

Testimony in *Support* of House Bill 401 (Favorable)
State Correctional Facilities - Incarcerated Individuals –
Costs of Telephone Communications

To: Delegate Luke Clippinger, Chair, and Members of the Judiciary Committee

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I am a student-attorney in the Youth, Education, and Justice Clinic at the University of Maryland Francis King Carey School of Law. The Clinic represents children facing exclusion from school through suspension and expulsion, as well as individuals serving life sentences for crimes committed when they were minors or young adults. The Clinic *supports* House Bill 401, which aims to provide free telephone services for incarcerated individuals in Maryland.

If passed, Maryland would become the sixth state to alleviate the financial burdens of telephone communications for incarcerated individuals and their families. California, Colorado, Connecticut, Massachusetts, and Minnesota have removed these costs to promote connectedness between incarcerated individuals and their support networks.¹ Families are a key source of support for many incarcerated individuals.²

Research has long established that maintaining familial connections during incarceration supports rehabilitation while reducing recidivism.³ A study from over 50 years ago analyzed incarcerated individuals' connections with their families across Southern California and found that strong family ties during incarceration correlated with parole success.⁴ A 2014 study of

¹ NAZGOL GHANDNOOSH, PH.D. ET AL., THE SENTENCING PROJECT, ONE IN FIVE: HOW MASS INCARCERATION DEEPENS INEQUALITY AND HARMS PUBLIC SAFETY 4 (2024), <https://www.sentencingproject.org/app/uploads/2024/02/One-in-Five-How-Mass-Incarceration-Exacerbates-Inequality-and-Harms-Public-Safety.pdf>.

² Thomas J. Mowen et al., *Family Matters: Moving Beyond “If” Family Support Matters to “Why” Family Support Matters during Reentry from Prison*, 56 J. RES. CRIME DELINQ. 2 (Unpaginated article, the unofficial version of this article is here: <https://pmc.ncbi.nlm.nih.gov/articles/PMC7205225/pdf/nihms-1037209.pdf>) (2019)).

³ E.g., U.S. DEP’T OF JUSTICE, PRISON REFORM: REDUCING RECIDIVISM BY STRENGTHENING THE FEDERAL BUREAU OF PRISONS (2023), <https://www.justice.gov/archives/prison-reform> (“Research shows that close and positive family relationships during incarceration reduce recidivism, improve an individual’s likelihood of finding and keeping a job after prison, and ease the harm of family members separated from their loved ones.”).

⁴ See generally, NORMAN HOLT & DONALD MILLER, CALIFORNIA STATE DEP’T. OF CORRECTIONS, EXPLORATIONS IN INMATE-FAMILY RELATIONSHIPS (1972) (Unpaginated article, the unofficial version of this article is here:

incarcerated women found that those who maintained telephone contact with family members were significantly less likely to be reincarcerated within five years of their release.⁵ The study also found that telephone contact had a stronger impact on reducing recidivism than in-person visits.⁶ These studies, along with others, demonstrate that increasing incarcerated individuals' access to their families can significantly support their rehabilitation.

It is crucial to recognize that families are impacted by the absence of their incarcerated relatives. Many individuals who are incarcerated are parents, and their children suffer from their absence. A 2020 survey of incarcerated parents demonstrated that weekly telephone calls improved parent-child relationships, helping both parents and children cope with the emotional challenges of separation.⁷ Thus, the maintenance of family relationships during imprisonment is important to incarcerated individuals and their relatives.⁸

However, the financial burdens of prison telephone services are too much for many incarcerated individuals and their families to bear. According to the Fiscal and Policy Note for House Bill 401, \$9,355,563 was spent on prison telephone services in FY 2024.⁹ Incarcerated individuals lack the resources to pay for telephone services as wages at the Division of Correction range from \$0.90 to \$2.75 per day, and at Maryland Correctional Enterprises, between \$0.17 and \$1.16 per hour.¹⁰ As a result, the financial burdens of these telephone services often fall on their families. Many families are low-income and due to limited financial resources, face the difficult decision of choosing between paying for telephone calls with their incarcerated loved ones or covering basic necessities like food and rent. Passing House Bill 401 would relieve this financial burden from families while promoting racial and economic equity across the state.

The Clinic is mindful of the State's \$3 billion deficit. However, it is important to consider the outsized costs of incarcerating individuals in Maryland's prisons. As of October 2023, over 16,000 individuals were incarcerated in Maryland.¹¹ On average, Maryland taxpayers pay

https://www.prisonlegalnews.org/media/publications/holt_miller_prisoner_and_family_relationship_recidivism_study_1972.pdf) (1972)).

⁵ Kelle Barrick et al., *Reentering Women: The Impact of Social Ties on Long-Term Recidivism*, 59 THE PRISON J. 1, 15 (2014).

⁶ *Id.* at 16.

⁷ Danielle L. Haverkate & Kevin A. Wright, *The Differential Effects of Prison Contact on Parent-Child Relationship Quality and Child Behavioral Changes*, 5 CORRECTIONS: POLICY, PRACTICE, & RESEARCH 222 (2020). (Unpaginated article, the unofficial version of this article is here: https://static.prisonpolicy.org/scans/Haverkate_Wright_2020.pdf) (2018)).

⁸ Creasie Finney Hairston, *Family Ties During Imprisonment: Important to Whom and For What?*, 18 W. MICH. UNIV. J. SOCIO. & SOC. WELFARE 87, 101 (1991).

⁹ *Fiscal and Policy Note, House Bill 401, Judiciary: State Correctional Facilities - Incarcerated Individuals - Costs of Telephone Communications*, 4, 447th Sess. (2025).

¹⁰ Jayson Hawkins, *New Law in Maryland Reveals Pathetic Prison Wages*, 31 PRISON LEGAL NEWS 59, 59 (2020), <https://www.prisonlegalnews.org/news/2020/sep/1/new-law-maryland-reveals-pathetic-prison-wages/>.

¹¹ William J. Ford, *Advocates try again on bill to halt the practice of charging inmates for phone calls*, MARYLAND MATTERS (Jan. 10, 2025), <https://marylandmatters.org/2025/01/10/advocates-try-again-on-bill-to-halt-the-practice-of-charging-inmates-for-phone-calls/>.

approximately \$45,875 to incarcerate each individual per year.¹² House Bill 401 seeks to promote rehabilitation and reduce recidivism by facilitating and strengthening connections between incarcerated individuals and their families. Reduced recidivism brings down the costs of incarceration, which provides financial benefit to the State and taxpayers over time.

House Bill 401 strengthens family connections, promotes rehabilitation, reduces recidivism, enhances public safety, and ultimately reduces the exorbitant costs of incarceration borne by Maryland's taxpayers. For these reasons, the Youth, Education, and Justice Clinic strongly supports House Bill 401 and respectfully requests a favorable report.

This written testimony is submitted on behalf of the Youth, Education, and Justice Clinic at the University of Maryland Francis King Carey School of Law, and not on behalf of the School of Law or the University of Maryland, Baltimore.

¹² Maryland State Archives, Division of Correction, *Fiscal Year 2018 Inmate Costs*, MARYLAND MANUAL ON-LINE, <https://msa.maryland.gov/msa/mdmanual/01glance/html/criminal.html> (last visited Jan. 26, 2025).