

Behind the Walls July 12, 2021 Meeting Minutes

Call to Order

The Behind the Walls workgroup meeting came to order on Monday, July 12, 2021 at 7:00pm with members of the Maryland Alliance for Justice Reform (MAJR) via ZOOM virtual meeting. The meeting began with introductions and an icebreaker where each participant shared why they are motivated to do this advocacy work. Olinda Moyd was facilitating the meeting, and Kayleigh Hasson was recording minutes.

Roll Call

Also present were Nancy, Ginny, Hana, Phil, Lorraine, Judy, Lucy, Niel, Susannah, Annelise, Jim, Rev. McCrae, David, Lynn, Barbara, Deborah, Carol, Kathleen, Kendra, Mary, Anita, and Ed.

Old Business

Overview of Women's Issues (Mary Brown-Bey)

Mary Brown-Bey provided the group a report on issues regarding women. Issues women behind bars face include not being able to receive commissary money, not being able to make calls, lack of cleaning supplies, and lack of progress on COVID-19 issues. Mary previewed MAJR initiatives to establish an oversight role for women's issues in corrections. She also discussed a new program related to parole created by Mary Joel Davis and another program called Freedom Fighters of Annapolis. Carol Harmon is the new Warden for Maryland Correctional Institution for Women and MAJR hopes to work constructively with her on programs and services initiatives.

Rules Committee Report (Phil Caroom)

Olinda provided background for Phil's report: Chief Judge Barbera has been supportive of changing the rule that prohibits sentences from being changed after a 5 year period, but the Chief Judge wants to make this rule change happen before she retires later this year. The initial hearing occurred a month and a half ago, and another hearing occurred earlier on July 12, the day of this meeting. Phil submitted written testimony on behalf of MAJR for the initial hearing and attended the July 12th hearing along with another MAJR member who testified in the hearing.

Generally, the Rules Committee recommends rules that are operating procedures for all courts in the state. These rules are subject to future modification by the Rules Committee. The current rule up for revision is Rule 4-345. Phil overviewed the provisions of the proposed amendments to the rule. The revision will undo the 5 year cap on sentencing modifications for people who were under 25 at the time of their last offense and who have served a certain amount of time on their sentence. The Rules Committee agreed to recommend this rule and send it back to the Court of Appeals, which is the final approving body. The Court of Appeals has not set a time to hear it yet, but this will likely happen before September.

Report on Behind the Walls Breakout Room Discussion from Last General Meeting in May (Judy Lichtenberg)

Judy provided the group an overview of her notes from the Behind the Walls discussion from May 26, 2021 meeting. The group discussed bills that were passed, not passed, or vetoed during the legislative session:

- The Model Prison Bill and the Ombudsman (Oversight) Bill were among those that did not make it through, and they will be a priority for the Behind the Walls workgroup next session.
- A bill to remove the governor from the parole process for people with life without parole sentences passed the legislature, but the governor vetoed this bill after the end of the legislative session, so they did not have time to vote to override the veto. There could be a vote to override if there is a special convening of the legislature, but otherwise this vote will not happen until January at the earliest. The bill passed with a veto-proof majority, so an override is likely, but the question remains when this vote will happen. Since there were an unusual number of unexpected vetoes this session, the legislature will have to strategize how they approach the veto override process.
- The Juvenile Restoration Act, which abolishes life without parole sentences for juveniles, passed the legislature and was vetoed by the governor, but the legislature overrode the veto. The law will take effect October 1st, and the Baltimore Public Defender's office will take the lead in reaching out to every person in custody who is eligible to have their sentence reviewed.
- Correctional Education was also identified as a priority during the prior meeting. Steve Steurer has been taking the lead on this issue, but was not present to provide any update or discuss future plans.

New Business

Priorities in Preparing for Next Legislative Session

The group discussed correctional education initiatives and programs and services for people behind bars as priorities for the next legislative session.

MAJR is seeking to prioritize Model Prisons and the Ombudsman bill during the next meeting with the Department of Corrections. MAJR has requested a meeting with Secretary Green directly, and Senator Will Smith's office is reaching out on MAJR's behalf as well. Maryland has the potential to get grant money and technical assistance from Vera Institute to implement Model Prisons practices, which are statistically proven to be effective in reducing recidivism. However, in order for the grant to be approved, the Department of Corrections must voluntarily undertake this initiative.

Other bills Behind the Walls hopes will be a priority next session include the lifers bill, which is expected to come up early in the session. This bill could be a good opportunity to network with

other advocacy groups to put together a public statement of support, as well as request constituents to contact legislators.

Programs and services within prisons are another priority. There are a limited number of addictions treatment staff in Maryland, only about 6 in the whole system, which is problematic because many people are in the system because of drug related issues and are not getting the treatment they need. Carol has send a letter to the Deputy Secretary for Programs and Services. Anita and Kathleen will work with Carol to research data from similar jurisdictions to show this is well below the standard number of staff, and they will draft another letter to follow up.

Lucy also raised the issue of making solitary confinement a priority. Kim Haven and IAHR have taken the lead on this issue, but MAJR will definitely support the effort to reform the use of solitary confinement.

Susannah raised concerns with transparency and accountability on healthcare, specifically dental care, in prisons. She suggested there be an emphasis on obtaining contracts for providers and making these public and transparent what providers have committed to provide for the State of Maryland. Publicly displaying this information will make it easier to file a complaint and determine when providers are not in compliance.

Maryland Prisoners' Rights Coalition

The Maryland Prisoners' Rights Coalition is working on revising a restorative justice bill and requested representatives from MAJR to participate in meetings and potentially drafting the bill, which could include alternate dispute resolution components. Rev. McCrae, Judy, Kendra, and Rose volunteered to work together, and Mary Brown-Bey volunteered to advise if needed.

Update on Department of Corrections Post-COVID Reopening Plan

Olinda reported to the group that the Department of Corrections has released information bulletins on various reopening issues, which have been shared to the group. The latest update stated that volunteers may enter facilities as long as they show proof of vaccination, remain fully masked at all times, and comply with social distancing.

The group discussed Maryland's progress on COVID-19 in correctional facilities. Some judges in certain facilities have allowed inmates to video call into court so that they do not need to quarantine. Positive cases have gone down, especially as facility staff member vaccination rates have increased. Vocational programs have opened and certain inmates may go back to work if vaccinated. Additionally, the time an inmate can spend in recreation has increased. However, reopening policies have not been consistent between facilities.

Adjournment & Action Items

The meeting adjourned at 8:30pm, with special thanks to Phil, Mary, and Judy for their reports, to the volunteers drafting the letter to Programs and Services, and to the volunteers working with the MPRC on the restorative justice bill.

Next General Meeting

The next General Meeting will be Monday, September 13 at 7pm.