

Dear Members of the House Judiciary Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. We are also working in collaboration with Out for Justice. I am a resident of MD District **11**. I am testifying **in support of House Bill 1331**.



House Bill 1331 limits the fees which can be placed on incarcerated individuals and altering the assessment of charging home monitoring fees.

A person incarcerated in a Maryland prison may be expected to cover their medical expenses, food, lodging, clothing, transportation, child support and taxes for each day they spend in prison or are awaiting trial. Additionally, many of these fines are discretionary, leaving it to internal staff to determine what a “reasonable” fine should be, in addition to any others already listed. House Bill 1331 seeks to limit the level of discretion to stop the exorbitant debt one can incur while incarcerated.

Economically, the “pay to stay” fee does more to hurt taxpayers and the state overall by engaging in a cycle of trying to offset costs to a system that should not be fueled in the first place. According to a Brennan Center report, an estimated 10 million people now owe more than \$50 billion as a result of incarceration charges. Additionally, without House Bill 1331, those leaving prison or placed under home surveillance can be charged over \$400 per month simply for ankle monitoring services. It should also be noted that due to the pandemic, a majority of those awaiting trial, not convicted, have been forced to pay for ankle monitoring and failure to do so puts them at risk of awaiting trial in prison. The pandemic has additionally left many trials pending indefinitely, therefore these payments are indefinite. With inescapable debt coupled with businesses’ biased based hiring practices, those found to be newly “free” are not free in any sense of the word. Under the current regime, they are permanently imprisoned by debt. Limited economic ability further compels people to engage in increasingly risky behavior as a solution to simply survive. Without House Bill 1331, taxpayers are not offsetting a cost, they are simply paying to create a larger, concentrated pool of lower socioeconomic victims to pull from into the incarceration system, which inherently increases the costs to the state as more people are cycled into the regime.

Finally, it should be noted that the current regime infringes upon the people’s constitutional rights to be free of harsh economic burdens placed upon them by the State. The 8th Amendment of the Constitution reads, “excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted”. Imposing fines that degrades a person’s economic standing beyond any means which would allow them true freedom, is excessive. Imposing fines that are infinite and unattainable, is excessive. We are no longer best serving the people of this state with our current statutory regime, we are further imprisoning our citizens who deserve support and the right to future opportunity.

It is for these reasons that I am encouraging you to vote in support of House Bill 1331.

Thank you for your time, service, and consideration.

Sincerely,

Benjamin Fertig

2722 Quarry Heights Way, Baltimore, MD 21209

Showing Up for Racial Justice Baltimore