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WRITER'S DIRECT DIAL NO.

March 11, 2014

The Honorable Joseph F. Vallario  
Chair, House Judiciary Committee  
House Office Building, Room 101  
6 Bladen Street  
Annapolis, MD 21401

Re: **House Bill 1166 Maryland Second Chance Act of 2014 (Support)**

Dear Chairman Vallario:

I am writing to express strong support for House Bill 1166 - Maryland Second Chance Act of 2014, sponsored by Delegate Curt Anderson, which allows individuals with certain nonviolent misdemeanors the opportunity to shield a conviction while allowing law enforcement and other critical authorities access to those records. If we expect those who have served their time to gain lawful employment, stay employed and rebuild their lives, it is imperative that we establish pathways to redemption.

Having a job is the key to any individual's economic stability and that crucial component is especially true for those seeking to reenter society from incarceration. The mark of a criminal conviction casts a long shadow, often depriving those who make good choices from the benefit of a chance to compete for jobs, housing and services. Automated background checks by companies, housing agencies, tenant management companies have led all individuals convicted of a crime to be viewed and treated the same – irrespective of crime, time served, offense and time since the conviction. The resulting denial often comes before applicants have the opportunity to demonstrate their work record, accomplishments and redemptive steps such as completion of drug treatment programs.

In Maryland, more than 24,500 people are held in the Department of Public Safety and Corrections' facilities.<sup>1</sup> The majority will be released back into the community and almost 50% of those released end up back in prison within three years.<sup>2</sup> Furthermore, an additional 61,700

<sup>1</sup> Maryland Department of Public Safety and Correctional Services, Secretary's End of Year Report 10 (2012), available at [https://www.dpscs.state.md.us/initiatives/pdfs/FY12\\_End\\_of\\_Year\\_Report\\_small.pdf](https://www.dpscs.state.md.us/initiatives/pdfs/FY12_End_of_Year_Report_small.pdf).

<sup>2</sup> In FY2012 13,100 inmates were released back into the community. Dep't Leg. Serv. 90 Day Report 261 (2013), available at <http://mgaleg.maryland.gov/Pubs/LegisLegal/2013rs-90-day-report.pdf>.



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men and women are under community supervision.<sup>3</sup> Criminologists and practitioners note that recidivism declines steadily with time clean.<sup>4</sup> That time clean becomes especially critical if the individual has access to a legitimate job to earn a livelihood. In order to ensure public safety without denying those who make good choices the opportunity to compete for jobs, housing and services, we should develop a rational system that includes “redemption shields.”

House Bill 1166 allows someone convicted of certain nonviolent misdemeanors, the opportunity to compete for a job, develop a livelihood and become a productive member of society. For all of the reasons stated above, I strongly urge the House Judiciary Committee to issue a favorable report for House Bill 1166.

Sincerely,



Douglas F. Gansler  
Attorney General

cc: Members of the House Judiciary Committee

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<sup>3</sup> Maryland Department of Public Safety and Correctional Services, Secretary’s End of Year Report 10 (2012), available at [https://www.dpssc.state.md.us/initiatives/pdfs/FY12\\_End\\_of\\_Year\\_Report\\_small.pdf](https://www.dpssc.state.md.us/initiatives/pdfs/FY12_End_of_Year_Report_small.pdf).

<sup>4</sup> See Blumstein, A. and K. Nakamura, “Redemption in an Era of Widespread Criminal Background Checks,” *NIJ Journal* 263 (2009).