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## Department of Public Safety and Correctional Services

### Office of Government & Legislative Affairs

**BILL:** SENATE BILL 61

**POSITION:** LETTER OF INFORMATION

**EXPLANATION:** Senate Bill 61 seeks to establish the Release Preparation Program (Program) within the Division of Correction (DOC) with the purpose of providing access to formerly incarcerated individuals to State correctional facilities to assist with release preparation.

- The Department appreciates SB 61 and currently has an active volunteer program dedicated to providing incarcerated individuals with a variety of programming and skills that will improve their lives upon release.
- The Department's voluntary program includes formerly incarcerated individuals, many of whom are actively in and out of DPSCS facilities every day.
- Engaging a volunteer to perform administrative and operational support services is an integral part of the Department's service delivery system intended to supplement or extend staff and services provided.
- In addition, the Department started a Lived Experience Committee (LEC), which is made up of justice involved and formerly incarcerated individuals who advise on policy, rehabilitation, and reentry. Members of the LEC work with the Secretary to support incarcerated individuals and improve conditions both "behind the fence and beyond".
- The LEC provides guidance, mentorship, and real-world perspectives to improve the lives of incarcerated individuals and support successful reentry. Members engage directly with incarcerated populations to discuss policy, legislation, and personal growth.
- The Department's organizational restructuring by formally aligning the Volunteers Unit within the Programs, Treatment and Reentry

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Department supports the Department's mission and ensures consistency with current practices related to authorizing additional justice-involved individuals to participate as volunteers in Department approved programs. This includes updating existing COMAR.

- The provision in the bill requiring the list of formerly incarcerated individuals participating in the Program to be made public may have unintended consequences for an individual who has obtained an expungement.
- Making this list available to the public undermines the fundamental purpose of expungement. Formerly incarcerated individuals participating in the Program may have had a record expunged. While an expunged record is not visible to the public, the formerly incarcerated individual would be on a public registry, essentially making the public aware the individual was incarcerated and had a record.

**CONCLUSION:** For these reasons, the Department of Public Safety and Correctional Services respectfully requests the Committee consider this information as it deliberates Senate Bill 61.