



TESTIMONY IN SUPPORT OF HOUSE BILL 1309

Commission to Review and Assess Racial Disparities in the Criminal Justice System - Establishment

TO: Members of the House Judiciary Committee

FROM: Center for Criminal Justice Reform, University of Baltimore School of Law

DATE: March 3, 2026

The University of Baltimore School of Law’s Center for Criminal Justice Reform (“the Center”) is dedicated to supporting community-driven efforts to improve public safety and address the harm and inequities caused by the criminal legal system. The Center proudly served on the Executive Committee of the Maryland Equitable Justice Collaborative (“MEJC”), a historic initiative launched by the Office of the Attorney General and the Office of the Public Defender, to shape a comprehensive plan for addressing the urgent issue of mass incarceration, particularly as it impacts Black men and other marginalized groups within Maryland's prisons and jails.

Aligned with our Center’s mission, and in support of the progress forged by the MEJC, we offer our strong support for House Bill 1309.

The existence of racial disparities throughout Maryland’s criminal justice system is well documented. For example, “[a]lthough Black people constitute only 30% of the State's population, they account for 51% of arrests, 59% of the jail population, 71% of the prison population, 71% of the parole population, and 53% of the probation population.”¹ The current lack of state-wide, detailed data collection and analysis in Maryland frustrates the state’s ability to make evidence-informed, targeted, and equitable decisions at multiple decision points in our criminal justice system.

House Bill 1309 will help develop a critical understanding of the extent and nature of racial disparities in our state’s criminal justice system, and will help Maryland identify and implement research-informed policy changes to meaningfully address those disparities. It will also identify critical areas where consistent quality data collection is lacking and where investments in research infrastructure are needed to further these goals.

In its inaugural report, *Breaking the 71%: A Path Toward Racial Equity in the Criminal Legal System*, MEJC released 18 recommendations, including the need for further study of the drivers of

¹ Ann Carson, Prisoners in 2022, Bureau of Justice Statistics, November 2023. DPSCS - DPP Annual Data Dashboard (maryland.gov).

racial disparities in our system.² In alignment with the needs captured in this recommendation, House Bill 1309 will establish a Commission to Review and Assess Racial Disparities in the State Criminal Justice System (the “Commission”) to steward this work and ensure that it is action-oriented toward true reform. Comprised of a broad cross-section of perspectives, the Commission will benefit from the perspectives of directly impacted individuals, legal services practitioners, researchers and other key stakeholders. By passing House Bill 1309, Maryland will join a growing list of states that have undertaken similar efforts and assessments, such as Colorado³, Vermont⁴, Connecticut⁵, New Jersey⁶, North Carolina⁷ and California⁸, which have led to historic steps forward in addressing deeply entrenched racial disparities in the criminal justice systems of those states.

The Commission will study and make recommendations on a number of critical and evolving issues facing our state. The Commission will build needed bridges across the research, policy and practice communities, as well as across siloed issue areas in the criminal justice space. This includes needed examination of racial disparities related to mandatory minimum sentencing and firearm offenses; the need for modifying or abolishing Maryland’s felony murder doctrine; and the design and expansion of programs including those designed to reduce prison populations, rehabilitate incarcerated individuals, and reduce prison sentences in a manner consistent with public safety.

For the foregoing reasons, we urge a favorable report on House Bill 1309.

² <https://mejc.maryland.gov/pages/Reports>. This recommendation reads: “Conduct a qualitative and quantitative analysis of each step in the criminal legal process—from arrest to sentencing and parole—to understand the impact of racial and geographic disparities in Maryland’s adult prison population.”

³ Colo. Rev. Stat. § 2-2-2301

⁴ Jud. Comm’n on Diversity, Equity & Inclusion, First Commission Report to the Vermont Supreme Court, (Mar. 30, 2023),

https://www.vermontjudiciary.org/sites/default/files/documents/Judiciary%20Commission%20on%20Diversity%20Equity%20and%20Inclusion%20-%20First%20Commission%20Report%20to%20Supreme%20Court%20%28March%2030%2C%202023%29_1.pdf.

⁵ Conn. Gen. Stat. § 51-10c

⁶ 2020 Bill Text NJ S.J.R. 94

⁷ N.C. Task Force for Racial Equity in Crim. Just., 2023 Year-End Report (2023),

https://ncdoj.gov/wp-content/uploads/2024/01/DPS_TREC_2023Annual-Report_digitalFINAL2.pdf

⁸ Maria Barakat, Embedding Racial Equity Into the Fabric of California’s Government: What You Should Know About the State’s Racial Equity Commission, Greenlining Inst. (Jan. 19, 2024),

<https://greenlining.org/2024/what-you-should-know-about-california-racial-equity-commission/>