

Support SB 617 – Prosecutors transparency / management

MARYLAND ALLIANCE FOR JUSTICE REFORM
Working to end unnecessary incarceration and build strong, safe communities



TO: Chair Will Smith and Senate Judicial Proc. Com.
FROM: Phil Caroom, MAJR Executive Committee
DATE: February 9, 2024

Maryland Alliance for Justice Reform (MAJR - www.ma4jr.org) supports SB 617. The bill will extend the life of the Taskforce [for] Transparency [for] State’s Attorneys,” provide much-needed funding of prosecutors’--now, inconsistent or absent-- case-management systems, and gather “data about arrests, charging decisions, and 15 other information about [each] case handled.”

Such data collection is crucial to increase public confidence in the fairness of our State’s criminal justice system. Why? Plea bargain practices, by which 95% of all criminal charges are resolved, contribute to the nation-leading disparity in the rate at which Maryland incarcerates black citizens.

The [Justice Policy Institute, just before the onset of the pandemic - late in 2019, reported that our state’s criminal justice system incarcerates black Marylanders disproportionately at a higher rate than any other U.S. state](#), including the runner-up sister-state Mississippi. Our incarceration for black citizens is more than double the national average. This report sparked calls from the Baltimore [Sun](#), the Washington [Post](#), community leaders and advocates around the State for investigation and change.

The General Assembly mandated, more than 20 years ago, that the Maryland State Commission on Criminal Sentencing Policy [MSCCSP] should seek to “reduce unwarranted disparity, **including any racial disparity**, in sentences for criminals who have committed similar crimes and have similar criminal histories.” Md.Code, Crim.Proc. Art., sec. 6-202 (Emphasis added.)

However, without sufficient data as to plea agreements, the Commission could not accomplish this function. SB 617 may supply the data needed for a real focus on this problem of racial disparities.

Conclusion: For all these reasons, MAJR strongly encourages the Committee to give SB 617 a favorable report.

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PLEASE NOTE: Phil Caroom files this testimony for MAJR and not for the Md. Judiciary or any other unit of state government.