

HB278.DPSCS.SWA.pdf

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Position: FWA

Department of Public Safety and Correctional Services



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BILL: HOUSE BILL 278

POSITION: SUPPORT WITH AMENDMENT

EXPLANATION: This bill requires that the Commissioner of Correction and Maryland Correctional Enterprise (MCE) include in their annual reports additional specific data regarding the cost of living of inmates. However, the additional reporting elements proposed by the bill should be clarified to better reflect the data that can actually be collected and reported.

Comments:

- The Department's Division of Correction (DOC) operates approximately 13 State correctional facilities which house offenders sentenced to incarceration for 18 months and longer. The Department also oversees the Division of Pretrial Detention and Services which operates the Baltimore City Pretrial Complex.
- The DOC is currently statutorily obligated to submit to the legislature an annual report on certain data, including: (i) all expenses, receipts and disbursement at each facility; (ii) inmate characteristics including, age, race, conviction and term of confinement, (iii) the number of inmates who escape, are pardoned or discharged; (iv) the job classification for inmate labor at each facility; (v) the daily wage scale at each facility; the total number of inmates currently employed at each facility; and, (vi) the total number of inmates currently employed at each facility.
- HB 278 would expand the current reporting requirement by requiring the DOC to capture and annually report on data related to the average cost of living for inmates, including the average cost of:
 - o Telephone calls, including calls to medical providers;
 - o Video calls; and,
 - o Items available for purchase at the commissary, including feminine hygiene products, toiletries, and medications.
- **The language used in HB 278 is misleading as it relates to the "average cost of living for inmates."** There is no cost of living charge for the incarcerated population. The Department supplies inmates with

lodging, food, clothing and a supply of toiletries, including feminine hygiene products, at no cost to the incarcerated individuals. The State expends \$5,030 per incarcerated individual per month (including overhead).

- **The Department is able to provide the cost of a call by the minute, but not the average amount each inmate spends on telephone calls.** The Department continues to offer five, free, 15-minute phone calls to the entire incarcerated population per week. Calls exceeding this offer cost .032 cents per minute, which is one of the lowest rates in the nation.
- The Department utilizes a combination of contractual medical treatment providers and medical treatment providers employed directly by the State to provide robust treatment to the incarcerated population at each State correctional facility. All medical calls are made by the medical providers, not the incarcerated population.
- The Department does not charge for a video call made by an inmate.
- In terms of the commissary items available for purchase, the Department is able to provide a list and cost of items available for purchase at the Commissary.
- HB 278 requires MCE to list the race, age, and sex of inmates currently employed at facilities under the authority of MCE by job classification and wage scale. MCE is able to provide this information as part of their annual report.
- The Department would like to offer the following Amendments to the bill:
 - Strike, “living for inmates, including the average cost of” in section (a) (7) beginning in line 11, on page 2
 - Strike, “including calls to medical providers” in section (a)(7)(I) in line 13, on page 2
 - Strike “Video calls” in section (a)(7)(II) in line 15 on page 2

CONCLUSION: The Department of Public Safety and Correctional Services urges a **FAVORABLE** committee report on House Bill 278 **with Amendments**.