



Department of Public Safety and Correctional Services

Office of Government & Legislative Affairs

45 Calvert Street, Suite 7A, Annapolis, MD 21401
(443) 240-8696 • www.dpscs.maryland.gov

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REENTRY SERVICES

JASON DAVIDSON
DIRECTOR

BILL: SENATE BILL 241

POSITION: LETTER OF INFORMATION

EXPLANATION: Senate Bill 241 requires the Department of Public Safety and Correctional Services provide a list of incarcerated individuals released from incarceration to the State Board of Elections, who will then automatically restore voter registration for those who were registered to vote prior to incarceration.

- The Department of Public Safety and Correctional Services operates 13 State correctional facilities housing offenders sentenced to periods of incarceration for 18 months and longer. The Department also oversees five facilities located in Baltimore City that houses pretrial detainees as well as incarcerated individuals sentenced to incarceration for periods of 18 months and less
- The Department understands the importance of voting and is committed to ensuring all eligible voters incarcerated in State correctional facilities are afforded the right to vote and that each eligible voter has access to voter material, including registration applications and mail in ballot request forms.
- The Department has a robust voter program in place and works collaboratively with the State Board of Elections (SBE) and the local boards to facilitate voting for eligible incarcerated individuals in State correctional facilities.
- Secure ballot boxes are located in all State correctional facilities so incarcerated individuals may easily submit election related material, including voter registration applications, absentee ballot applications and ballots to the SBE. The local boards pick up the election material at designated times.
- The Department ensures election notices, deadlines, voter eligibility and restoration of rights information are posted throughout correctional facilities and available through case management. This information, along with voter registration forms, is also included in every incarcerated individual's release packet.

- Implementing SB 241, will require the SBE and the Department to enter into a Memorandum of Understanding that prohibits sharing criminal history record information with the public and restricts its use to only the purposes permitted under federal regulations governing dissemination to noncriminal justice State agencies.
- Finally, the bill requires the Department provide a weekly list to the SBE of individuals released in the previous week. However, after an individual's release, the Division of Parole and Probation initiates a case and conducts an intake interview, usually within one week, during which a verified residential address is confirmed. As such, providing a list monthly would yield more accurate and dependable addresses.

CONCLUSION: The Department of Public Safety and Correctional Services respectfully requests this Committee consider this information as it deliberates on Senate Bill 241.