

**MARGARET MARTIN BARRY**  
*Testimony Submitted to*  
**THE HOUSE JUDICIARY COMMITTEE**

**IN SUPPORT OF HB 1157, ASSESSMENT OF STATE CORRECTIONAL SYSTEM**

I urge the Committee to favorably report HB 1157, and support its passage in the House. HB 1157 provides for a much-needed comprehensive assessment of Maryland's correctional system.

The Fiscal Note on the bill points out that the Office of the Correctional Ombudsman (OCO) is in its infancy and this is much to add to its plate. It also observes that the costs cannot be calculated because DLS only received limited information regarding the potential costs from OCO.

The cost of such a study may well be de minimis if an organization, such as the Vera Institute can provide the service with the benefit of grant funding. The benefit could be insight into thoughtful, cost-saving change that the corrections needs.

Maryland correctional facilities fail in a number of areas due to external and internal problems. HB 1157 provides for a systemic assessment of where these problems lie. A less than comprehensive list of issues that require attention is:

1. Facilities are overcrowded. This is due to sentencing practices and overly conservative and poorly executed parole practices. It is also due to prison practices that create tension and offer little opportunity for or encouragement in rehabilitation.
2. Facilities are understaffed, and this is compensated for by poor practices that include excessive use of overtime. This is both expensive, undermines morale and generally undermines effective facility management.
3. Health care is inadequate, and downright dangerous. The poor state of healthcare for incarcerated people in the Maryland correctional system has been documented, including alarm at the recent provider contract. Vastly improved quality of care and rational fees for health services are sorely needed.
4. Abuse of those housed in correctional facilities by other incarcerated persons and by correctional officers is said to be widespread. The extent of this and

the best practices for addressing it are essential. Throwing incarcerated people in restrictive housing indefinitely as well as ignoring the actions of correctional officers are not effective responses.

5. Incarcerated persons and correctional officers have raised concerns about retaliation for reporting misconduct. This not only inhibits addressing problems, it encourages abuse and distrust. While OCO is currently tasked with protecting such reporting, systemic change is needed.
6. There is significant lack of access to jobs, skills training, other education, and rehabilitation programs. It is important to fully understand what is limiting these important aspects of meeting facility goals for rehabilitation and effective management.
7. Obstacles to family visitation are common. Scheduling is changed, the incarcerated family members are removed to other institutions without warning, rules for visiting family members are confusing, and incarcerated people are denied visits for a wide variety of reasons that are experienced as arbitrary. These obstacles unnecessarily undermine the important connection to family and other community support that helps those incarcerated succeed in prison and upon release.

In addition to identifying and assessing correctional system problems, the legislation asks for recommendations and an implementation plan for practices that have been proven to be effective elsewhere. Hopefully, those recommendations and that plan will underscore the need for strong leadership that can envision and enthusiastically support the changes Maryland's correctional system desperately needs and those connected with it deserve.

Respectfully submitted,  
*Margaret Martin Barry*  
Emeritus Professor of Law  
Resident, D-16