

MARYLAND ALLIANCE FOR JUSTICE REFORM

Working to end unnecessary incarceration and build strong, safe communities



Questions for Maryland Legislators

You have an opportunity to lift up your concerns to members of Maryland's legislature. For the complete list of questions and resources visit: <https://www.ma4jr.org/issue-briefs/> Find your Maryland Legislator by going to the following website: <http://mdelect.net/>

Front Door Mental Health Diversion

Question:

Will you support a plan to offer inexpensive screening and services for mentally disabled detainees.

MAJR Perspective:

In 2016, the Governor's office mental health gaps analysis received estimates that 42% detained in Md. jails suffer from mental health disorders. National estimates suggest that at least half this population in pretrial detention are there for nonviolent incidents; approximately 20% of these may involve severe illnesses (schizophrenia, affective disorders, etc.) Mental health screening is comparatively inexpensive; further assessment and treatment are less costly than incarceration.

<https://goccp.maryland.gov/wp-content/uploads/justice-reinvestment-sa-mh-gaps-needs-20161231.pdf>

Restorative Justice

Question:

Will you support and work to fund restorative justice in Maryland?

MAJR Perspective:

Restorative justice programs—such as Johns Hopkins' successful Community Conferencing—demonstrate that they can deter youthful and low-risk offenders without prosecution and incarceration. Existing law encourages Maryland prosecutors to divert from prosecution, or even dismiss charges for many low-risk offenders. Amending Title 6 of Maryland's Criminal Procedure Article, MAJR's proposed bill would permit similar treatment for offenders who enter into and successfully complete community conferencing agreements.

<https://www.ma4jr.org/wp-content/uploads/2014/12/2.6-diversion-intro.pdf>

<https://www.ma4jr.org/wp-content/uploads/2014/11/2.6-diversion-2.pdf>

Smart on Crime

Question:

Will you work for criminal justice legislation that is evidence-based, not just "tough on crime?"

MAJR Perspective:

Governor Hogan and Maryland's Executive Branch have the responsibility not only to keep our streets safe in the short run by getting the worst offenders off our streets. But they also should ensure those offenders learn from their mistakes and return to our communities in the long run with the ability and enthusiasm to live better, more productive lives and to build safer communities. Currently, a large part of the crime problem is that violent offenders return to our communities without the skills, knowledge, training, or connections to

make their lives better.

<https://www.ma4jr.org/wp-content/uploads/2017/12/SmartonCrime.pdf>

<https://www.justice.gov/sites/default/files/ag/legacy/2013/08/12/smart-on-crime.pdf>

<https://www.ma4jr.org/smart-on-crime/>

Pretrial Services

Question:

Do you support increased funding for local pretrial services?

MAJR Perspective:

Pretrial supervision programs, with risk screening, have been shown a cost effective and safe alternative to jail for people awaiting trial who are not a threat to public safety or likely to fail to appear for their court date. However, only 13 of 23 Maryland counties by early 2018 offer substantial pretrial supervision; of these, only 10 made use of evidence-based risk-assessment tools. Only one County uses a “validated” assessment, confirmed as accurate for its population.

The State of Maryland needs to provide a proven, uniform, racially-neutral risk assessment tool that can be regionally validated. We also should increase our support local jurisdictions in providing pretrial services that will reduce taxpayers’ unnecessary detention costs.

<https://www.ma4jr.org/wp-content/uploads/2018/03/MCAA-11-17-Survey-Summary-revised.pdf>

Bail Reform

Question:

Will you defend the Maryland Courts and fight unfair bail practices?

MAJR Perspective:

In 2016 the Baltimore Sun reported “[Last year in Baltimore](#) over 8,200 largely black and poor citizens — not convicted of any crime, just arrested and presumed innocent — were granted bail, but nevertheless kept in jail because they were too poor to put up the money.” The Maryland Court System then changed its rules and procedures; a major step in resolving this problem. Don’t let the Bail Bond Industry reverse this major step in justice reform!

http://digitaledition.baltimoresun.com/tribune/article_popover.aspx?guid=5b91cc2c-fc49-4b17-bf0c-d98a44ab8229

<https://www.ma4jr.org/pretrial-fact-sheet/>

Risk Assessment

Question:

Will you take a leadership role in ensuring equal justice for all?

MAJR Perspective:

Court systems in more than two dozen US cities and states are using algorithms that assess flight risk without considering race, gender, or socioeconomic status, in an attempt to remove implicit bias from the equation producing a more objective assessment. In over 90% of Maryland criminal cases sentencing decisions are made without risk-assessment or pre-sentence investigations. Judges have no standardized method to learn what factors caused an offender to commit an offense or what measures might prevent repetitions. There is an urgent need to standardize the judicial review process.

<https://www.ma4jr.org/smart-on-crime/>

<https://csgjusticecenter.org/reentry/posts/risk-assessment-what-you-need-to-know/>

Citations for Misdemeanors

Question:

Will you enable our police to issue citations instead of arrest for nonviolent offenses?

MAJR Perspective:

This initiative (HB408), that passed the House in 2017, could increase use of citations. Increased citation use also is recommended by the national conference of state legislatures and has begun in many other states and local jurisdictions.

<https://www.ma4jr.org/citations/>

[International Chiefs of Police, “Citation in Lieu of Arrest”](#)

[Pretrial Justice Institute, “Citation in Lieu of Custodial Arrest: Recommendation”](#)

Behind the Walls

Parole Incentive for Lifers

Question:

Will you enable the Parole Commission to do its job, removing the Governor from the parole decision process for lifers?

MAJR Perspective:

Maryland law provides two types of life sentences – those eligible for parole and those without the possibility of parole. However, some Governors have eliminated this distinction by automatically vetoing parole for every life-sentenced inmate. Rather than veto every parole, Governors should select capable Parole Commissioners who would make evidence-based recommendations, prescribing parole for inmates who earned it and providing the safest parole supervision conditions.

<https://www.ma4jr.org/wp-content/uploads/2014/12/2.3-parole-intro.pdf>

Solitary Confinement

Question:

Will you work to reduce the excessive use of solitary confinement in your Maryland prisons?

MAJR Perspective:

Nationally, 4-5% of prisoners are in solitary—but Maryland’s practice is roughly twice that, 8% of Maryland’s prison population is in solitary. During 2017, 73% of Maryland’s prison population was placed in restrictive housing at some point. It is three times more expensive to hold a prisoner in segregation than in the general population. Experts have documented that prolonged solitary confinement is cruel, expensive and ineffective. We need your help in correcting Maryland’s system of corrections.

<https://www.ma4jr.org/wp-content/uploads/2018/02/Solitary-Confinement.pdf>

<https://www.ma4jr.org/wp-content/uploads/2018/02/TalkingPoints.pdf>

Rewarding Educational Achievements

Question:

How can you help educate our incarcerated population?

MAJR Perspective:

To help people who have served time in our state prisons live stable, productive lives when they re-enter our communities, providing education while they are in custody is critical. Motivation is a key ingredient in educational achievement and our correctional system needs to use diminution credits to benefit both the State and the inmate. “Every dollar invested in correctional education,” a RAND study concluded, “saves nearly five in reincarceration costs over three years.” Currently, Maryland inadequately rewards education in its prisons.

<https://www.ma4jr.org/wp-content/uploads/2018/01/EducationCredits.pdf>

<https://www.abell.org/sites/default/files/files/Abell%20Prison%20Education%20Report%2072517%20final.pdf>

Back Door

Employer Incentives

Question:

Will you work to provide employer incentives to hire returning citizens?

MAJR Perspective:

Both federal and state studies clearly show that our formerly incarcerated citizens who are employed are much less likely to commit new offenses than those who are unemployed. A 2017 Greater Baltimore Committee report summarizes this research, stating: “the single largest determinant of re-arrest and re-conviction is whether or not a person is able to find a job upon release from prison...” In addition to the cost of incarceration, Maryland should consider the impact on possible victims and on children and communities of the formerly incarcerated.

<https://www.ma4jr.org/wp-content/uploads/2015/02/2.5A-second-chance-intro-2.pdf>

<https://www.bja.gov/Publications/CSG-Reentry-and-Employment.pdf>

http://www.pastforwardmd.org/pdf/jotf_guide_to_negligent_hiring.pdf

Redeem Act

Question:

Will you work to give Maryland’s formerly incarcerated population a fair chance?

MAJR Perspective:

The broad availability of often misleading and stale criminal record information makes it unnecessarily difficult for millions of Americans with criminal records to find employment. Maryland still allows employers to refuse to hire people with criminal records, even if they have paid their debt to society and demonstrated their ability to work without risk to the public. We need your voice to set fair and reasonable limits on access to the records of our formerly incarcerated population.

<https://lac.org/what-we-do/criminal-justice/reducing-criminal-record-barriers-to-employment/pass-the-redeem-act/>

Strengthen Certificate of Rehabilitation

Question:

Will you work to make the Justice Reinvestment Act broader?

MAJR Perspective

On October 2017, Maryland implemented the Justice Reinvestment Act (JRA) which included a Certificate of Rehabilitation for returning citizens. The stated purpose is to ensure that licensing and certification boards cannot deny a license solely due to a prior conviction. Unfortunately, many who might benefit from such a certificate are excluded. We need you to help make the JRA stronger.

[See: Certificate of Rehabilitation](#)

Women’s Pre-Release Center

Question:

Will you restore a Pre-Release Center for women who are returning to our communities?

MAJR Perspective

The State of Maryland operates six Pre-Release centers for men returning to our communities. Due to budget constraints the State of Maryland closed the only pre-release center for women in Baltimore City. Women who are returning to our communities are incarcerated in MCIW, Maryland’s only women’s prison. We need your help in making sure men and women have equal access and equal opportunities. MAJR will work with OFJ and the Maryland Justice Project on this issue.