
TESTIMONY IN SUPPORT OF SENATE BILL 937
Landlord and Tenant - Residential Leases - Prospective Tenant Criminal
History Records Check (Maryland Fair Chance Housing Act)
Senate Judicial Proceedings Committee
March 11, 2026

Social Work Advocates for Social Change strongly supports SB 937, which would standardize how and when criminal history may be considered by landlords, require fairer and more transparent screening practices, and strengthen landlord oversight and accountability - **increasing access to housing for those with prior legal contact and creating a safer and healthier Maryland for all.**

Standardizing and narrowing the scope of tenant screenings is imperative to prevent suitable rental applicants from being denied housing. Numerous widely used screening practices in Maryland present major barriers to housing for individuals with *any* prior contact with the legal system – no matter how trivial or long ago.¹ These include practices such as prolonged lookback periods (i.e., the window of time a landlord may search an applicant’s past), conflation of arrests with convictions, and frequent reliance on incomplete, outdated, and inaccurate information – increasingly provided by “artificial intelligence” tools.

As social work students, we believe **housing is a fundamental human right – and access to housing should not be summarily denied because of a person’s history with the legal system.** Current Maryland law permitting extensive criminal background checks of rental applicants is incompatible with the social work profession’s core value of human dignity. One in three adults in the U.S. has a criminal history.² Due largely to barriers to housing, formerly incarcerated people are almost 13 times more likely to experience homelessness than the general public.³

The inability of many people with a criminal history to obtain housing – together with enormous gaps in access to social services – has meant law enforcement is often the first and last line strategy for dealing with unhoused individuals and many other vulnerable populations.⁴ These systemic failures fuel cycles of incarceration and housing insecurity that not only undermine the health, wealth, and safety of those in the most desperate circumstances – they also make our communities less safe for everyone.⁵ More than 200,000 unhoused adults are arrested each year nationwide.⁶

Discriminatory housing practices disproportionately impact people of color. Historical, structural, and systemic forces perpetuate extensive ongoing racial and ethnic disparities in the U.S. prison population and in housing access. In Maryland specifically, Black people comprise 71% of the prison population and 59% of the homeless population, despite making up only 29% of the general population.⁷ In addition, Black households are currently twice as likely to be renters compared with White households.⁸ Without laws like SB 937, which help ensure people and populations disproportionately targeted by law enforcement and the carceral system have access to safe and affordable housing, these disparities will continue to increase.

Research consistently shows that prior justice system contact does not determine whether someone is a good tenant, and broad criminal background searches do not improve resident safety.⁹ Multiple jurisdictions nationwide have developed laws over the last decade geared to decreasing discriminatory housing practices. Researchers in Cook County, IL, New Jersey, and Washington, DC, found no indication that landlords have reported more frequent incidents with tenants since enacting Fair Chance Housing laws there between 2017 and 2022. The researchers also found that each of these laws increased access to housing for individuals returning to their communities from incarceration.¹⁰

SB 937 will yield cost-savings to the state and taxpayers beyond those identified in the fiscal note.¹¹ The prison revolving door is expensive. The average annual cost to incarcerate a person in Maryland is roughly \$60,000.¹² The estimated cost of future prison time for people released from Maryland prisons in 2022 – and expected to return to prison based on Maryland recidivism data – is \$98 million.¹³ That’s future incarceration for just the individuals who leave our prisons in a single year. Based on these costs, even small reductions in incarceration driven by improved housing access could generate substantial savings.¹⁴ Further savings could come from reduced emergency room visits and psychiatric hospitalizations for unhoused adults as well as decreased spending on law enforcement.¹⁵

By reducing housing discrimination and enabling employment, SB 937 could decrease reliance on public assistance while generating new earnings and tax revenue that would not otherwise exist. Nearly three-quarters of formerly incarcerated Marylanders are unemployed one year after release.¹⁶ When people with records are able to secure stable housing, they are better positioned to obtain and maintain work, pursue education or training, and build financial stability.¹⁷ As employment and income rise, reliance on state-funded assistance programs declines while economic activity and sales-tax contributions increase.¹⁸ These employment-driven fiscal gains – combined with reduced recidivism and incarceration costs associated with housing stability – have the potential to produce meaningful net savings and broader economic benefits for the state.¹⁹

Those with criminal history have received the appropriate legal consequences according to the court of law. Continuing to punish them by limiting their access to housing is unjust and harmful to everyone. Safe and stable housing is essential to every individual’s physical and emotional well-being and is a precursor to the ability to contribute to one’s community and society. For the reasons discussed above, **Social Work Advocates for Social Change urges a favorable report on SB 937.**

Social Work Advocates for Social Change is a coalition of MSW students at the University of Maryland School of Social Work that seeks to promote equity and justice through public policy, and to engage the communities impacted by public policy in the policymaking process.

¹ Kajeepeta, S. (2025). *Barred from housing: The discriminatory impacts of criminal history restrictions in tenant screening*. Thurgood Marshall Institute. <https://tminstituteldf.org/criminal-background-checks-housing-barrier/>

² Nat’l. Conference of State Legislatures. (2025). *Criminal records and reentry toolkit*. www.ncsl.org/civil-and-criminal-justice/criminal-records-and-reentry-toolkit

³ Couloute, L. (2018). *Nowhere to go: Homelessness among formerly incarcerated people*. Prison Policy Initiative. <https://www.prisonpolicy.org/reports/housing.html>

⁴ See, re: national trends, The Brookings-AEI Working Group on Criminal Justice Reforms. (2021). *A better path forward for criminal justice*. https://www.brookings.edu/wp-content/uploads/2021/04/Better-Path-Forward_Brookings-AEI-report.pdf

⁵ Kajeepeta, S. (2025).

⁶ Wang, L. (2025). *Jailing the homeless: New data shed light on unhoused people in local jails*. Prison Policy Initiative. www.prisonpolicy.org/reports/housing.html

⁷ Prison Policy Initiative. *Maryland profile*. <https://www.prisonpolicy.org/profiles/MD.html>; The Maryland Interagency Council on Homelessness. (2021).

2020/2021 report on homelessness. <https://dhcd.maryland.gov/HomelessServices/Documents/2021AnnualReport.pdf>

⁸ Kajeepeta, S. (2024). *Spatial and racialized disparities in evictions: Case studies from New York and Maryland*. NAACP Legal Defense and Education Fund.

<http://dx.doi.org/10.2139/ssrn.4919121>

⁹ Kajeepeta, S. (2025).

¹⁰ Chesnut, K., et al. (2025). *Fair chance housing: Lessons in implementation*. Vera Institute of Justice. <https://vera-institute.files.svcdn.com/production/downloads/publications/Fair-Chance-Housing-Lessons-in-Implementation.pdf>

¹¹ See Maryland General Assembly. (2025). *Fiscal and policy note for House Bill 1077: Landlord and Tenant - Residential Leases - Prospective Tenant Criminal History Records Check (Maryland Fair Chance Housing Act)*. (estimated annual costs for 2026 through 2030 ranging from \$251,000 and \$285,400)

¹² Maryland General Assembly. (2024). *Fiscal and policy note: Department of Public Safety and Correctional Services—Operating budget*.

¹³ The Council of State Governments Justice Center. (Apr. 2024). *50 states, 1 goal: Examining state-level recidivism trends in the Second Chance Act era*. https://csgjusticecenter.org/wp-content/uploads/2024/04/50-States-1-Goal_For-PDF_with508report.pdf

¹⁴ A reduction in the state’s prison population of 1 to 5% (approximately 145 to 725 people) could translate to roughly \$9 million to \$43 million in annual correctional savings, with larger long-term reductions possible as housing stability lowers recidivism.

¹⁵ National Alliance to End Homelessness. (2017). *Ending chronic homelessness saves taxpayers money*. <https://endhomelessness.org/resources/research-and-analysis/ending-chronic-homelessness-saves-taxpayers-money-2/>

¹⁶ MD Dept. of Labor. (2023, April). *Benchmarks of success: Recognizing nat’l second chance month*. <https://content.govdelivery.com/accounts/MDLLR/bulletins/358b398>

¹⁷ Urban Institute. (2012).

¹⁸ Council of Economic Advisers. (2016). *Economic perspectives on incarceration and the criminal justice system*. Washington, DC: Executive Office of the President. <https://obamawhitehouse.archives.gov/sites/whitehouse.gov/files/documents/CEA%2BCriminal%2BJustice%2BReport.pdf>

If SB 937 enabled even a modest 5 to 10% increase in the share of recently incarcerated Marylanders who secured employment (about 1,000 to 2,000 additional workers annually), the resulting earnings could generate about \$0.8 million to \$2.5 million/year in new Maryland income-tax revenue alone, based on typical wages in the reentry labor market.

¹⁹ Duran, L., Plotkin, M., Potter, P. & Rosen, H. (2013, Sept.). *Integrated reentry and employment strategies*. Council of State Governments Justice Center. <https://bia.ojp.gov/sites/g/files/xyckuh186/files/Publications/CSG-Reentry-and-Employment.pdf>