



Beyond Confinement

Rethinking Corrections & Rehabilitation in Maryland

Conference Report



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Beyond Confinement: Rethinking Corrections and Rehabilitation in Maryland

Saturday, September 9, 2023

Conference Summary

Opening Remarks

Remarks by Dr. Crystal Francis, Vice President, Maryland Alliance for Justice Reform

The Beyond Confinement conference, sponsored by the Maryland Alliance for Justice Reform (MAJR) in partnership with the University of Baltimore Center for Criminal Justice Reform, gathered stakeholders to rethink Maryland's approach to corrections. The conference theme, "Rethinking Corrections and Rehabilitation," signifies a collaborative approach to addressing systemic challenges. The intent is to focus on solutions to frame the direction of the correctional system's future and help it advance positive social change.

We believe that social change is possible through the adoption of a human-centered approach to corrections that encompasses the following:

- **The front door:** Eliminating pretrial confinement where alternatives exist and ensuring equitable charging policies.
- **Behind the walls:** Treating prisoners humanely and preparing them for reentry.
- **The back door:** Reintegration of returning citizens, with support in rebuilding their lives.

The conference is a chance to articulate the collective changes we want to see and to visualize a reformed system that serves our citizens well.

Remarks by Hon. Robert M. Bell (retired), Chief Judge, Maryland Supreme Court (formerly Maryland Court of Appeals)

Judge Bell, Honorary Co-Chair of MAJR, opened the conference with a call for a critical and honest conversation about Maryland's correctional system. He noted that 95 percent of the people housed in correctional facilities return to their communities, and it is in everyone's interest to ensure that they can contribute positively when they do.

"Our legal system must operate without bias," Judge Bell said. "Together, let's examine how our correctional system works today and how it can be improved."

MAJR advocates for evidence-based practices that will eliminate inequities in the criminal justice system and equip former prisoners to lead productive lives. This mission aligns with

Judge Bell's observation that the Judiciary branch of government has the "power of the sword," but its use is constrained by the separation of powers.

95 percent of the incarcerated population returns to communities, and it is in everyone's interest to ensure that they are able to contribute positively when they return.

Judge Bell

Judges have little control over what happens in prison. The Executive branch operates prisons and promulgates rules and regulations, while the Legislative branch develops policy, budgets resources, and establishes laws that dictate the structure of sentences.

"In the decades between 1980 and 2000, prison size tripled due to changes in sentence structure, resulting in substantial social and financial costs," Judge Bell said.

"I hope those in attendance can make a difference by

guiding the Executive and Legislative branches in more positive directions."

Remarks by Dean Ronald Weich, University of Baltimore School of Law

Dean Welch cordially welcomed the conference attendees to the law school, highlighting the significance of co-hosting this event with Chief Judge Bell. Judge Bell's presence within the academic community has been a catalyst for inspiring students to pursue justice with renewed vigor. Dean Welch expressed his institution's firm commitment to criminal justice reform, emphasizing the importance of shedding light on issues that remain concealed from public scrutiny.

Remarks by Heather Warnken, Executive Director, Center for Criminal Justice Reform, University of Baltimore School of Law

Ms. Warnken articulated the core mission of the Center for Criminal Justice Reform, underscoring its dedication to facilitating community-driven transformation within the criminal justice system. She commended the participants at the conference for their invaluable contributions to this critical endeavor, as they collectively challenged existing paradigms and inspired the next generation to continue effecting positive change.

Acknowledging the necessity of a diverse array of tools for such transformation, Ms. Warnken emphasized that the massive surge in the incarcerated population over the past half-century, from 2 million to 5 million under supervision, was not a response to an increase in crime. This expansion was described as fundamentally misguided and largely attributed to factors beyond crime rates (Kluckow & Zeng, 2022).

Furthermore, Ms. Warnken stressed that mass incarceration has proven ineffective in enhancing public safety, imposing significant human and fiscal costs. "Mass incarceration does not keep us safe," she cautioned. Instead, the human and fiscal cost has left a trail of destruction in its wake and undermined our public safety. While Maryland has made commendable progress by reducing its prison population by 33 percent, the population remains nearly six times that of 50 years ago. (This estimate is based on a comparison of statistics: Langan et al., 1966 and Prison Policy Initiative, 2019). In Maryland and nationwide, reform is progressing too slowly.

This meeting must be grounded in uncomfortable truths about our state. Maryland sends more children to adult court than any other state, and 81 percent of those charged are Black. The Campaign for the Fair Sentencing of Youth found our state to be the worst in the nation. Maryland tries hundreds of juvenile defendants as adults. (WYPR News, 2023).

Mass incarceration does not keep us safe. Instead, the human and fiscal cost has left a trail of destruction in its wake and undermined our public safety.

Heather Warnken

Maryland has one of the worst records of any state on compassionate release. (A bill to address this did not advance from committee, despite widespread support). The state continues to impose a lifetime ban on jury service for anyone who has spent a year or more in jail. The Trans Health Equity Act was never brought up for a vote. In a 2022 letter, the ACLU noted that in Maryland “people are held in harshest and most depraved conditions we have ever encountered” (ACLU, 2020). Maryland holds the sad distinction of being the first in the nation for over-incarceration of brown and Black people (Justice Policy Institute, 2019).

Ms. Warnken challenged the state to commit to policies rooted in evidence and respectful of dignity. She said she believed we now have a governor who is data-driven and heart-led, and we have committed partners in the room who recognize the urgency and importance of this work. The worst way we can leave someone behind is to put them in a cage.

Re-Imagining Corrections and Justice Reinvestment

Remarks by Secretary Carolyn J. Scruggs, Department of Public Safety and Correctional Services (DPSCS)

The Secretary expressed appreciation for this opportunity to share the department’s ideas on how to “leave no one behind” because of unnecessary incarceration. She encouraged everyone to explore the department’s website.

Every community in Maryland has someone in prison returning to that community. DPSCS knows each of these individuals and is able to offer them critical reentry services. Creating conditions under which returning citizens can be productive is a high priority, and DPSCS needs everyone’s help in ensuring that partners and employers stand ready to give people a second chance. Secretary Scruggs wants to open the doors of opportunity to memberships, certifications, and job opportunities.

Education is one of the keys to success. DPSCS has been in partnership with Goucher College since 2012 and has recently graduated seven individuals. It continues to enroll 130 individuals annually. The Department is currently in dialogue with the Board of Regents at the University of Maryland to bring additional opportunities to prisoners. In the next few months, it will sign a Memorandum of Understanding (MoU) to offer Second Chance Pell Grants. In February, a degree in sociology will be available through Bowie State University. Through Georgetown University, 25 men and women at Patuxent Institution are enrolled each year in degree programs.

The University of Baltimore, a true champion in education, is offering a degree in human resource administration, and many prisoners are taking advantage of this opportunity. At Eastern Correctional Institution (ECI), Warwick Community College offers Associates' degrees in hospitality and helps prisoners who want to be self-employed prepare to be successful entrepreneurs. The college is also working to include incarcerated men in a program leading to a commercial driver's license. Prince George's County couples education with housing and transportation services to help with prisoners' transition home. Another bright light is a program through which prisoners train dogs to serve veterans with disabilities.

College is not for everyone. DPSCS also partners with Maryland's Department of Labor to identify certificates consistent with industry standards that may be helpful for some prisoners, and they have identified 26 such opportunities. However, most prisoners have no Graduate Equivalency Degree (GED). Recently, the legislature passed a bill that allows every incarcerated man and woman 240 hours of classroom education. If prisoners enter without a GED, it is now mandatory that they get one. (See Maryland Code, Labor & Employment, sec. 11-902.)

The Department is challenged to find ways to help people who struggle with addiction. Through the Goucher College Prison Education Partnership (GREP), it has been able to graduate 25 individuals as Peer Recovery Specialists, and another 130 will be sitting for the test. These individuals are justifiably proud of their achievement and their ability to help and mentor others. DPSCS has also identified a vendor to offer substance abuse services for prisons and pretrial facilities. It plans to create substance abuse treatment centers and ensure that people receive the level of care they need to support recovery.

Twenty-five formerly incarcerated men and women who have returned successfully to their communities will participate in a new Re-Entry Council. They will advise the Department on what individuals need to transition and what the Department could do to better support them.

Secretary Scruggs is excited about the potential offered by a new Re-Entry Council in which 25 formerly incarcerated men and women who have returned successfully to their communities will participate. They will advise the Department on what individuals need to transition and what the Department could do to better support them. The Council also will work with DPSCS to help it change policies and procedures so that more returning citizens can experience success and avoid returning to prison.

DPSCS sees promise in a pilot program to create a Reentry Passport that contains the prisoner's birth certificate, identification, Social Security number, and other key documents. The passport would allow one central repository for critical documents essential in transition. These documents could be retrieved from a phone or laptop with a password and shown to others, such as prospective employers. With programs like this, DPSCS is committed to creating pathways for success.

Remarks by Hon. Will C. Smith, Jr., Chairman, Judicial Proceedings Committee

Senator Smith began by highlighting four major points related to policy reform and the legislative process:

- Have a vision and pursue it vigorously. Every year, thousands of bills are brought forward, and most go nowhere. Each legislator should think strategically about what can be accomplished in the course of a four-year term.
- Be radically inclusive. See who isn't at the table for policy making; invite them in and make them comfortable.
- Show receptivity and humility. Make it clear that you don't have all the answers and need people to work with you and share their perspectives.
- Be reflective. Take time to understand what you are hearing. Pay attention to trend lines and not headlines. Know that you will receive a lot of criticism, and some of it will be merited. Keep listening.

A major step in reform was the passage in 2016 of the Justice Reinvestment Act (JRA), which aimed to maximize public safety by investing in strategies to reduce unnecessary incarceration and increase spending on crime prevention (for example, by increasing funding for drug treatment). In 2022, the prison population was reduced by an impressive 14 percent, in part because of COVID and in part because of JRA-driven reforms.

A major focus is intervening to help people with mental health or substance abuse issues *before* they are incarcerated. The potential savings from effective programs is quantified in millions of dollars.

Hon. Will C. Smith

Disparities certainly persist in Maryland's correctional system. A major focus is intervening to help people with mental health or substance abuse issues before they are incarcerated. The potential savings from effective programs is quantified in millions of dollars. People with mental illness are more likely to be arrested, and when this occurs, they stand to lose benefits, housing, and social connection. The percentage of people in prison with mental illness is 4 to 6 times higher than in the general population (Wolff, 2017).

A promising approach to end the revolving door for people with disorders is the Sequential Intercept Model, in which people with substance use or mental health disorders are referred to support systems rather than to prisons. However, in Maryland, treatment facilities are full, with many on the waiting list. The Chief Justice has convened a group to work with the Department of Health to develop a framework for legislation that would increase collaboration among agencies to address persistent problems.

Questions and Answers

I recently attended a press conference by a new Office for Re-Entry in Baltimore. Please provide more information about what the office will do?

Reynard Brooks, Assistant Secretary for DPSCS, said that the new administration has created this office to connect people with opportunity. He is a little disappointed it was the first time this

happened. DPSCS will be working with the new administration to “get back to where we should have been” (Maryland Department of Labor, nd).

DPSCS is chronically understaffed and lacks sufficient correctional officers. Recruiting 18-year-olds is not the answer. What can be done to incarcerate fewer people for shorter terms to alleviate this problem?

DPSCS has been able to get 250 housing vouchers from the Department of Housing and Urban Development (HUD). These are available to people who receive at least one year of case management.

Senator Smith acknowledged that there is a bill under consideration to lower the age threshold for correctional officers to 18. He is not inclined to support it. He believes in finding alternatives to incarceration and shrinking the prison population.

An attendee from Prince George’s County expressed concern about the need for transitional housing.

Mr. Brooks said that DPSCS has been able to get 250 housing vouchers from the Department of Housing and Urban Development (HUD). These are available to people who receive at least one year of case management. Not everyone is ready to receive these services, and people can lose them if they use illegal substances or engage in other illegal behavior.

What programs are available to help people who are released with little or no income?

If people are released with a disability, caseworkers can help them apply for Social Security Income (SSI). There are a few programs that can help, and people need to learn where they are and how to access them. DPSCS should be connecting people to resources before they leave prison and providing them with the necessary contact information, including hours of operation and what identity documents they need to provide to access the services available to them.

Breakout 1: Demystifying and Reforming Maryland’s Parole Policies and Practices

- ***Moderator:*** Olinda Moyd, Esq., Board Member, Maryland Alliance for Justice Reform
- ***Speakers:***
 - Gordon Pack, Advocate, Prepare Parole
 - Keith Wallington, Director of Advocacy, Justice Policy Institute (JPI).
 - Sonia Kumar, Senior Staff Attorney, American Civil Liberties Union (ACLU) of MD

Olinda Moyd explained that “parole” is French for “word,” so a person who is on parole has given his or her word of honor that if they are released, they will abide by the conditions of their parole.

What are the real goals of incarceration? Is it about deterrence, incapacitation, rehabilitation, or retribution? When people are kept in prison long after rehabilitation, Ms. Boyd stressed, it becomes retribution and nothing else. Parole is supposed to be an avenue for release, but for

many Marylanders release remains elusive and the reasons unclear. Maryland conducted 5,922 parole hearings in 2022 (including for violations of parole) and granted parole to only 959 people. By way of background, she added that the Parole Commission operates with a 6-million-dollar budget, 5 million of which goes to salaries.

The goal of this session, Ms. Moyd explained, is to demystify Parole Commission policy and discuss the framework in which it carries out its duties. Speakers and audience members are invited to propose recommendations that will bring the Commission more in line with best practices and open the door so that parole is more attainable.

What are the hurdles that get in the way of people making the best case for themselves at parole hearings? Do you have any advice for individuals as to how they can put themselves in a better posture to be granted parole?

Gordon Pack represents an advocacy organization called Prepare Parole that exists because of the belief that prisoners and others do not understand the parole process. Its mission is to prepare people to make their best case for parole. He said prison libraries do not have information about the process, and no one is available to teach people what to expect.

Prisoners do not understand the parole process. Prison libraries do not have information about the process, and no one is available to teach people what to expect.

Gordon Pack

He himself served 42 years and had 17 hearings before he was granted parole. At his first hearing, he imagined a friendly process in which he would have someone representing him. After introducing themselves, the first thing he heard from the Commission members was “we have the authority to refuse parole.” After that, he said, he “couldn’t hear anything else.” When he was told he would be given another hearing in ten years, he was dazed. “What about my accomplishments?”

Mr. Pack said prisoners need to know how to dress, how to present themselves, and what factors will be (or should be) considered. They need to prepare for interrogation. Both mental and emotional preparation are essential. People also need to prepare a written argument for release that they can leave behind with Commissioners so they can be reminded of what they heard as they make their decision. He also recommended that prisoners review their files to ensure that certifications and achievements are included and the contents are accurate.

Keith Wallington, of the Justice Policy Institute, said his organization has just published *Safe at Home: Improving Maryland’s Parole Release*

The Maryland Parole Commission should operate under the presumption that the goals of punishment have been met at the time of initial parole eligibility. Parole release decision-making should be based solely on objective factors related to an individual’s future risk to public safety.

Justice Policy Institute

Decision Making Project (Justice Policy Institute, 2023). The report makes specific recommendations for improving the process. One of them follows: “The Maryland Parole Commission should operate under the presumption that the goals of punishment have been met at the time of initial parole eligibility. Parole release decision-making should be based solely on objective factors related to an individual’s

future risk to public safety.”

The Code of Maryland Regulations (COMAR) states what factors the Commission should consider. Examples include the person’s progress, their involvement with drugs or alcohol, the reasonable probability that they will honor the terms set by parole, and any recommendations sent by the judge. Is there any one factor that is given more weight?

Mr. Pack’s answer was simple: It is always the crime that gets the most weight.

Going before strangers to talk about the worst thing you’ve ever done is traumatizing, and many prisoners have experienced trauma from other events in their lives. Do you think it would be helpful for someone with mental health expertise to be part of the parole process?

Mr. Pack said people do need preparation for the parole process, and counseling from a mental health professional would be very valuable.

Ten people can serve on the Commission. Of the nine currently serving, six come from law enforcement and prosecution backgrounds. The Commission is supposed to serve the community. What qualities and characteristics do you think Commission members should have to issue fair decisions?

Ms. Kumar said serving on the Parole Commission is currently granted through political patronage. There are no minimal qualifications, and no one is tasked to ensure that the board reflects the community. Commissioners receive no education in recognizing trauma. She would like to see a greater emphasis on service, with people in professions such as social work serving on the Commission. Such people would be focused on helping people achieve their full potential and come home. Currently, there is no consequence to saying no. No one feels the loss and the cruelty of that decision. Imagine investing in the promise of what people could be. Imagine investing in the spirit of redemption.

Imagine investing in the promise of what people could be. Imagine investing in the spirit of redemption.

Sonia Kumar

Mr. Pack said he did not object to law enforcement representatives on the Commission, but there should also be someone who has been incarcerated. Commissioners should have more training and education.

Ms. Moyd observed that Commissioners serve for six years and can be reappointed. Other jurisdictions outside the State of Maryland have directly impacted individuals serving as corrections staff and even as Parole Commissioners.

If you could change two things about the parole system that would help people “stuck” in the system, what would they be?

Ms. Kumar would establish a legal standard with a presumption of release. She would radically restructure the review process for lifers. The risk assessment should be waived for them. Also,

medical parole should be used when appropriate.

Mr. Pack would like to see more case management and support for prisoners, especially in preparing for the parole process. People are falling through the cracks. We have the same number of Parole Commissioners we had in 1979. Secondly, everyone involved in the parole process needs education, including the Commissioners. Then we will see better outcomes.

Mr. Wallington also urged a presumption of release. The risk assessment following parole should be completely eliminated. The person's institutional record should be given the most weight.

Maryland has the highest incarceration rate for Black men in the country. What role should the parole process have in lowering the incarceration rate?

Ms. Kumar said the U.S. has the highest incarceration rate and the world, and Maryland has the greatest racial disparity in the U.S. Maryland's prison population, effective July 2018, at more than 70% Black, is the highest rate per capita in the U.S more than double the national average of 32% and more than double the percentage of the state's 31% Black population (Justice Policy Institute, 2019). Correcting this situation is a matter of justice. Looking back, it is important to understand that the current statistics are grounded in history. In 1860, prisons were almost all white. By the end of the Civil War, however, when people were no longer enslaved, the prison population was almost all Black. The current disparity cannot be divorced from that story. Today, nearly 8 in 10 prisoners sentenced to ten years or more are Black.

It is not possible to solve the problem of mass incarceration without addressing the most lengthy sentences. People who have these sentences, including lifers, have repeatedly been shown to be the least likely to reoffend (United States Sentencing Commission, 2022). It costs \$40,000 a year to keep someone incarcerated in Maryland (Maryland Policy Initiative, nd). There are many prisoners behind prison walls who could be doing good work in the community. The Department of Corrections cannot possibly meet people as individuals and prepare them to return to communities while prisons are at this scale. We need returning citizens working with children and running mentoring programs. That is how we get public safety.

Ms. Kumar observed that the parole process is anything but transparent and can last 2 or 3 years. Most of this process is unknown and unreported. People are being denied parole not on the basis of merit but because they do not have the resources to navigate the system. A functional parole system would serve youth as well as adults, reducing the population behind walls.

We need returning citizens working with children and running mentoring programs. That is how we get public safety.

Sonia Kumar

Questions from the Audience

The system seems designed to create barriers to parole for lifers, despite the fact that they recidivate less than other prison populations. Is there any new thinking about requiring a specific number of years to be served?

Ms. Kumar said that a 2023 study by the Sentencing Project concluded that a life sentence should be capped at 20 years (Kumar et al., 2023). When a person doesn't have a sentence with a specific number of years they are eliminated from participating in many correctional programs.

Mr. Pack was in favor of a minimum-maximum sentence structure in which prisoners know what they have to do to be released. One of the glaring inequities in the current system is that a Lifer has to do more time than a person with a 40-year sentence, who would be eligible for review in 20 years.

How could the lengthy and inefficient risk assessment process be reconstructed? Are there legislative efforts to change that process? Currently, 150 people are awaiting parole, and only seven per month are processed by the two risk assessors.

Ms. Kuman said the Commission's current dysfunctional process goes back to fictions about the level of risk in releasing people with long sentences. She added that the solution does not have to be a legislative one; the Commission could address the problems.

Mr. Pack stressed the need for more staff to resolve problems and address concerns *before* hearings rather than have an assessment drag on afterward.

Breakout 2. Unlocking Potential Through Correctional Education

- ***Moderators:*** Dr. Stephen Steurer, Advocate, CURE National; Dr. Judith Lichtenberg, Board Member, Maryland Alliance for Justice Reform
- ***Speakers:***
 - Dr. Andrea Cantora, Second Chance, Jessup Correctional Institution
 - Dr. Fran Tracy-Mumford, Maryland Department of Labor
 - Minister Ricardo Burks, Advocate, Celebrate Recovery Program

Dr. Steurer emphasized the need for comprehensive reform efforts to enable correctional education to reach its full potential. He noted that limited resources have hindered progress in correctional education programs nationwide.

Dr. Lichtenberg drew a stark contrast between the prevalence of college programs in correctional facilities before 1994 and the alarming decline afterward. She shared the story of a friend whose life was forever changed by education during incarceration, emphasizing that "prisons were like college campuses" for those fortunate enough to access educational opportunities while they were still plentiful. Dr. Lichtenberg also touched upon the vital role of Pell Grants in restoring hope for incarcerated individuals seeking higher education.

Dr. Lichtenberg shared insights based on her experience as a teacher in a Second Chance Program at Jessup Correctional Institution.

Incentives encourage incarcerated individuals to participate in productive activities, foster a sense of responsibility, and contribute to improved behavior within the correctional facility.

Fran Tracy-Mumford

She stressed the importance of creating an environment conducive to learning and personal growth within correctional facilities and making education a more appealing activity than prison labor. Challenges include the disconnect between the prison system itself and education as well as the resistance of many correctional officials.

Dr. Tracy-Mumford, a passionate advocate for high school education within correctional facilities, spotlighted an alarming statistic: According to the Maryland Department of Public Safety and Correctional Services, 60 percent of incarcerated individuals lack a high school diploma. Maryland's Department of Labor has risen to this challenge, offering a comprehensive educational program spanning from 1st to 12th grade. Dr. Mumford stressed the importance of teacher appreciation and positive feedback, fostering a mission-driven education system that aimed to rehabilitate and empower incarcerated students.

Maryland offers incentives for participating in education programs. Like prison work, participating in education results in a significant reduction in a prisoner's sentence. Completing an educational program may be rewarded by additional reductions. Dr. Tracy-Mumford suggested that incentives encourage incarcerated individuals to participate in productive activities, foster a sense of responsibility, and contribute to improved behavior within the correctional facility. Ultimately, these incentives can facilitate the rehabilitation and reintegration of prisoners into society when they are released.

Dr. Andrea Cantora, director of the University of Baltimore's Second Chance Pell Grant Program at JCI, explored the power of college programs within prisons. She highlighted the decline in these programs after 1994 and their subsequent resurgence through initiatives like the Second Chance Pell Grant Program. Dr. Cantora's own institution, the University of Baltimore, was one of the pioneering institutions involved in this initiative. Recently, the Pell Grant program has been fully restored, albeit with the requirement that the prison have an existing college program. Despite the challenges, she expressed optimism about the future of education within correctional facilities.

Mr. Burks was a living testament to the life-changing potential of education during incarceration. He spent 32 years behind bars. Education was his lifeline to the world beyond prison walls. He shared how he used prison libraries to gain knowledge and spent 29 years teaching and mentoring fellow inmates. Burks was instrumental in creating a culture of learning and support within the prison, actively promoting the GED program.

Questions from the Audience

How many GEDs were awarded each year before 1994?

It is helpful for formerly incarcerated Black men to be actively involved in the criminal justice system. Their unique perspectives and experiences can contribute immensely to reform efforts and the rehabilitation of incarcerated individuals.

Audience member

Before 1994, there were notable fluctuations in the number of GEDs awarded; in one outlier year, roughly 1,000 GEDs were earned. The availability of GED programs has changed significantly over time, and afternoon and weekend classes are no longer offered.

Dr. Cantora observed that technology has played a significant role in improving education capabilities today. Additionally, the COVID-19 pandemic led to an expansion of internet access in prison facilities, further enhancing educational opportunities for incarcerated individuals.

Question: What are you doing to encourage more men of color to become teachers within the correctional education system?

Dr. Steurer said that the Barbara Bush Foundation has initiated various efforts to encourage greater participation of men of color in the correctional education system by promoting adult literacy programs. It is reaching out to them to raise awareness of the opportunities available. The Foundation is developing partnerships with Historically Black Colleges and Universities (HBCUs) to facilitate a more diverse teaching workforce. Additionally, it is exploring the establishment of a "Prison to HBCU" pipeline to create a clear pathway for men of color interested in pursuing careers in correctional education.

An audience member stressed that it is very helpful for Black men with lived experience to be actively involved in the criminal justice system. Their unique perspectives and experiences can contribute immensely to reform efforts and the rehabilitation of incarcerated individuals. Their inclusion can also help bridge gaps and foster understanding within the system, ultimately leading to more equitable outcomes.

Breakout 3. Navigating Rehabilitation Implementation within Correctional Facilities

- ***Moderator:*** Darrell Hale, Esq., Board Member, Maryland Alliance for Justice Reform
- ***Speaker:*** Dr. Brandee Izquierdo, Behavioral Health Programs, Pew Charitable Trusts

While recovering from substance use disorder, Dr. Izquierdo recalled when the Drug Enforcement Administration (DEA) searched and seized her home, removed her children, and left her homeless. Within months, she was arrested and incarcerated (no other options were available). In March of 2011, with no support, she experienced her first day without a drug or drink in many years.

The following year, however, she was introduced to the concept of peer support. She learned that addiction was a disease and that she was not alone. A peer worker, she explained, is someone who uses their lived experiences of recovery from mental illness and substance use disorder to help others. In addition, the worker uses skills learned in formal training to deliver services in behavioral health settings to promote mind-body recovery.

After training, Dr. Izquierdo became a peer worker within the health department and drug court. As a peer worker, she felt isolated, uncertain, and undervalued. She highlighted the challenges of peer worker integration, stating that peers can be seen as disruptive and are not always welcome. They provide innovative ideas that challenge the status quo and

Peers can be disruptive and are not always welcome. They tend to provide innovative ideas that challenge the status quo and reveal areas of need that are not being met.

Brandee Izquierdo

reveal areas of need that are not being met.

Recent studies on public stigma related to substance use disorders have found that discriminatory practices such as segregation, coercion, and avoidance can be damaging in the context of employment. Individuals in recovery face an added layer of complexity associated with stigma and discrimination when sharing their lived experiences, making their work more challenging. She said that people who openly report a history of substance use experience discrimination in the workplace; they may experience microaggressions and other environmental challenges. Stigma does not stop when you enter an organizational setting, she cautioned. Her recent study found that employees' commitment to peer workers varies depending on whether they think integrating the worker is obligatory or desirable (Izquierdo & Bellamy, 2023).

Dr. Izquierdo pointed to the Sequential Intercept Model (SIM) as a valuable framework for integrating peer workers into the criminal legal system. However, this framework does not entirely encompass the criminal legal system. It leaves out a population – people serving long or life-term sentences. As mentioned earlier, peer workers behind the walls play an intricate role in the population. By focusing efforts to train peer workers behind the walls, specifically those serving long or life-term sentences, correctional facilities have an opportunity to build safer and healthier environments, decrease the likelihood of recidivism for those serving shorter sentences, provide a pathway for growth, and fuel a sense of purpose for those providing and receiving peer support.

Therefore, efforts to establish a peer workforce behind the walls would be beneficial in the context of rehabilitative services. More importantly, criminal justice professionals should focus on individuals serving long and long-term sentences to build this workforce behind the walls. However, before doing so, the DPSCS should ensure that there are assessments of the organizational infrastructure, including employee assessments, that prepare the organization for peer worker integration. Assessing the infrastructure will mitigate barriers and challenges associated with the peer workforce and assist in successful and sustainable peer worker integration.

Correctional Oversight

Remarks by Attorney General Anthony G. Brown

Ms. Moyd introduced Attorney General Anthony Brown by focusing on a priority bill: the creation of an ombudsman office that would have independent oversight over the Department of Corrections. The bill was introduced in each of the last three legislative sessions, and in the last it passed the Senate. Ms. Moyd thanked the sponsors of the bill, who have been with MAJR and its partners from the first day: Senator Shelly Hettleman, Senator Chris West, and Delegate Debra

“Prisons do not disappear social problems. They disappear human beings.”

Angela Davis

Davis have championed the bill. Additional sponsors are expected in the upcoming session. In the years since the bill was first introduced, Ms. Boyd observed, we have seen more inappropriate actions, more investigations of abuse, and more corruption.

The Ombudsman would be able to investigate allegations and inspect facilities without notice. Complaints could come from family members and volunteers as well as prisoners. The current bill also calls for the creation of a community-based advisory board that would provide information to the ombudsman's office. Ms. Boyd quoted Angela Davis: "Prisons do not disappear social problems. They disappear human beings." It is time to shine light on what is happening behind the bars in Maryland.

Ms. Moyd introduced Attorney General Brown, who assumed office in 2023 as the state's 47th Attorney General. He has served the state government as Lieutenant Governor and as a delegate, serving on the ethics committee in both houses. Mr. Brown has been a leading voice for equity and justice, opposing the death penalty, championing common sense drug safety laws, and working to improve fairness in sentencing.

Mr. Brown said that while he does not come from a privileged background, he counts it a privilege to serve with passionate stakeholders. He thanked the University of Baltimore Law School for its leadership and thanked MAJR for its work in advocating for evidence-based policy changes.

The Attorney General's office is tasked with representing the state government as well as serving as the people's lawyer. For example, it represents people who provide custody and care, small business owners, and people who are incarcerated.

The issues Maryland's prisons face today have deep historical context. Seventy-one percent of the prison population is Black, but only 31 percent of the state's population is Black. Eighty-percent of incarcerated Black people have sentences over 10 years (Council on Criminal Justice, 2022). The inequities in the system are not accidental. The shackles of slavery left their mark. The promise of reconstruction was betrayed; Jim Crow laws and the convict leasing system followed. Bias in drug-related arrests and three-strike laws disproportionately affected people of color, fracturing families. The impact of mass incarceration resonates through entire neighborhoods, where schools continue to over-discipline Black and brown students, often treating them as criminals before they can spell the word.

The impact of mass incarceration resonates through entire neighborhoods, where schools continue to over-discipline black and brown students, often treating them as criminals before they can spell the word.

Anthony Brown, Attorney General

Reducing these disparities is one of the Attorney General's top priorities, a mission that is consistent with his pledge to focus on equity and delivery of public services. He is determined to root out the underlying drivers of injustice and begin to heal the scars. He is meeting with returning citizens and advocates and going to barbershops to hear the voices of those directly affected by crime and incarceration.

The Office is seeking to foster accountability in the Department of Corrections. It is considering past lawsuits and complaints. It is working on revamping policies on the use of force and treatment of transgender inmates. It has suggested specific measures to protect prisoners' health

and safety to the Secretary. He stressed, however, that inmates, families, and correctional officers are to be served equally. The work of a prison corruption task force has led to several indictments of people involved in contraband smuggling conspiracies. Where the law has been broken, the Office is prepared to take action.

The Attorney General reinforced Ms. Moyd's call for an ombudsman to ensure more effective corrective oversight and proper treatment of prisoners. The office of the ombudsman must be independent, fully resourced, and credible. In the last session, the Senate rallied behind such a bill. Absence of such a role leaves the system without early intervention and unable to achieve transparency, accountability, and advocacy. The office can help ensure that returning citizens are prepared to contribute positively to their communities.

A similar program has contributed to positive changes in the juvenile justice system, including a reduction in the number of juveniles incarcerated and advocacy for reform. Passing the bill to create an ombudsman's office for adults will require each and every one of us to be advocates. Mr. Brown stressed the importance of ensuring that the office has adequate resources to do its job. In contrast, the legislature created a special education ombudsman to assist families of children with special needs, but failed to allocate any resources. The office cannot have an impact without resources and access to records.

The journey to rethinking corrections in Maryland is far from simple. However, Mr. Brown believes that with public support, we can achieve a correctional system that embodies our values.

Questions from the Audience

Have you hired returning citizens to work in your office?

I don't know, but we do have team members who have had encounters with the correctional system and a staffing policy that seeks diversity and equity.

My son is on lockdown 23 hours out of 24 in 100-degree temperatures, sewing garments. The quality of the food is poor. It hurts me to have my child suffer and be unable to do anything to assist. Regardless of what prisoners did, they are human.

Audience member

Would the Ombudsman's office be within the Office of the Attorney General?

I do have oversight over the juvenile justice ombudsman, and that office has broad access to juvenile facilities. It reports directly to the General Assembly. However, the bill passed by the Senate to create an ombudsman for adults includes a provision to receive and act on complaints. Because the Attorney General also represents state correctional officers and unions, as well as state government agencies generally, this would be a conflict of interest. This function would have to be moved outside the office. However, while this is not easy, it is doable, and there are precedents.

Prisoners are encountering barriers that keep them from getting into educational programs. In the absence of an ombudsman's office, how can we remove those obstacles?

You've just made the case for the correctional ombudsman. I'd suggest that advocates convene meetings with correctional leadership. I can help connect you with the right people.

My son is on lockdown 23 hours out of 24 in 100-degree temperatures, sewing garments. The quality of the food is poor. It hurts me to have my child suffer and be unable to do anything to assist. Regardless of what prisoners did, they are human. Can you help?

I do know there are changes in protocols due to understaffing. Distress and many challenges are resulting from this. The Governor is committed to fill vacancies and looking to establish incentives that will increase hiring.

Lea Green, the mother of a lifer and a member of Maryland CURE, asked, "What can we do to help you?"

I need you to stand tall with us in January of 2024 to make sure we have people who can testify to the impact of not having an ombudsman. Your sons' and daughters' experiences can be heard. Members of Congress don't necessarily have a relationship to the issues. We can give them evidence and data and percentages, but we need the faces and stories behind those numbers. Stories make the situation real. We will meet you in Annapolis!

Health care in prisons is negligent and can result in deaths. One man with a mental disorder was murdered in his cell after he was moved to a new unit. People who left gangs have been moved near gang members. Staff refuse to act when they hear of problems. It's beyond negligent; it's about life and death. There are especially serious problems in Maryland's North Branch Correctional Institution that are being covered up.

I have a meeting in reference to in-custody deaths on September 20.

Solitary confinement is overused. Too long is spent in these conditions, which are often imposed for little or no reason. Solitary confinement is considered torture under international law. Do you support legislation to change this?

I will use every resource and authority the office has to effectuate positive change – with your help.

Anthony Brown, Attorney General

I do. However, we may need to accept compromises to get a bill that supports the concept but doesn't give us everything we would like. We have 188 representatives with all sorts of views. We need to be willing to find common ground from which we can continue to move in the right direction.

In closing, the Attorney General promised, "I will use every resource and authority the office has to effectuate positive change – with your help."

Breakout 4. No Excuses: Preparing for Reentry and Reintegration in Maryland

- **Moderator:** Donna Rojas, Board Member, Maryland Alliance for Justice Reform
- **Speakers:**
 - o Derrell Frazier, Reform Alliance
 - o Marsha Briley, Re-Entry Coordinator, Anne Arundel County Department of Detention Facilities
 - o Rodney Moore, Advocate, Moore and Moore Management
 - o Dr. Stefan LoBuglio, Justice Innovations

Ms. Rojas is currently working as a consultant to help improve re-entry programs. She has heard that the system is fractured, disjointed, and in need of change. In this session she hoped to foster dialogue and inspire collaborative solutions. The moderator posed a series of questions to speakers.

What motivated you to become involved in re-entry and reintegration?

Ms. Briley is currently a re-entry coordinator for Anne Arundel County, which receives nearly 4000 returning citizens each year. Her program was previously housed within the Police Department's community relations office but is now part of the Department of Detention Facilities. The County is creating a re-entry hub to house the various agencies that have roles to play in facilitating re-entry, facilitating access and coordination. As a former case manager as well as parole and probation officer, Ms. Briley has seen the challenges of re-entry firsthand and is motivated to address them in a well-integrated county-wide effort.

Anne Arundel County, which receives nearly 4000 returning citizens each year, is creating a re-entry hub to house the various agencies that have roles to play in facilitating re-entry.

Marsha Briley

Dr. LoBuglio has been involved with corrections systems for 31 years and has had the opportunity to see many individuals' lives transformed when they receive effective support as they transition back to their communities. He is inspired to continue that work, which he knows can be effective. Currently, he oversees a pre-release center in Montgomery County. He feels hopeful knowing that more of the voices of returning citizens are now in the conversation. Also, there are many more knowledgeable and talented providers.

As someone who has experienced incarceration, Mr. Moore knows from direct experience that the system is broken. He believes in ministry coupled with service: returning citizens need stable housing, vision, and clear minds to find work and succeed. He mentors returning citizens and believes that, through God, they can get their lives back. He counseled that if we want to change the current conditions we need to go to Annapolis and participate in state government. No one can do it alone.

As the son of incarcerated parents, Mr. Frazier knows many personal stories that show the many ways in which the correctional system needs reform. His mother had mental health and addiction

issues. As a result of his experiences, he has committed his life to the work of helping people reclaim their lives. He sees policy reform initiatives around the country and is excited about emerging solutions.

What can stakeholders do to create practical re-entry solutions and not work in silos?

It is critical to coordinate services, share data, and be held accountable, Dr. LoBuglio advised. Without a re-entry system, there is chaos. People need jobs, housing, and money in the bank. Today, we have many re-entry providers created and sponsored by different agencies. Some are excellent and need to be scaled up; some are well intentioned but ineffective and need either to be helped or to go out of business. We need to “get real” about the re-entry process so people know which providers are offering real services, and we need accountability. People need to be accountable and become part of a shared mission.

How do you measure the effectiveness of reentry initiatives?

When Mr. Moore was released, he had an envelope with referrals, but with no birth certificate. He had no stable address and no housing. Today, case managers and social workers cannot possibly do their jobs because there are too few for the number of people the state has incarcerated. As a result, most people do not have the tools to live in their communities and are at risk of falling back. He suggested peer advocates would be very helpful to walk returning citizens through processes such as getting their driver’s licenses and learning to use computers.

Ms. Briley agreed, adding that it is important that specific agencies step up to the plate and own their piece of what is needed. If you specialize in housing, you own it. If you are in the health department, you own that. But still, all these agencies need to become one whole “elephant” and operate from the same organic place.

Organizations offering re-entry services are excellent and need to be scaled up; some are well intentioned but ineffective and need to either be helped or go out of business.

Stefan LoBuglio

Dr. LoBuglio stressed the need for a set of metrics and data sharing to enable us to understand problems and measure effectiveness. Both government and local agencies need to communicate better. Mr.

Frazier agreed. Without data sharing and coordination, we cannot ensure that people get the resources they need.

What lessons have you learned from your successes?

Everyone involved in the county initiative needs to get behind the “one re-entry initiative” and come together for a single meeting. Everyone involved in the solution needs to be at the table and know their role, Ms. Briley counseled. Memoranda of Understanding (MOU) are needed to make sure that role is clear and sustainable.

People come from the broken system, Mr. Moore said. Re-entry initiatives need to approach their task as one that involves mind, body, and soul.

Mr. Frazier stressed the importance of leveraging the lived experience of returning citizens. We need to have them on panels testifying in support of the legislation.

Ms. Rojas added that effective reentry programs must keep Maslow's hierarchy of needs in mind so they can put first things first.

Some local re-entry programs can be replicated and tweaked to work well for others; we need to find them, spotlight them, and share them.

Donna Rojas

What strategies can we employ to establish sustainable statewide networks to support re-entry and reintegration?

Ms. Rojas stressed that each jurisdiction needs to build its own initiatives before it makes sense to come together as a state. We can't use a cookie cutter approach; counties contain cultural differences. Once local programs are in place, we can learn from each

other's best practices. Mr. Frazier agreed that people often do choose the cookie cutter approach, but in reality it's just a band aid.

Although re-entry needs to be individualized, as Ms. Rojas and Mr. Frazer suggested, there is a need for a statewide re-entry coordinator. Some programs can be replicated and tweaked to work well for others; we need to find them, spotlight them, and share them. Mr. Moore also stressed the need to take "me" and "my funding" out of the picture so that programs can unite to transform lives. Peer advocates can play an important role.

Breakout 5. Reimagining Corrections

- **Moderator:** Hon. Phil Caroom, Chairman, Maryland Alliance for Justice Reform
- **Speakers:**
 - Tyrone Walker, Georgetown Prisons Justice Initiative
 - Dr. John Hart, Vera Institute of Justice
 - Tonya Roberts-Johnson, MSW, LCSW-C, Office of the Public Defender
 - Lieutenant Temesghen Andermichael, Correctional Officer, District of Columbia Department of Corrections

Before speakers' introductions, Judge Caroom noted that as of July 1 of 2022, there were 1,365 young people under the age of 25, many first incarcerated as young teenagers, in Maryland prisons. These account for about 9% of the total prison population. Those between the ages of 18 and 25 are labeled by neurologists as "emerging adults" (Hochberg & Konner, 2020).

Why should we give any special attention to these "emerging adults"? Science tells us two important things:

- 1) Being young makes them a higher risk to get in trouble again; their brains and capacity for judgment aren't yet fully developed.

- 2) The flip side of that is positive. They also are more capable of maturing and changing to make better choices in their future, which would make them less risky for new crimes.

Common sense tells us another important thing: Being young, if they get locked up again and again, they will cost Maryland taxpayers more than any other age group at the current, average cost of more than \$40,000 per year per person. But if they can be changed, that change will save taxpayers more money! So, they are worth our special attention for all three reasons.

What is the theory behind emerging adult programs?

Dr. Hart held that we can make the biggest impact in reducing mass incarceration by focusing on young adults. Emerging adult programs are designed to restore human dignity, mimicking life outside, and to empower young adults. These programs, similar in some respects to college dorms, also train staff and mentors on the history of the U.S. prison system and toxic jail cultures since, in order to change the future, you need to understand the past.

Many emerging adult programs follow successful models developed in Germany, Sweden, and Norway. The Vera Institute of Justice has implemented programs in six states: Colorado, Connecticut, Idaho, Massachusetts, North Dakota, and South Carolina. If South Carolina can implement a program like this with its limited resources, Dr. Hart challenged, why not Maryland? “If you take away human dignity from children who are incarcerated, then what is left they can use to succeed?”

Emerging adult units that provide respect, increased services, and increased responsibility for young residents, have proved effective in achieving huge reductions of prison assaults and infractions, as well as substantially improved outcomes upon reentry. A randomized control trial funded by the National Institute of Justice assessed the impact of innovative young adult housing on reducing violence. It found that participants had a 46% decrease in disciplinary charges, a 66% decrease in violence charges, and a 64% decrease in the odds of any new conviction (Shanahan et al., 2023).

The D.C. and state programs have found that, once established, both correctional officers and prisoners greatly prefer emerging adult units to placing this age group in the general population. A lower correctional officer staffing level is required, due to the reduction in assaults and other infractions. In the 2023 study cited above, correctional staff rated their experience of safety at one unit as 68% positive.

Mr. Walker, who represents the Georgetown Prisons Justice Initiative, stressed that “every incarcerated young adult from ages 18 – 25 needs to be in some sort of therapeutic unit.” When behavioral issues in young adults are criminalized, he stressed, the system becomes dysfunctional.

While the D.C. program, Young Men Emerging, was unsuccessful when first launched, the second time it used peer mentors from the prison population, many of whom were lifers. They were indispensable to increasing younger residents’ acceptance of the program and achieving a reduction in assaults and other infractions.

Tyrone Walker

The District of Columbia has implemented its own program, Young Men Emerging (YME). While the D.C. program was unsuccessful when first launched, the second time it used peer mentors from the prison population, many of whom were lifers. They were indispensable to increasing younger residents' acceptance of the program and achieving a reduction in assaults and other infractions. The peers were able to create a trusting and open environment in which young men could open up and share freely. Mentors could often detect an issue brewing and intercede before a problem occurred. They then dealt with those involved within a restorative justice framework.

YME was begun for a minimum security unit, expanded to a medium security unit, then offered at a maximum security unit. All three levels experienced success. Lt. Andemicheal, a Correctional Officer active in the D.C. programs, said: "We believe your past does not determine your future. We create a conducive environment through counseling, education, and mentorship, following up when they leave." He cautioned, "When you kill a human spirit, there is nothing left."

Ms. Roberts-Johnson, a social worker with the Maryland Office of the Public Defender, cautioned, "These inmates are not just a number. We need to humanize them." She said, "When I look at the records of these young adults in the system, I see the gaps where we missed something, where they fell through the cracks." Traditional prisons expose young adults to trauma day in and day out. One 16-year-old was placed in solitary confinement for two years. Seeing someone once to give them a pill doesn't work, she said; we need to take the time to offer effective services. This includes making sure that each person has a real home plan when he or she comes back from jail.

Breakout 6. Policy Reform and Legislative Advocacy

- **Moderator:** Bob Rhudy, Esq.
- **Speakers:**
 - Nicole Hansen-Mundell, Out for Justice
 - Lila Meadows, Esq., University of Maryland Carey School of Law
 - Suzanne O'Hatnick, Interfaith Action for Human Rights
 - Alice Wilkerson, Advance Maryland, Trans Rights Advocacy Coalition
 - Elizabeth Hilliard, Maryland Office of the Public Defender
 - Natasha Khafani, Maryland Office of the Public Defender
 - Jenny Zito, Maryland Alliance for Justice Reform

Representatives of advocacy and other organizations highlighted their agency's primary concerns and highlighted promising bills they believe would lead to helpful policy reform in those areas.

Aging and sick people are not a risk to anyone in the community. They should have the opportunity to say goodbye to their families and receive care through community health facilities.

Lila Meadows

University of Maryland Carey School of Law

- *Compassionate release*
- *Geriatric release*
- Geriatric Release for Medical Parole

Ms. Meadows first focused on the need for compassionate release for sick and aging persons. The compassionate release process is broken in Maryland. Normally a person waits 2 to 3 days to go home on this type of release and then they die. People should not have to wait until they are ready to die to be released on compassionate release. Aging and sick people are not a risk to anyone in the community. They should have the opportunity to say goodbye to their families and receive care through community health facilities.

- **Geriatric Release for People Over 50, SB562/HB600, sponsored by Senator Shelly Hettleman**

A second priority is geriatric release for seniors over the age of 50. Maryland has an aging prison population. Although an existing bill intended to allow geriatric release, the language referenced the wrong statistics and codes, with the result that fewer than seven people will be eligible. The bill is supported by the Maryland Parole Commission but did not get a vote last session.

Interfaith Action for Human Rights (IAHR)

- *Limiting solitary confinement*

The primary focus for IAHR is reducing the use of solitary confinement in Maryland. The United Nations has declared that over 15 days in solitary confinement should be considered torture. In Maryland, the average placement in these conditions is 42.5, and over one-fourth of persons in prison experience this confinement. Previous legislation sponsored by the group requires annual reporting on the use of solitary confinement, which in Maryland is called restrictive housing.

The United Nations has declared that over 15 days in solitary confinement should be considered torture. In Maryland, the average placement in these conditions is 42.5, and over one-fourth of persons in prison experience this confinement.

Redrafted legislation to limit the time people can be placed in restrictive housing is under review and no longer covers local jails. IAHR hopes to introduce new legislation in the fall.

Out for Justice

- *Pre-Release Centers for Women*
- *Lowering waiting periods for expungement*
- *Reducing the cost of prisoners' phone calls*
- *Safety for transgender prisoners*

The policy focus areas for Out for Justice include education, direct services work, and mutual aid. Priority bills for the next session are not set in stone, as Out for Justice is still working with the community.

- **Establish a Women's Pre-Release Center**

Ms. Hansen-Mandell expressed disappointment that Maryland had not honored its word and established a Women's Pre-Release Center. In 2022, the State Budget was amended to provide funds for a women's pre-release center, but the program still has not been implemented.

- **Criminal Procedure - Expungement of Records (REDEEM Act of 2023), sponsored by Senator Waldstreicher**

Out for Justice would like to further lower the amount of time it takes to get a record for certain offenses expunged. With the recent passage of the REDEEM Act, the waiting period is 10 years for expungement eligibility, down from 15 years.

- **Reducing the Cost of Prisoners' Phone Calls**

The organization is also interested in lowering or eliminating the costs for phone calls made by prisoners. There is no bill established to accomplish this, but Out for Justice recommends that a workgroup be established to study the issue and make recommendations.

- **Avoid Endangering People Who are Transgender**

Ms. Hansen-Mundell stated that DPSCS endangers people who are transgender by placing them in dangerous situations. During the 2023 Legislative Session, Maryland introduced the Respect Agency and Dignity Act, which requires the agency to change these practices. Out for Justice believes the effort of reform should be led by directly impacted persons. The bill did not move forward in committee.

Maryland Office of the Public Defender

- *Establishing an Ombudsman's Office*
- *Releasing non-violent prisoners*
- **Establishing an Ombudsman's Office**

The Maryland Office of the Public Defender (OPD) hopes to redefine and reshape public safety and transparency. A major priority is passage of the Ombudsman Act.

- **Releasing Prisoners who are not Dangerous: Second Look Act (2023), SB0771/HB1263, sponsored by Senator Charles E. Sydnor III and Delegate Gabriel Acevero**

OPD also strongly supports the Second Look Act, which would release non-dangerous and rehabilitated persons. It would also allow petitions from prisoners to have their sentences potentially reconsidered by the original sentencing court. People charged with non-violent offenses need to be given a chance to make a positive impact in their communities. The Second Look Act did not pass last year.

Maryland Alliance for Justice Reform (MAJR)

- *Establishing an Ombudsman's Office*
- *Prohibit charging juveniles as adults without court approval*
- *Preventing police from lying to juveniles and other reforms*
- *Ending the Felony-Murder Rule* show that these falsehoods result in false confessions three times as often as for adults.
- **Change the “Felony-Murder” Rule (HB 1180/SB 0850)**

Currently, the “felony-murder” rule permits prosecutors to obtain or threaten life sentences for accomplices who didn’t plan or expect a murder to occur, though they were present when the crime was committed by

MAJR’s policy concerns encompass each phase of involvement with the criminal justice system – the front door, behind the walls, and the back door (return to the community). Priority bills for the coming 2024 session—which were not passed in 2023— include the following:

- **Correctional Ombudsman Act (HB 0064/SB 0087), sponsored in 2023 by Senators Shelley Hettleman and Chris West and by Delegate Debra Davis**

MAJR’s key priority is the Ombudsman Act, which has been discussed throughout this session. It would establish an independent office with the power to conduct investigations without notice.

- **The Youth Equity and Safety (YES) Act (HB 73/SB 96-2023), sponsored in 2023 by Senator Jill Carter, Delegate Charlotte Crutchfield, and others**

The Youth Equity and Safety (YES) Act would prohibit charging juveniles as adults without prior court approval. It would also ensure that better rehabilitative services are made available in juvenile placements.

- **Custodial Interrogation of Minors - Admissibility of Statements (HB 0076-2023), sponsored in 2023 by Delegate Gabriel Acevero**

The Act calls for a change to police rules that would prevent police from lying to juveniles during interrogations. Studiessomeone else. To obtain fairer and shorter sentences for people who did not actually commit crimes but were present when others did so, Maryland should change this rule.

Summary Wrap Up and Call to Action

Speakers: Dr. Crystal R. Francis; Hon. Phil Caroom; Olinda Moyd, Esq.; Darrell Hale, Esq.; Dr. Stephen Steurer; Donna Rojas; Robert Rhudy, Esq.

Dr. Francis called for a review of takeaways and calls to action. She thanked everyone who attended or played a part in pulling the conference together.

Ms. Moyd said the participants in the breakout on reforming Maryland's parole policies and practices imagined many ways the system could be different:

- The system could become one that invests in redemption – one that reviews every case with a presumption of release.
- The lengthy risk assessment process could be streamlined, whether by incorporating it in the parole review, eliminating it, or allocating more funds to risk assessment so that more cases can be processed in a timely way.
- Prisoners need education on what the process involves so they can enter it feeling prepared and leave it feeling heard.

Judge Caroom reported that the District of Columbia and six states have new models for helping emerging adults who are involved with the criminal justice system make better choices. Instead of focusing on punishment for small infractions, often with restrictive housing, these programs provide a dormitory environment in which residents can use some self-determination, study, and receive counseling. Speakers observed:

- The D.C. program resolved minor issues within a restorative justice framework.
- The D.C. program also experienced success when it introduced older peer mentors, often lifers, who had credibility.
- Programs resulted in a substantial drop in infractions and assault.
- There is good data to show that people who participated in an emerging adult program like these are less likely to return to prison.

Mr. Rhudy said people in his session reported on the policy reforms that were important to their agencies. Priorities included:

- Compassionate release
- Geriatric release
- Reducing the use of solitary confinement
- Pre-Release Centers for Women
- Lowering waiting periods for expungement
- Reducing the cost of prisoners' phone calls
- Safety for transgender prisoners
- Establishing an Ombudsman's Office
- Releasing prisoners who are not dangerous
- Preventing police from lying to juveniles, and
- Ending the Felony-Murder Rule.

Reporting for Mr. Hale, Dr. Izquierdo stressed the importance of a well-supported, sustainable peer workforce as a component of rehabilitation. She suggested that prisoners with long terms and lifers deserve rehabilitation and could become effective peer workers. Peer workers can help returning citizens get their driver's licenses, get GEDs, or apply for employment.

Ms. Rojas said her session highlighted the need for collaboration and information sharing among re-entry providers at every level. Local jurisdictions need to pull together agencies involved in re-entry to coordinate, while states need to facilitate sharing of best practices. Each stakeholder needs to fully own its agency's role in the process and understand what other organizations are contributing to facilitate referrals.

Reporting for Dr. Steurer, Dr. Lichtenberg stressed the importance of enabling people to receive their GEDs. There has been a sharp decline in the number of prisoners who are achieving GEDs, and it is not clear why that happened. Recently, 200 people qualified for GEDs, but three times as many used to make this achievement. The number of prison college programs declined from 772 prior to 1994 to eight after the passage of 1994 Crime Bill (Prison Policy Initiative, 2019). Programs are now increasing as Pell Grants again become available.

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