

MARYLAND ALLIANCE FOR JUSTICE REFORM

Working to end unnecessary incarceration and build strong, safe communities



Ban-the-Box on College Applications

Maryland Fair Access to Education Act

What's the Problem?

One of the many [collateral consequences](#) that reentering Maryland citizens face is a requirement to declare their criminal history as part of the initial college application to Maryland state colleges and universities. This practice is discriminatory and places a barrier to higher education for people trying to improve their qualifications and job prospects. [Studies](#) show that asking about prior criminal history as part of the initial college application greatly reduces the successful application rate for former convicts. And if campus safety is the main justification for asking about criminal records, [studies](#) also show that “the box” has no measurable impact on campus crime.

Maryland currently has a recidivism rate of around 40%, meaning 4 out of ten released inmates commit another crime within three years. Removing barriers to reentry, including banning the box on college applications, will help former inmates to provide for themselves and their families and greatly reduce recidivism rates. Giving people a second chance is the right thing to do.

What's the Proposal?

Maryland Delegate Maggie McIntosh introduced [HB694](#) during the 2017 legislative session, with Senator Conway cross-filing the same bill as [SB543](#). This bill won overwhelming support in both the House and Senate. The bill is intended to prohibit colleges and universities that receive Maryland State funds from asking about an applicant's criminal history during the initial application process. Criminal history can be considered in the final determination of admission or campus residency.

Current state law already prohibits inquiring about prior criminal history in the initial application for most State jobs; however, there has been no such prohibition in college admissions. In 2016, the U.S. Secretary of Education [urged](#) colleges and universities to remove such barriers in the application process.

Will this Work?

Supporting the successful reentry of former inmates is something we all can do to bring down the recidivism rate in Maryland and give people a second chance. Pursuing higher education is one way returning citizens can improve their job opportunities and better themselves. Unfortunately, requiring applicants to provide their criminal history as part of the initial application presents a potential barrier to higher education. Allowing applicants to be considered based on their accomplishments and abilities rather than a past criminal record will give them a fair chance to

succeed. And studies show that pursuing education either in prison or afterwards greatly reduces recidivism and strengthens reintegration.

While many colleges and universities across the country already do not ask about criminal histories in the application process, [Louisiana](#) is currently the only state with a ban on state colleges asking about an applicant's criminal history. The State University of New York (SUNY) introduced a similar ban in 2016. Several organizations in Maryland have made banning the box a priority for the coming legislative session, including [From Prisons to PhD](#), the [Jobs Opportunities Task Force](#) and [Out for Justice, Inc.](#) In October 2017, these organizations held a rally at John Hopkins University featuring speakers Wes Moore, Del. Maggie McIntosh, and others.

Status of the Legislation

Maryland's legislature successfully passed HB694/SB543 only to see it [vetoed](#) by Governor Hogan citing concerns about public safety. However, it is difficult to find a connection between the college application process and safety on campuses. In May, the Washington Post reported that Del. McIntosh intends to pursue a veto override at the beginning of the 2018 legislative session.

Learn More!

There are numerous resources on the many collateral consequences suffered by returning citizens. The resources below focus specifically on banning the box from college applications:

- [From Prisons to PhD](#): Dr. Stanley Andrisse at John Hopkins Medicine is at the forefront of helping Maryland inmates and former inmates gain access to education.
- [The Use of Criminal History in College Admissions - Reconsidered](#): Center for Community Alternatives.
- [Boxed Out – Criminal History Screening and College Application Attrition](#): Center for Community Alternatives.
- [Beyond the Box](#): U.S. Department of Education.

Many other resources can be found at: <http://www.ma4jr.org/returning-citizens/>

Note: This document contains hyperlinks. To use them, access the online version at:

<http://www.ma4jr.org/ban-the-box/>

The Maryland Alliance for Justice Reform (MAJR) is a nonpartisan association of over forty community organizations and churches with members in every part of the state, formed to support justice reinvestment. Individual supporters include judges, attorneys, corrections professionals, as well as returning citizens, victims, and service providers.