacerbating racial disparities, diminishing trust in our courts and police, and trapping people in perpetual cycles of punishment. FFJC convenes the bipartisan [End Justice Fees coalition](#), along with Americans for Prosperity

and the ACLU, which supports the elimination of fees, like those charged for communications in jails and prisons.¹

Benefits of Phone Calls in Prisons and Jails:

The minimum wage for unskilled positions with Maryland Correctional Enterprises is \$2.16 per day, meaning a 30-minute in-state call can cost almost double the daily earnings of an incarcerated individual.² Many [studies](#) have shown that regular phone calls and visitation with families and incarcerated individuals lead to reduced recidivism and increased rehabilitation post-release. For parents who are incarcerated, calling and receiving calls from their children is particularly impactful, as they are less likely to experience rule violations when they can engage in these calls. When San Francisco, California made jail phone calls free, the sheriff's office reported that the change in communications had a positive impact on everyone, including creating a calming effect in the jails themselves.

[As the Urban Institute has reported:](#)

- **Benefits for children of incarcerated parents.** Positive parent-child connections help with [mental and physical development in children](#) and support their learning as adolescents. One study found that 83 percent of the interviewed children of incarcerated parents [reported staying in contact with their incarcerated parent](#) (PDF) (56 percent by phone calls and videos). They reported success in their personal and professional lives as a result of their positive relationship with their incarcerated parent.
- **Benefits for incarcerated family members.** Frequent calls [promote parent-child relationships](#), resulting in parents expressing better [self-esteem as active parents and displaying better behavior while in prison](#). Consistent phone calls with family members have also been shown to [reduce anxiety and depression among incarcerated people](#).
- **Benefits for correctional institutions and society.** Within the first five years of release, incarcerated people with strong family connections are [25 percent more likely to cease criminal activity](#), helping to reduce jail populations and ease the burden on correctional staff.

Economic Harms:

Most incarcerated people and their families are low-income. Taking money out of the pockets of lower-income families and individuals takes the dollar out of circulation where consumer spending is the biggest driver for a local economy. The costs of these phone calls force incarcerated people and their families to choose between paying for necessities or staying connected. The financial impact of this choice is felt most acutely by economically distressed communities and communities of color. **According to the Federal Reserve, one-third of Americans with a family income less than \$25,000 per year are unable to pay off their monthly bills, even without unexpected emergencies.**³ Adding the burden of paying to be able to communicate with incarcerated loved ones only adds to the stress and financial burdens

¹ More information available at www.endjusticefees.org.

² https://www.prisonpolicy.org/phones/appendices2022_5.html

³ Report on the Economic Well-Being of U.S. Households in 2022 - May 2023, <https://www.federalreserve.gov/publications/2023-economic-well-being-of-us-households-in-2022-expenses.htm>

of families in Maryland. Making phone calls free would immediately keep critical, life-sustaining dollars in the pockets of Maryland families who are already struggling financially and stop the accumulation of any further debt or sacrifices due to the cost of these calls.

Maryland SB0948

Passage of SB09488 would be a positive move toward ending harmful fees in Maryland. While many states still charge for phone calls, a growing number of states do not. Recognizing the benefits of free phone calls and communications, states are ending these practices, creating better opportunities for those reentering to succeed. In recent years California, Minnesota, Connecticut, Colorado, and Massachusetts have made phone calls free as well as more local jurisdictions across the country.

Conclusion

Maryland's pursuit make phone calls free is a meaningful step towards evidence-based practices that create meaningful changes in our criminal legal system.

The Fines and Fees Justice Center will continue to work for a more just and equitable system. We know this Committee will, too. We look forward to doing it together.

Thank you for the opportunity to submit this testimony. **We respectfully urge a favorable report on SB948.**



Priya Sarathy Jones
Deputy Executive Director
Fines and Fees Justice Center

SB 0948_ United Church of Christ Media Justice Mini

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Position: FWA

TESTIMONY IN SUPPORT OF SB 0948 WITH AMENDMENTS

State Correctional Facilities–Incarcerated Individuals–Costs of Telephone Communications

March 5, 2024

Hearing of the Senate Judicial Proceedings Committee
Maryland General Assembly
Sen. William C. Smith, Jr., Chair

Honorable Members of the Senate Judicial Proceedings Committee:

The United Church of Christ Media Justice Ministry (UCC Media Justice) is pleased to submit testimony in support of SB 0948, prepared by its counsel, student attorneys in the Communications and Technology Law Clinic at Georgetown Law. UCC Media Justice is a national faith-based non-profit devoted to ensuring affordable access to communications services and providing a voice to underrepresented groups in communications policy discussions. UCC Media Justice takes its guidance from the scripture in Matthew 25:35-40 emphasizing the importance of caring for people in prison. Maryland should adopt SB 0948 with amendments because it will foster strong familial and community bonds, benefit children, ease financial burdens on incarcerated individuals' families, and support rehabilitation and reintegration efforts.

Federal Efforts to Subsidize Carceral Communications are Important, but Not Enough

Communications services for carceral facilities have historically imposed exorbitant costs on incarcerated individuals' families. These predatory pricing schemes often included commissions to correctional institutions, which disincentivized officials from negotiating for fair, reasonable rates.¹ In some cases, one in three families go into debt attempting to maintain contact with incarcerated loved ones.² UCC Media Justice took a lead role in successfully passing the federal Martha Wright-Reed Just and Reasonable Communications Act. The Federal Communications Commission will adopt new national rate caps this summer, which will likely go into effect in 2025.³

Even with lower rates, families will still face financial burdens to communicate. Phone costs are typically passed on to incarcerated individuals' support networks and impose a huge financial strain on families, especially families who have lost the incomes of their incarcerated family members. SB 0948 would ease this financial burden and allow families to stay connected with their incarcerated loved ones. Federal legislation to lower rates nationwide could make it less expensive for Maryland to take on this cost as the national rules drive down rates, but it only addresses part of the problem: Maryland must act.

Staying Connected Supports Successful Reintegration to Society and Benefits Families

Staying connected is crucial for incarcerated people and their families, both while in custody and post-release. For children of incarcerated parents, phone contact is particularly essential, as it plays a significant role in their emotional and physical growth. In one study, approximately 83% of surveyed children with incarcerated parents emphasized the importance of staying in touch with their parents

¹ Drew Kukorowski, Peter Wagner, and Leah Sakala, *Please Deposit All of Your Money: Kickbacks, Rates, and Hidden Fees in the Jail Phone Industry*, Prison Policy Initiative (2013), <https://www.prisonpolicy.org/phones/pleasedeposit.html>.

² Ella Baker Center, *Who Pays?* At 9 (2015), <https://ellabakercenter.org/who-pays-the-true-cost-of-incarceration-on-families/>.

³ *FCC begins implementing the Martha Wright Act!* (March 16, 2023), <https://uccmediajustice.org/fcc-begins-implementing-the-martha-wright-act/>.



through phone and video communications.⁴ Such connections are critical to foster resilience and success.

Maintaining familial bonds is also a key factor in ensuring incarcerated individuals' successful return to their communities. In a study of 414 men incarcerated in state prison, those who stayed connected with their families were more likely to find stable employment and housing upon release.⁵ Extensive research supports the importance of connection.⁶

Other Jurisdictions Provide Free Calls for Carceral Facilities

As the attached chart shows, other states have implemented statutes providing free calls to incarcerated people, including Connecticut, California, Colorado, Minnesota, and Massachusetts. Major cities—such as New York City, San Francisco, Los Angeles, Miami, and San Diego County—have passed similar legislation to subsidize jail communications. Maryland should follow suit and allow local families to connect with incarcerated loved ones without falling into debt due to phone costs.

Suggested Amendments

UCC Media Justice proposes the following amendments to ensure that incarcerated individuals receive guaranteed access to phone services:

Adequate Telephone Equipment & Minimum Use Time Policy - Facilities must provide a sufficient number of telephone devices and a guaranteed minimum amount of telephone time, ensuring minimal wait times and reasonable access for all individuals and regular contact with their families and loved ones for the incarcerated population.

Other jurisdictions have similar provisions. Massachusetts requires phone services to be “maximized to the extent possible” and not be lower than 2023 levels. California’s free call statute mandates “accessible, functional” communication services.

We also request the General Assembly work to reform pricing in jails. Jails often hold individuals for shorter periods, during which maintaining contact is equally important, as they need to communicate about legal representation, employment, housing, family finances, and other arrangements in light of their potential continued incarceration or reentry. Maryland jails' phone call rates (up to \$3.15 for 15 minutes) significantly exceed state prison rates, and approximately one-third of incarcerated people in Maryland are in jails.⁷

For More Information:

Lana Wynn, Third-Year Law Student and Student Attorney, agw65@georgetown.edu
Azam Chaudry, Third-Year Law Student and Student Attorney, asc173@georgetown.edu
Michele Gilman, Professor of Law and Supervising Attorney, Georgetown University Law Center,
Communications & Technology Law Clinic, michele.gilman@georgetown.edu
Cheryl A. Leanza, policy advisor for UCC Media Justice, cleanza@alhmail.com
100 Maryland Ave, NE, Suite 330, Washington DC 20002

⁴ Urban Institute, *Low-Cost Phone Calls Benefit Incarcerated People* (Aug. 2023), <https://www.urban.org/urban-wire/low-cost-phone-calls-benefit-incarcerated-people-their-families-and-criminal-legal>.

⁵ National Library of Medicine, *Behind Bars but Connected to Family: Evidence for the Benefits of Family Contact During Incarceration*, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6625803/>.

⁶ Prison Policy Initiative, *Research roundup: The positive impacts of family contact for incarcerated people and their families*, https://www.prisonpolicy.org/blog/2021/12/21/family_contact/.

⁷ Prison Policy Initiative, *Maryland Profile*, <https://www.prisonpolicy.org/profiles/MD.html>.



Comparison: Other Jurisdictions with Free Call Statutes for Carceral Facilities

State	Year	Statute	Summary of Statute
CT	2021	Public Act No. 21-54 - An Act Concerning Communication Services In Correctional And Juvenile Detention Facilities.	Mandates free communication services for individuals in Connecticut’s correctional and juvenile detention facilities starting October 1, 2022. The Act prohibits using these services to replace in-person visits and ensures that all forms of communication, including voice, video, and email, are provided at no cost to the incarcerated individuals. Additionally, it stipulates that the state will not generate revenue from the provision of these communication services.
CA	2022	CA Pub. Util. Code § 2899 - Keeping Families Connected Act	Mandates free communication services for individuals in custody within the state’s prisons and juvenile facilities, prohibiting revenue generation from these services by state and local agencies. This Act emphasizes the importance of family connections to aid in the reintegration of incarcerated persons into society. Additionally, it mandates the Public Utilities Commission to set quality standards for these communication services, ensuring reliable access for incarcerated individuals to maintain contact with their families and support networks.
CO	2023	HB1133 - Cost Of Phone Calls For Persons In Custody	Mandates that the state’s Department of Corrections provide free voice communication services, which may include video and email services, without generating revenue from these services. The bill stipulates a phased implementation for covering communication costs, starting with 25% of costs covered from September 2023, increasing to 35% by July 2024, and covering 100% of costs by July 2025. Additionally, it includes provisions for juvenile detention facilities.
MN	2023	SF 2909 - Judiciary and Public Safety Budget Bill, Sec. 11. [241.252]	Mandates state adult or juvenile facilities provide free voice communication services to incarcerated individuals, with the option to add video and electronic messaging services, ensuring no charges for communication. It sets restrictions to uphold protection orders, prohibits state revenue from these services except for pre-2023 commissions, and maintains in-person visits with certain exceptions. Requires annual reporting by the Department of Corrections on renegotiating communication contracts, including rate details, fund usage, and service statistics to boost transparency and accountability in providing communication services to incarcerated people.
MA	2023	H. 4052 - An Act providing for unlimited free phone calls to incarcerated individuals	Mandates the Department of Correction and sheriffs provide unlimited free voice communication services, including phone calls, to individuals in state and county correctional facilities. The Act mandates that the level of access to these services should not be less than what was available on July 1, 2023, ensuring that facilities maintain or enhance current communication standards. It also emphasizes the need for adequate infrastructure to support these services and affirms that the provision of free voice communication does not affect the availability of in-person visits, highlighting a comprehensive approach to maintaining connections between incarcerated individuals and their communities.

