

Maryland Equitable Justice Collaborative

Breaking the 71%:

**A Path Toward Racial Equity
in the Criminal Legal System**



Letter From MEJC Co-Chairs

Dear Marylanders,

More than one year ago, we embarked on a historic journey to undo the harms caused by the mass incarceration of Black people and other marginalized groups here in Maryland. While racial disparities exist in prisons throughout the United States, our State has the dubious distinction of having the nation's highest percentage of incarcerated Black people when compared to their population: Black Marylanders make up about 30% of the State's population, but 71% of those in our State's correctional facilities.

Reducing the over-incarceration of Black Marylanders is an essential component of ensuring public safety. We must not allow the vestiges of a harsh, violent, and punitive system to ravage another generation. We commit ourselves to charting a different course and summoning the courage and vision to dismantle the racism and inequities through which too many have suffered for far too long.

The effects of this systemic racism on the criminal legal system are devastating: racial disparities exist in nearly every step in the process, from decisions made by police at arrest to prosecutors and judges in court and parole boards in making recommendations for release. As a result, Black Marylanders serve significantly more time incarcerated than their White counterparts. Black Marylanders are more likely to be arrested, more likely to be jailed pretrial, charged with more serious crimes that in turn carry harsher punishments, more likely to be denied a diversionary program that would decrease time behind bars, more likely to be convicted, and more likely to serve longer sentences, after spending decades in prison for a crime that likely would have been treated differently had they been White.

This is a profound crisis in our State that demands urgent action. We joined together in a historic effort – the first-ever advocacy partnership between the Office of the Attorney General and the Office of the Public Defender – to right the wrongs of mass incarceration and to repair the harm it has wrought on communities across our State. Along with our partners at the Judge Alexander Williams, Jr. Center for Education, Justice & Ethics and the Bowie State University Institute for Restorative Justice, we established the Maryland Equitable Justice Collaborative (MEJC). The mission of MEJC is to address the racial disparities in the incarceration of Black people and other marginalized groups in Maryland prisons and jails. Over 40 stakeholders from within the government, private sector, and the community have joined the Collaborative.

What follows is MEJC's inaugural report. It details the origins of the mass incarceration crisis and offers detailed recommendations to reduce racial disparities in our prisons and jails. Our efforts are more important now than ever, and we hope that stakeholders throughout Maryland will share our steadfast commitment to equity and justice. We all have a part to play in dismantling unfair systems of justice and building a more just State. The release of this report is only the beginning of this ongoing effort.

— *Maryland Attorney General Anthony Brown & Maryland Public Defender Natasha Dartigue*

Collaborative Members and Structure

ACLU – Sonia Kumar
Annie E. Casey Foundation Juvenile Justice Strategy Group - Nate Balis
CASA - Cathryn Paul
Caucus of African American Leaders of Anne Arundel County - Hon. Carl Snowden
Center for Urban Families - Joe Jones
Disability Rights Maryland - Megan Berger
Mr. Earl Young (Impacted Individual)
Federal Public Defender for the District of Maryland - James Wyda
Fenix Youth Project Inc. - Amber Green
FreeState Justice - Lauren Pruitt
Gatekeepers - Bill Gaertner
The Institute for Restorative Justice and Practices at Bowie State University – Dr. Charles Adams
Job Opportunities Task Force - Debra Carr
The Judge Alexander Williams, Jr. Center for Education, Justice & Ethics at University of Maryland - Judge Alexander Williams, Jr.
Justice Policy Institute – Keith Wallington
Leaders of a Beautiful Struggle - Dayvon Love
Life After Release - Qiana Johnson
Maryland Alliance for Justice Reform - Judge Phillip Caroom
Maryland Chiefs of Police Association - Darren Popkin
Maryland Criminal Defense Attorney’s Association - Michelle Martz, Esq.
Maryland Department of Health - Secretary Laura Herrera Scott
Maryland Department of Housing & Community Development - Jordan Gilmore
Maryland Department of Human Services - Secretary Rafael Lopez
Maryland Department of Juvenile Services - Secretary Vincent Schiraldi

Maryland Department of Labor – Secretary Portia Wu
Maryland Department of Public Safety & Correctional Services – Secretary Carolyn J. Scruggs
Maryland NAACP - Dyotha Sweat
Maryland Sheriffs’ Association – Darren Popkin
Maryland State’s Attorney’s Association - Karen Piper Mitchell
Maryland State Department of Education - Dr. Akilah Alleyne
Maryland State Education Association - Vernon Fains
Mayor Of Baltimore’s Office - Terence Nash
National Organization of Black Law Enforcement - Glend McGuire Jr.
Office of the Attorney General- Attorney General Anthony G. Brown
Office of the Public Defender – Public Defender Natasha M. Dartigue
Out for Justice - Trina Selden
Positive Schools Center - Shantay McKinily
TIME Organization - Shareese Kess
Turnaround Tuesday - Melvin Wilson
University of Baltimore School of Law Center for Criminal Justice Reform - Heather Warnken
University of Maryland School of Law Gibson-Banks Center for Race and the Law - Michael Pinard
U.S. Department of Justice Bureau of Justice Assistance - Judge Karen Friedman
Youth Advocate Programs - Craig Jernigan

Ex-Officio Members

Senator Michael A. Jackson - Maryland Senate President Designee
Delegate Nicole Williams - Maryland Speaker of the House Designee

Lou Gieszl - Assistant State Court
Administrator of Programs - Maryland
Administrative Office of Courts
Representative
The Honorable Judge Melanie Shaw -
Maryland Judiciary Representative

Executive Leadership

Anthony G. Brown, Attorney General, Co-
Chair
Natasha M. Dartigue, Public Defender, Co-
Chair
Kirsten Gettys Downs, Director of
Systemic Reform, OPD
Christian Gant, Assistant Attorney
General, OAG
Leonard Howie, Deputy Attorney General,
OAG
Keith Lotridge, Deputy Public Defender,
OPD
Melissa Rothstein, Chief of External
Affairs, OPD
Zenita Wickham Hurley, Chief, Office of
Equity, Policy, and Engagement, OAG

Law Enforcement Policies & Practices

Co-Chairs:
Deborah Levi, *OPD*
Philip Pickus, *OAG*
Heather Warnken, *University of Baltimore
School of Law Center for Criminal Justice
Reform*

Members & Participants:

Yanet Amanuel
Molly Baldwin
Christine Dulla
MarTaze Gaines
Cary Hansel
Rodney Hill
Tia Holmes
Cleveland Horton
Glendora Hughes
Ongisa Ichile-McKenzie
Tawanda Jones
Carmen Johnson
Ray Kelly

Dayvon Love
Paul Mayhew
Glend McGuire Jr.
Tarolyn McKinney
Tyrone Powers
Lauren Pruitt
Joanna Silver
Maneka Smith
Emily Thorner
Kimberly Townes
Greta Willis
Baynard Woods
Lydia Watts
Matthew Zernhelt

Criminal Law & Sentencing Reform

Co-Chairs:
Katie Dorian, *OAG*
Sean Mukherjee, *OPD*
Judge Alexander Williams, Jr., *Judge
Alexander Williams Jr. Center for
Education, Justice & Ethics at UMD*

Members & Participants:

Jason Abbitt
Yanet Amanuel
Judge Phillip Caroom
Megan Coleman
Tifani Fisher
Sean Fitzgerald
Judge Karen Friedman
Bill Gaertner
Paul Halliday
Qiana Johnson
NaShona Kess
Kobe Little
Michelle Martz
Anthony Muhammad
Perry Paylor
Thomas Robins
David Soule
Erica Suter
Keith Wallington
Heather Warnken
Jer Welter
Kurt Wolfgang
James Wyda
Woodrow Vines

Health & Human Services

Co-Chairs:

Musa Eubanks, *OAG*
Camille Blake Fall, *MD Department of Health Office of Minority Health and Health Disparities*
Terri Green, *OPD*
Shareese Kess, *TIME Organization*

Members & Participants:

David Beller
Robert Durocher
Jamel Freeman
Amber Green
Wesley Hawkins
Lori Lickstein
Derel Owens
Desmond Perry
Angelique Salizan
Dr. Stephen Thomas

Prison, Jail, & Detention Facility Reform

Co-Chairs:

Judge Phillip Caroom, *Maryland Alliance for Justice Reform*
Elizabeth Hilliard, *OPD*
Stuart Nathan, *OAG*

Members & Participants:

DJ Bovello
T Shekhinah Braveheart
Renard E. Brooks
Andrea Cantora
Amanda Crams
Ameena DeRamous
Tori Devore
Judge Karen Friedman
Bill Gaertner
Lea Green
Martina Hazelton
Captain William "Will" Hawkins
Dr. Carmen Johnson
Anne Bocchini Kirsch
Sonia Kumar
Gwendolyn Levi

Judy Lichtenberg
Nick Moroney
Terence Nash
Gordon Pack
Lauren Pruitt
Michael Richards
Donna Rojas
Emily Thorner
Keith Wallington
Heather Warnken
Anita Wiest
Earl Young

Promoting Successful Reentry

Co-Chairs:

Janee Fountain, *OAG*
Brian Saccenti, *OPD*
Melvin Wilson, *Turnaround Tuesday*

Members & Participants:

Katie Allston
Shannice Anderson
Myleana Beads-Johnson
T. Shekhinah Braveheart
Marsha Briley
Renard Brooks
Brandi Cahn
Gina Cirincion
Bryan DiGregory
Bill Gaertner
Lou Gieszl
Jordan Gilmore
Janette Graham
Joshua Hatch
Marquis Howard
Qiana Johnson
Anne Boccini Kirsch
Sonia Kumar
Gwen Levi
Walter Lomax
Shantay McKinily
Olinda Moyd
Ellen Rappaport
Ruschelle Reuban
Carolyn Saxon
Judge Melanie Shaw
Charmaine Thomas
Joseph Thomas

Stephanie Thompson
Alonzo Turner-Bey
Monica Watkins
Heather Warnken
Earl Young

Education, Workforce Development & Economic Opportunity

Co-Chairs:

Debra Carr, *Job Opportunities Task Force*
Leonard Howie, OAG
Melissa Pryce, *OPD*

Members & Participants:

Megan Berger
Tzadda Carpenter
Amy Collier
Sara Cooper
Alan Dunklow
Christopher Ervin
Willie Hamilton
Cleveland Horton
Jeaneen Johnson
Robert L. Johnson
Joe Jones
Kurtis Palermo
Cheryl Riviere
Senator James Rosapepe
Melanie Styles
Chris Sweeney
Jennifer Vey
Judge Alexander Williams, Jr.

Youth Justice Reform

Co-Chairs:

Nate Balis, *Annie E. Casey Foundation*
Juvenile Justice Strategy Group
Karl Pothier, OAG
Erin Seagears, *OPD*

Members & Participants:

Stephen Bergman
Erika Brockman
Monique Brown
Chloe Campbell
Leigh Dillon

Vernon Fains
Alyssa Fieo
Eric Ford
Amber Green
Ongisa Ichile-McKenzie
Craig Jernigan
Beverly John
Jamal Jones
Dorothy Lennig
Nick Maroney
Michael Pinard
Marc Schindler
Zakiya Sankara-Jabar
Dr. Lashaune Stit
Betsey Fox Tolentino
Alex Warrick
Brittany Young
Earl Young

Table of Contents

Background	2
Maryland Equitable Justice Collaborative.....	3
Executive Summary	7
Introduction.....	13
Recommendations.....	22
Law Enforcement Policies & Practices.....	23
Criminal Law & Sentencing.....	30
Health & Human Services.....	38
Prison, Jail & Detention Facility Reform	45
Promoting Successful Re-entry	54
Education, Workforce Development & Economic Opportunity	63
Youth Justice Reform.....	68
Conclusion.....	75
Why It Matters.....	76
Acknowledgements	77
Appendix.....	78

Background



Maryland Equitable Justice Collaborative

PURPOSE OF REPORT

This report outlines 18 recommendations to address the urgent need for criminal justice reform and reduce racial disparities in Maryland’s prisons and jails. Developed through over a year of research, analysis, and collaboration with experts, service providers, and impacted community members, these recommendations provide clear steps for change. The report summarizes key research, data, and proposed actions to help reduce the overrepresentation of Black people in its criminal legal system.

ABOUT MEJC

The Maryland Equitable Justice Collaborative (MEJC) was established by the Office of the Attorney General (OAG) and the Office of the Public Defender (OPD) to address the racial disparities of mass incarceration in Maryland. It is the first partnership of its kind and was informed by listening sessions that the Attorney General and Public Defender held with impacted persons, advocates, and other members of the community.

As with any collaboration, MEJC is centered on the involvement of a diverse group of stakeholders. To ensure that the work is evidenced-based and data-driven with a statewide perspective, the Judge Alexander Williams Center for Education, Justice & Ethics at the University of Maryland at College Park and the Bowie State University Institute for Restorative Justice (USM) were brought on as academic partners. MEJC membership also includes more than 40 representatives from state agencies, community groups, subject matter experts, and directly impacted citizens.

MEJC’s work has predominantly taken place through work groups focused on areas known to impact incarceration rates. Each work group is led by a staff member from the Office of the Attorney General, a staff member from the Office of the Public Defender, and a

community advocate with expertise in the relevant field. Community voices and public input have helped shape the recommendations under the direction of the OAG and OPD.

MISSION

MEJC is committed to transforming Maryland’s criminal legal system by addressing systemic inequities, particularly the over-incarceration of Black people. The mission of MEJC is to address the racial disparities in the incarceration of Black people and other disadvantaged groups in Maryland prisons and jails by recognizing, researching, and tackling the multitude of factors that lead and contribute to over-incarceration and its overwhelmingly disparate effects on persons of color and disadvantaged communities.

Human-Centric Focus

At the heart of MEJC’s efforts is the belief that addressing racial disparities in over-incarceration is not only a policy challenge but also a fundamental imperative of human rights. Every person impacted by inequities in the criminal legal system represents a life, a family, and a community deserving of dignity and justice. MEJC focuses on individuals’ humanity, ensuring that proposed solutions are grounded in compassion, fairness, and respect for individual rights and freedoms.

Innovation and Evidence-Based Solutions

MEJC’s recommendations are grounded in evidence-based strategies and innovative approaches designed to drive systemic change. By leveraging data, research, and proven reform models, MEJC has constructed a roadmap for transformative change while fostering accountability and trust within the legal system. This approach ensures that proposed reforms are effective, sustainable, and adaptable to evolving societal needs.

Intersectionality of Race and Other Protected Identities

While MEJC’s primary focus is addressing racial disparities, it recognizes that inequities do not occur in isolation. Additional protected identities — including gender, gender identity, sexual orientation, national origin, disability status, and socioeconomic background — also experience systemic disparities, overrepresentation, and negative outcomes within the criminal legal system. In developing the recommendations, MEJC used an intersectional approach to understand how different identities connect and experience unique challenges. This approach helps to ensure that all research, recommendations, and reforms are developed in a manner that seeks to address all forms of systemic inequities.

APPROACH AND METHODOLOGY

In early 2023, the OAG and OPD formed a joint planning team to lay the groundwork for the Collaborative’s official launch in October 2023. The team finalized a preliminary project mission and scope, identified key stakeholders, and reviewed past research. Drawing on this input, the team identified seven key focus areas around which to organize the Collaborative’s work:

- Criminal Law & Sentencing Reform
- Education, Workforce Development & Economic Opportunity
- Health & Human Services
- Law Enforcement Policies & Practices
- Prison, Jail, & Detention Facility Reform

- Promoting Successful Re-Entry & Preventing Reincarceration
- Youth Justice Reform

MEJC members participated in work groups relevant to their expertise and interests. Work group co-chairs, composed of representatives from the OAG, the OPD, and the community, identified and invited key stakeholders to join the respective work groups and held inaugural meetings in November 2023. MEJC intentionally curated the work group membership to include a diverse range of perspectives, bringing together both traditional advocates and critics of reform and prioritizing the inclusion of impacted persons in work group participation and discussion.

Staff provided work plan templates for the work groups incorporating the following:

- Work group mission and focus areas
- Meeting schedule
- Tasks and milestones
- Timeline
- Key stakeholders

All Collaborative members were required to actively participate in at least one work group. To enhance organization and collaboration among work groups, the Executive Work Group was established. This group, comprising MEJC leadership and work group co-chairs, met monthly.

The Collaborative's work groups were charged with developing recommendations within their areas of focus that would help to reduce racial disparities among those incarcerated in Maryland. Work groups began meeting in December 2023 to identify priorities and complete their work plans. The goal of the process was to build consensus around key recommended reforms. We defined consensus as the general agreement of an overwhelming majority of the members of the work group.

We recognize that building consensus requires acknowledging and documenting diverse perspectives within our community. While this report represents the majority position developed through MEJC's collaborative process, we have included dissenting views to honor our commitment to transparency and inclusive dialogue. These dissents, presented in full in the Appendix, demonstrate the complex nature of racial equity issues and our members' deep engagement with these challenges.

Work groups were provided with templates to help frame and organize recommendations for consideration by the Collaborative. Information developed by the work groups included:

- Current laws, policies, practices, or regulations governing the issue
- Key data demonstrating the need for action
- How other jurisdictions address the issue (common and best practices)
- Expected impact of the recommendation
- Strategies for implementation

To accomplish their mandate, the work groups identified and reviewed relevant data and reports, consulted with experts and impacted persons, and held public meetings. Work groups submitted proposed recommendations to MEJC's Co-Chairs, who determined which proposals were suitable for further development. With support from Arnold Ventures, the OAG and OPD engaged the Crime and Justice Institute (CJI) to assist the work groups with additional research and MEJC in drafting the report.

The Collaborative conducted comprehensive research into racial disparities in the State's criminal legal system, drawing from multiple data sources and jurisdictional examples to develop evidence-based recommendations. Working with CJI, MEJC prioritized Maryland-specific data from state agencies and federal sources to understand local trends and challenges. Where state-level data was unavailable, the Collaborative incorporated research from Maryland policy organizations, news outlets, and national studies. MEJC also examined successful reform initiatives from other states and localities to identify proven strategies for reducing racial disparities in incarceration.

Although the Collaborative has not developed detailed cost estimates for each recommendation, we believe these recommended reforms, many of which have resulted in documented cost savings in other jurisdictions, are worth the State's investment. The Collaborative welcomes further discussions with policymakers and other stakeholders to explore strategies for identifying the resources needed to successfully implement these recommendations.

Executive Summary

Maryland's criminal legal system has decreased in size by almost every measure.¹ Arrest rate, jail population, prison population, and the number of people on parole and probation² are all on the decline³ and below the national average.⁴ However, these gains obscure a troubling reality: racial disparities within the system remain stark and, in some instances, have worsened.⁵ Maryland's Black population, which constitutes only 30% of the State's residents, represents a disproportionate segment of those entangled in the criminal legal system. Alarming, Black people account for 51% of arrests,⁶ 59% of the jail population,⁷ 71% of the prison population,⁸ 71% of the parole population,⁹ and 53% of the probation population.¹⁰ This persistent racial injustice highlights the urgent need for reform within the system to address these inequities.

About MEJC

MEJC is a joint initiative led by the Office of the Attorney General (OAG) and the Maryland Office of the Public Defender (MOPD) to address the racial disparities in the incarceration of Black people in Maryland prisons and jails. MEJC's existence is a recognition that Maryland's decarceration efforts have not reduced the glaring racial disparities in our criminal legal system and that we must abandon the outdated notion that they will. MEJC's recommendations also acknowledge that the current criminal legal system produces inequitable results for Black people and, without radical change, will continue to do so at alarming rates. Therefore, MEJC has taken a clear-eyed look at current policies, informed by historical and systemic injustices, which directly contribute to the disproportionate outcomes and harm to Black people in Maryland's criminal legal system.

The data and statistical findings in this first annual report reveal much more than numbers; they represent real lives impacted by a system that too often fails our children; disproportionately punishes Black people and other communities of color; and neglects basic human dignity in our prisons and jails. In this report, MEJC, in partnership with policy experts, educators, and community voices, presents clear, urgent recommendations that could reverse these inequities. This is a pivotal moment for Maryland's criminal legal system. MEJC presents the opportunity to confront these unfair outcomes head-on and build a system that reflects Maryland's highest values of fairness, community, and opportunity.

RECOMMENDATIONS

In recognition of the all-encompassing nature of racial disparities in our criminal legal system, MEJC's recommendations address comprehensive aspects of an impacted person's experience, from how and why a person first encounters law enforcement to how the system supports or does not support a person's journey back from incarceration. All recommendations are rooted in data and evidence that clearly demonstrate (1) the inefficiencies or inadequacies of our current policies, (2) the disparate outcomes for Black people because of the status quo, and (3) the efficacy of the recommended solutions. The recommendations in the following report are summarized here:

LAW ENFORCEMENT POLICIES & PRACTICES

1. **Reduce unnecessary police interactions in crisis response and enhance evidence-based resources:** Conduct a statewide assessment to find gaps in Maryland’s crisis response systems. Based on the assessment's results, develop ways the State can help counties improve the use, implementation, and expansion of alternate crisis response models and infrastructure.

Anticipated Impact: Reduces unnecessary police involvement in mental health crises, disproportionately impacting Black people, and decreases the likelihood of escalation during crisis situations.

2. **Reduce unneeded police interactions with the public:** Enact legislation to end non-safety-related traffic stops; enhance data reporting requirements and include data on race and gender; re-examine the use and efficacy of consent searches to reduce unnecessary interactions with police; and allow for more appropriate utilization of law enforcement.

Anticipated Impact: Mitigates racial profiling during routine stops, reducing the over-policing of Black communities.

3. **Decrease police use of excessive force and improve their interactions with the public:** Scale the impact and success of cognitive behavioral theory training programs and mandate that all sworn police officers in Maryland receive the training.

Anticipated Impact: Builds trust in law enforcement while reducing violence against marginalized communities, particularly Black people who are disproportionately victims of excessive force.

CRIMINAL LAW & SENTENCING

4. **Study the drivers of racial disparities in the criminal system:** Conduct a qualitative and quantitative analysis of each step in the criminal legal process – from arrest to sentencing and parole – to understand the impact of racial and geographic disparities in Maryland’s adult prison population.

Anticipated Impact: Identifies systemic inequities and informs targeted interventions that address racial biases in arrests, charging, and sentencing.

5. **Expand alternatives to incarceration:** Develop and adopt a Sentencing Pilot using a needs-based case management approach in collaboration with the Division of Parole and Probation in at least two Maryland counties.

Anticipated Impact: Diverts individuals from incarceration to rehabilitation, reducing disproportionate sentencing for Black people and addressing the root causes of criminal behavior.

6. **End unnecessary pretrial detention:** Reduce unnecessary pretrial confinement by changing the District Court of Maryland discovery rules so that prosecutors must give discovery to the defense within a reasonable timeframe, developing a uniform civilian complaint review process across all State's Attorney's Offices; and allowing defendants to waive their right to a bail review hearing.

Anticipated Impact: Reduces pretrial jail populations, where Black people are overrepresented, and alleviates the economic and social burdens of prolonged detention.

HEALTH & HUMAN SERVICES

7. **Increase mental health services in jails:** Develop a pilot program to improve access to trauma-informed mental health treatment for people incarcerated in Maryland's jails and detention centers.

Anticipated Impact: Addresses untreated mental health needs, which disproportionately affect incarcerated Black people, by offering rehabilitative solutions instead of punishment.

8. **Early identification of behavioral health needs:** Incentivize primary care physicians to conduct Adverse Childhood Experiences (ACEs) screening with community-led follow-up interventions.

Anticipated Impact: Prevents entry into the criminal system by addressing childhood trauma early, reducing the pipeline to incarceration for Black youth.

PRISON, JAIL & DETENTION FACILITY REFORM

9. **Increase access to geriatric and medical parole:** Increase the number of people eligible for earlier parole consideration due to serious medical conditions and having reached an age where they no longer pose a threat to public safety.

Anticipated Impact: Reduces the over-incarceration of aging Black people, who are disproportionately represented in long-term sentences. Offers compassionate release for elderly and ill inmates, addressing racial disparities and reducing the economic burden of unnecessary incarceration.

10. **Improve the parole process:** Enhance the transparency, consistency, and efficacy of parole decisions by allowing access to the materials and justifications relied upon for decision-making, developing clear guidance on the application of factors impacting release, identifying actions or steps that incarcerated people can take to improve their chances for release, surveying the services available to incarcerated people upon release, and publishing detailed reports on the Maryland Parole Commission's activities.

Anticipated Impact: Creates accountability and reduces racial bias in parole decisions. Transparent processes ensure that Black people, who often face harsher

parole outcomes, have equitable opportunities for release and successful reintegration.

11. **Lower recidivism through targeted services for young adults:** Expand an Emerging Adults Program (ages 18-25) that creates protocols geared toward community building and intensive services to improve post-release success and prevent future system involvement.

Anticipated Impact: Disrupts cycles of incarceration and provides pathways to success for young Black adults, who are among the most vulnerable age groups.

PROMOTING SUCCESSFUL REENTRY

12. **Augment community-based reentry programming:** Expand and improve community-based reentry programming by creating a protocol to share specific service needs of people who are incarcerated, collecting and publishing data on the effectiveness of reentry services, ensuring that all state facilities offer reentry services, increasing funding for successful reentry programs, and expanding community-based reentry programs' access to incarcerated people 180 days before their reentry date.

Anticipated Impact: Improves outcomes for Black people reentering society, who face higher rates of unemployment, homelessness, and stigma. Expanding reentry programs reduces recidivism by addressing key barriers to successful reintegration, including access to housing, education, and employment support.

13. **Review of long sentences:** Expand access to Second Look laws that empower judges to reduce or modify, but not increase, sentences under specific conditions. These laws should prioritize rehabilitation, requiring judges to assess an individual's progress, ensure they pose no danger to society, and act in the interests of justice. Decisions must be based on personalized evaluations of behavior and efforts toward reform. Additionally, victims and their representatives should be treated with respect, granted notice of proceedings, allowed to attend and provide input, and offered protective measures like no-contact orders if probation is imposed.

Anticipated Impact: Addresses disparities in excessive sentencing for Black incarcerated people, offering opportunities for release to those who have demonstrated rehabilitation and readiness to contribute positively to their communities.

14. **Study fines and fees:** Conduct a comprehensive study on the financial obligations imposed on individuals under probation and parole and their impact on successful reentry.

Anticipated Impact: Reduces financial burdens that disproportionately harm low-income Black people, removing a key barrier to successful reentry.

EDUCATION, WORKFORCE DEVELOPMENT & ECONOMIC OPPORTUNITY

15. **Stop criminalizing school behavior:** Address the rising criminalization of in-school behavior by tracking and analyzing data trends in school-based arrests, enhancing implicit bias training, and revising discipline and criminal justice policies.

Anticipated Impact: Disrupts the school-to-prison pipeline for students, ensuring that minor disciplinary issues do not lead to incarceration.

16. **Improve GED rates for justice-involved children:** Amend the compulsory school attendance requirements to allow justice-involved youth to complete their high school requirements through the GED process.

Anticipated Impact: Provides equitable educational opportunities for incarcerated children, increasing their chances of employment and reducing recidivism.

YOUTH JUSTICE REFORM

17. **Limit the automatic charging of children in adult criminal court:** Restrict laws that allow for the automatic adult charges to more serious felonies or provide more opportunities for judicial review before transferring children to adult court.

Anticipated Impact: Reduces the number of Black children who are disproportionately charged as adults, preventing lifelong consequences, such as harsher sentences, fewer rehabilitation opportunities, and ongoing stigmatization.

18. **Expand judicial training on implicit bias and cultural competency:** Review the training requirements of judges and magistrates to ensure that their decisions are supported by a comprehensive and working knowledge of implicit bias, cultural competency, adolescent brain development, adverse childhood experiences, trauma, and other important considerations. A summary of the current training requirements and materials involved should be made available for public review.

Anticipated Impact: Ensures fairer treatment of Black people in courtrooms by addressing disparities in sentencing and judicial discretion.

CALL TO ACTION

This is a pivotal moment for Maryland's criminal legal system. The statistical findings in this report reveal not just numbers but also stories of real lives impacted by a system that too often fails our children, disproportionately punishes our communities of color and other disadvantaged groups, and neglects basic human dignity in our prisons and jails. In this report, MEJC offers practical and impactful recommendations that confront these inequities head-on and build a system that reflects Maryland's highest values of fairness, community, and opportunity.

Most importantly, meaningful change cannot and will not happen without public advocacy. This movement calls on people, advocates, and public leaders alike to recognize the reality

Maryland faces and push for reforms. These recommendations are more than policy proposals – they are a roadmap for Maryland where every community can thrive. Here’s how to advocate for change:

1. **Amplify the Truth:** Engage with these findings, talk about them, and share them. When our communities know the truth, we gain the power to collectively demand accountability and push for real reform.
2. **Invest in Community Power:** Support organizations and local leaders who already fight to keep youth out of the system, advocate for fair sentencing, and demand humane treatment in Maryland’s prisons. Change grows from the ground up, and individual support strengthens the collective voice.
3. **Press for Legislative and Other Policy Changes:** Every voice matters to Maryland’s law- and policymakers. Contact representatives and demand that they stand by these recommendations to bring equity, dignity, and common sense to our justice system.
4. **Stay Vigilant, Stay Engaged:** Transformation is a journey. Follow up on the progress of these reforms, hold leaders accountable, and keep pushing forward. Change doesn’t end with a signature – it lives in our shared commitment.

With advocacy and action, the tide in Maryland can be turned. Every action, every voice, and every commitment to justice adds strength to this movement. Join us!

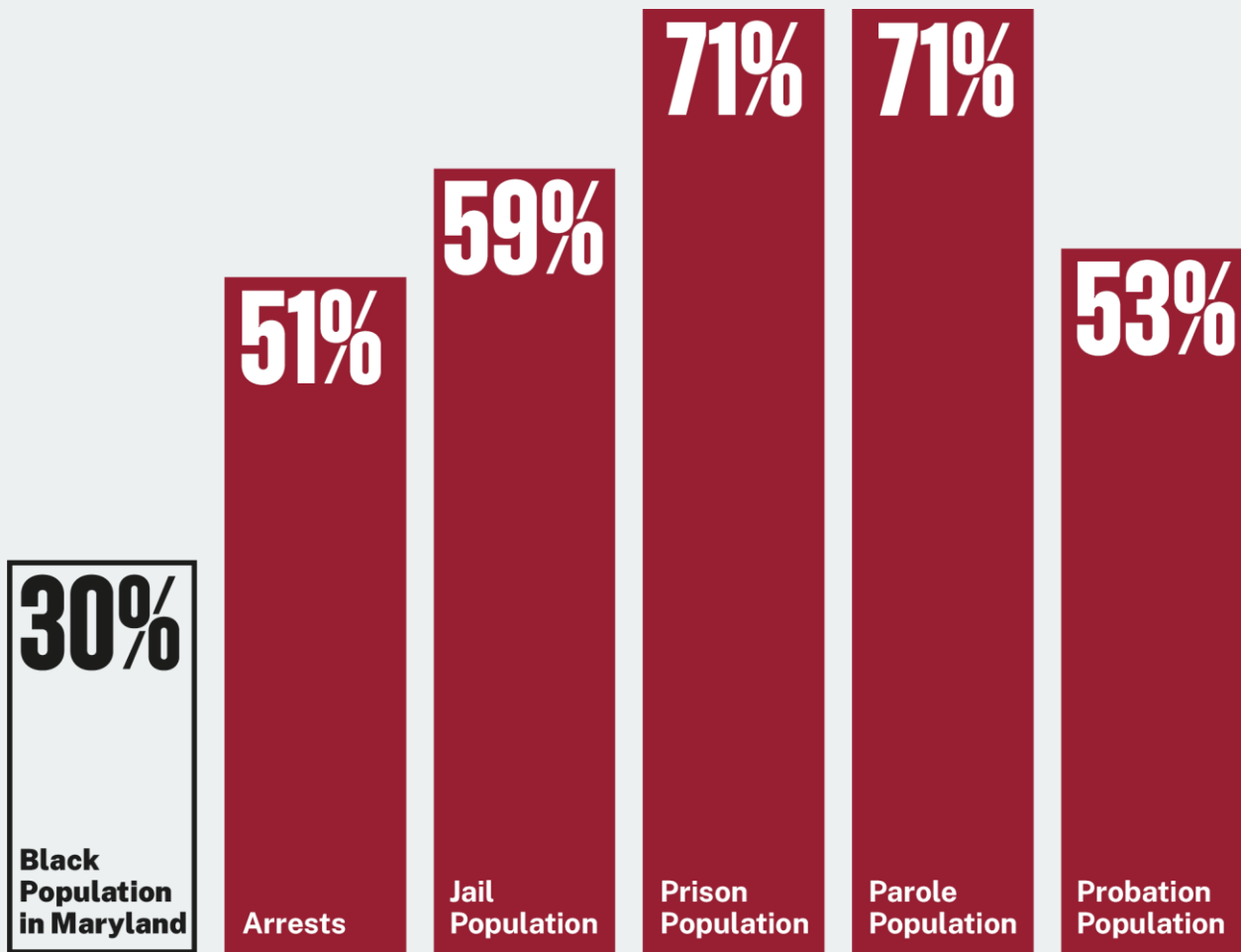
Introduction

Although Maryland has made notable strides in criminal justice reform¹¹ over the past decade, racial disparities within the State's criminal legal system continue to persist¹² and, in some cases, have even worsened.¹³ The 2016 Justice Reinvestment Act sought to reduce incarceration rates by reallocating resources toward rehabilitation programs, revising sentencing guidelines, and expanding opportunities for community supervision.¹⁴ Additionally, Maryland adopted measures such as decriminalizing marijuana in 2014¹⁵ and bail reform to reduce the reliance on pretrial detention for low-income people in 2017¹⁶. These efforts contributed to a general decline in the State's incarcerated population and fewer pretrial detentions overall.¹⁷

Racial disparities remain entrenched in Maryland's criminal legal system, even as arrests, incarceration, and community supervision populations have declined.¹⁸ Recent data highlights growing inequities in pretrial detention, where Black people are disproportionately denied bail or assigned high cash bail compared to their White counterparts.¹⁹ Sentencing outcomes also show significant disparities, with Black defendants more likely to receive longer sentences for similar offenses than White defendants.²⁰ These inequities are starkly reflected in the statistics: although Black Marylanders make up just 30% of the state's population, they account for 51% of arrests,²¹ 59% of the jail population,²² 71% of the prison population,²³ 71% of those on parole,²⁴ and 53% of those on probation.²⁵

Additionally, Maryland's juvenile justice system exhibits significant racial disparities, further exacerbating these inequalities.²⁶ Black youth, who represent less than a third of the State's youth²⁷ population, constitute nearly 80%²⁸ of youth tried as adults. Despite progressive reforms, systemic inequities still disproportionately impact Black Marylanders throughout the criminal legal system.²⁹ This highlights the urgent need for reforms addressing implicit bias, structural racism, and decision-making practice disparities throughout the system.

MEJC recognizes that meaningful change requires directly confronting the historical and systemic injustices embedded in our current policies. By identifying and reforming these specific policies that drive disproportionate outcomes for Black Marylanders, we can build a criminal legal system that truly delivers equal justice for all.



Black Adults in the Maryland Justice System

HISTORICAL BACKGROUND

Maryland's criminal legal system has a longstanding history of systemic racial inequality,³⁰ dating back to the colonial period and continuing to the present day.³¹ The legacy of slavery, Jim Crow laws and lynchings has greatly affected the treatment of Black Marylanders, particularly in areas such as policing, sentencing, and incarceration.³² As a result, racial inequities persist across all areas of the criminal legal system despite recent reforms.³³

Colonial Foundations of Racial Control

When European colonists established the Maryland colony in 1634, they immediately established a system of enslavement that would have profound effects on the State's economic development, social hierarchy, and legal institutions.³⁴ This system was built on the exploitation of enslaved Africans, whose labor became integral to the prosperity of the colony, particularly in industries such as tobacco farming.³⁵ Between 1700 and 1775, an estimated 100,000 enslaved Africans arrived in the colony, leading to a profound transformation of its demographic landscape.³⁶ By 1755, enslaved Africans constituted between one-third to one-half of Maryland's total population, embedding race-based divisions deeply into the colony's social fabric and legal systems.³⁷

Maryland's colonial government formalized slavery by enacting laws imposing punishments intended to maintain a tight grip on the Black population.³⁸ For example, in 1715, the law dictated that any Black person who resisted surrender to authorities would face the death penalty.³⁹ Another law passed in 1729 specified death for Black people found guilty of burglary, illustrating the harsh reality of legal repercussions they faced.⁴⁰ These early laws were a form of racial profiling, targeting Black people for disproportionately severe punishments and establishing a troubling legacy of systemic inequity that would echo through Maryland's history for centuries. The consequences of this system not only shaped the landscape of Maryland at the time but also laid the groundwork for social, economic, and legal disparities that have persisted for generations.

Post-Emancipation and Segregation Policies

The abolition of slavery in 1864 did not dismantle the racial hierarchy that had been established over centuries in Maryland. Instead, new systems of control emerged.⁴¹ Lawmakers deliberately retained and strengthened the State's vagrancy laws to target and criminalize Black people, who were unjustly viewed as "loose and disorderly."⁴² These discriminatory laws allowed for the imprisonment of Black people for minor or vague offenses, creating a legal framework that criminalized poverty and unemployment within Black communities.⁴³ The impact of this system was not mere coincidence; it was a calculated effort by those in power to oppress and marginalize Black citizens, reinforcing systemic inequality and social control.⁴⁴

The post-slavery period saw the rise of Jim Crow laws, which institutionalized racial segregation across Maryland.⁴⁵ In the early 20th century, Maryland's General Assembly passed a series of segregation laws, including a 1904 law⁴⁶ mandating racial segregation on railroads. By 1908, these laws extended to electric trolleys and steamboats, confining Black residents to separate facilities and enforcing segregation.⁴⁷

Another form of racial oppression came through the creation of “Sundown Towns,” areas that enforced racial exclusion through formal laws, informal norms, and threats of violence.⁴⁸ Towns like University Park, Smith Island, Chevy Chase, and Crofton allowed Black people to work during the day but prohibited them from staying within town limits after dark.⁴⁹ This practice, though not always legal, upheld racial separation and instilled fear in Black communities.

Housing and Economic Segregation

The criminal legal system in Maryland is intertwined with longstanding housing and economic discrimination that has disproportionately impacted Black communities.⁵⁰ For example, Baltimore was a pioneer in housing segregation, with its 1910 ordinance becoming a model for other cities across the country.⁵¹ These policies forced Black families into specific areas, which were often deemed “hazardous” by federal agencies like the Home Owners’ Loan Corporation, ensuring disinvestment in schools, infrastructure, and services.⁵² Over the years, racial segregation in housing was upheld through practices such as restrictive covenants, redlining, and unfair lending. Black families in Maryland were often denied opportunities to buy homes, obtain affordable loans, and gain financial stability.⁵³ This kept many Black families in neighborhoods with fewer resources and higher poverty rates.⁵⁴ These economic challenges intersect with the criminal legal system, as poverty is a well-documented risk factor for increased interactions with law enforcement.⁵⁵ In addition, people in economically disadvantaged communities are more likely to be subject to aggressive policing and experience higher rates of arrest for minor infractions.⁵⁶

Educational Inequities and the School-to-Prison Pipeline

Despite the Supreme Court’s landmark ruling in *Brown v. Board of Education*⁵⁷ mandating school desegregation in 1954, Maryland’s education system has maintained racial inequities through more subtle but equally damaging mechanisms.⁵⁸ Reliance on local property taxes as the primary funding mechanism for public schools has perpetuated profound educational inequities across Maryland.⁵⁹ Schools in predominantly White, affluent areas command substantially greater resources than those serving Black and low-income communities, creating a two-tiered educational system.⁶⁰ This resource gap is rooted in systemic housing discrimination that artificially devalued properties in Black neighborhoods, decimating the tax base that funds local schools.⁶¹ The consequences are stark: schools serving Black communities face severe overcrowding, deteriorating facilities, and limited access to vital resources, including advanced placement courses, current technology, adequately staffed libraries, and enrichment programs.⁶² These disparities extend beyond academics: while well-funded schools offer diverse extracurricular activities and support services to mitigate against disruptive student behavior, under-resourced schools often rely on harsh disciplinary policies that criminalize typical adolescent behavior, disproportionately pushing Black students out of classrooms and into the criminal legal system.⁶³ In the early 20th century, Baltimore City set the age of majority — the legal boundary between childhood and adulthood — at 16 years old, diverging from the rest of Maryland, which later established the age at 18.⁶⁴ This distinction disproportionately harmed Black youth, who were more likely to face adult criminal convictions and sentences rather than rehabilitative interventions available to juveniles.⁶⁵

These practices laid the groundwork for racial disparities that persist today, including the school-to-prison pipeline, where punitive disciplinary measures disproportionately affect Black students and increase their risk of incarceration.⁶⁶ The compounded impact of these interconnected policies - from discriminatory housing practices to inequitable school funding to punitive discipline - has created and perpetuated a system that systematically disadvantages Black children and communities, showing how the promise of *Brown* remains unfulfilled nearly 70 years later.⁶⁷

Health Disparities and Access to Behavioral Health Services

Racial disparities in Maryland's healthcare system also have long roots in systemic discrimination, which has contributed to the overrepresentation of Black people with untreated behavioral health issues in the criminal legal system.⁶⁸ Historically, Black people were denied access to quality healthcare due to segregation and discriminatory practices.⁶⁹ For example, after the Civil War, Black people who showed signs of mental illness were frequently labeled as "insane" and imprisoned instead of receiving proper medical care.⁷⁰ Black Marylanders have also had limited access to quality mental health services.⁷¹ For example, in 1910, the Hospital for the Negro Insane of Maryland, later known as the Crownsville Hospital Center, was a segregated facility for Black mental health patients. This facility was chronically underfunded and overcrowded, resulting in patients experiencing poor services and living conditions.⁷² During the protests of the Civil Rights Movement, there was a notable increase in the diagnosis of schizophrenia among Black men, particularly those involved in civil rights activism.⁷³ This trend was influenced by sociopolitical factors, where expressions of dissent were pathologized, leading to the association of mental illness with Black activism and subsequent criminalization.⁷⁴ This punitive response continued into the 1980s and 1990s, as Maryland joined the nationwide "War on Drugs": substance use disorders — particularly in Black communities — were criminalized rather than treated as health issues.⁷⁵ Black Marylanders struggling with addiction were disproportionately arrested and incarcerated instead of being provided access to rehabilitation programs, perpetuating cycles of incarceration and untreated health conditions.⁷⁶

In recent decades, the State's efforts to address health disparities have included establishing the Office of Minority Health and Health Disparities (MHHD) within the Maryland Department of Health.⁷⁷ However, these measures have not fully addressed the long-term impacts of racial exclusion from healthcare services, and behavioral health needs remain unmet in many Black communities.⁷⁸ Access to effective behavioral health services continues to be out of reach for many Black communities.⁷⁹ Black people in Maryland are less likely to receive timely mental health care or substance use treatment.⁸⁰ This systemic obstacle, combined with the policy of criminalizing mental health crisis behaviors, often leads to law enforcement intervention. Black people experiencing mental health crises are more likely to be arrested or incarcerated rather than being connected to appropriate care services.⁸¹

The Criminalization of Poverty and the Intersection of Race and Economic Inequality

Maryland's history of race-based laws and economic discrimination has contributed to a criminal legal system that disproportionately impacts Black people in poverty.⁸² Post-

emancipation, vagrancy laws were used to penalize Black Marylanders for being unable to secure stable employment, effectively criminalizing poverty.⁸³ These laws were part of the Black Codes, a series of restrictive measures aimed at limiting the freedoms of Black people and ensuring their availability as a low-cost labor force.⁸⁴ In Maryland, such laws led to a significant increase in arrests of Black residents for vagrancy. For instance, vagrancy arrests of Black residents in Baltimore increased by over 1,900% in the ten years following emancipation.⁸⁵

The Need for a Comprehensive Approach to Addressing Historical Inequities

Understanding Maryland's history of racial disparities is essential for crafting practical solutions to reduce the overrepresentation of Black people in the State's criminal legal system. The Maryland Equitable Justice Collaborative (MEJC) has recognized the importance of addressing these historical injustices and proposing reforms across all stages of the criminal legal process. By targeting key areas such as pretrial detention, racial profiling, sentencing disparities, access to behavioral health services, and reentry support, MEJC seeks to address the lingering effects of Maryland's history of racial discrimination and prejudice, creating a criminal legal system that reflects principles of equity and justice for all.

CURRENT POLICIES & PRACTICES

The compounding effect of these historical events is the evolution of a present day criminal legal system that unjustly treats Black people.⁸⁶ A combination of policies infected with racial biases and prejudice and discretionary practices susceptible to the influence of these biases and prejudices have preserved a deeply flawed system that disproportionately affects Black people and other disadvantaged communities.⁸⁷

Racial Profiling and Disparities in Policing

Police interaction is the predominant entry point into the criminal legal system.⁸⁸ Although laws exist to guide law enforcement to determine who to stop, search, and arrest, where these actions take place and who they are applied to is largely discretionary and up to the individual officer, unit, or agency. Documented bias and prejudice regarding Black peoples' predilection to criminal behavior has led to the over-policing of Black communities and resulted in Black people, particularly Black men, entering the criminal legal system at significantly higher rates than other races.⁸⁹ In Maryland, Black people are nearly twice as likely to be arrested than White people; in 2022, Black Marylanders made up just 30% of the State's population yet accounted for more than half of all arrests.⁹⁰ The racial disparity is equally stark in traffic enforcement, with 2023 data showing police stopped Black drivers at rates 10 percent higher than White drivers.⁹¹ Despite legislative reforms, increased oversight, and enhanced data collection requirements aimed at curbing racial profiling, the practice continues, and continues to devastate Black communities and undermine public trust in law enforcement.

Discretion in Charging Decisions

The discretionary exercise of authority that leads to a higher number of arrests among Black people persists throughout the criminal legal system, beginning with arrest

decisions.⁹² After law enforcement officers decide who should be arrested, prosecutors determine whom to charge and what specific charges will be filed. Prosecutors wield significant power to determine how people enter the criminal legal system, often with little oversight or transparency.⁹³ For example, although the Maryland Administrative Office of the Courts publishes the number of criminal cases filed in District Court of Maryland on their data dashboard, there is no published data on case filings by race.⁹⁴

The discretion exercised by prosecutors extends beyond the initial decision of whether to pursue a prosecution. It includes decisions regarding the charges to file initially, which charges may be reduced, and what plea negotiations to propose.⁹⁵ Each of these decisions significantly impact the outcomes for those within the criminal legal system. However, studies focused on prosecutorial decision-making are quite scarce, especially in comparison to research on other critical decision-making points in the criminal justice system, such as judicial sentencing or law enforcement profiling. The limited research available does show significant bias against Black people in the federal system, as measured by charging decisions for offense types and specifically, weapons offenses.⁹⁶ This data suggests that prosecutorial bias is more likely when both the individual charged and the offense category feed into common attributions or stereotypes of dangerousness and culpability.⁹⁷

In addition to the role of prosecutorial bias when the decision involves Black defendants, prosecutorial bias may influence decisions in cases where the victims are Black.⁹⁸ Of six studies that focused on a victim's race and ethnicity for initial screening, five found that cases involving Black and Brown victims were treated more leniently.⁹⁹ As the overwhelming number of cases in this country and in Maryland are resolved not through trial, but through plea negotiations,¹⁰⁰ the repercussions of prosecutorial bias on the criminal legal system are likely substantial, and must be studied further to understand the true weight of their impact.

The lack of data on prosecutorial decisions creates a significant barrier to understanding and addressing racial disparities within the criminal legal system. Without comprehensive data, it becomes difficult to identify patterns of bias, assess the fairness of prosecutorial practices, and implement reforms that promote equity. A comprehensive study is essential to enabling evidence-based policy changes and fostering a more transparent system.

Pretrial Detention and Bail Practices

Compounding the likely influence of racial bias on who is arrested and who is charged criminally, the policies used to determine who may be released pending trial are also vulnerable to racial prejudice.¹⁰¹ Pretrial detention decisions about whether someone may be dangerous or a flight risk, and whether they should be released pending trial, are subject to biases and stereotypes.¹⁰² A 2023 study on the federal system found that the probability of a detention recommendation was 34% higher for Black people than for White people, and that racial disparities were most pronounced in cases that invoked substantial discretion by the decision-maker.¹⁰³ Specifically in Maryland, Black people are detained

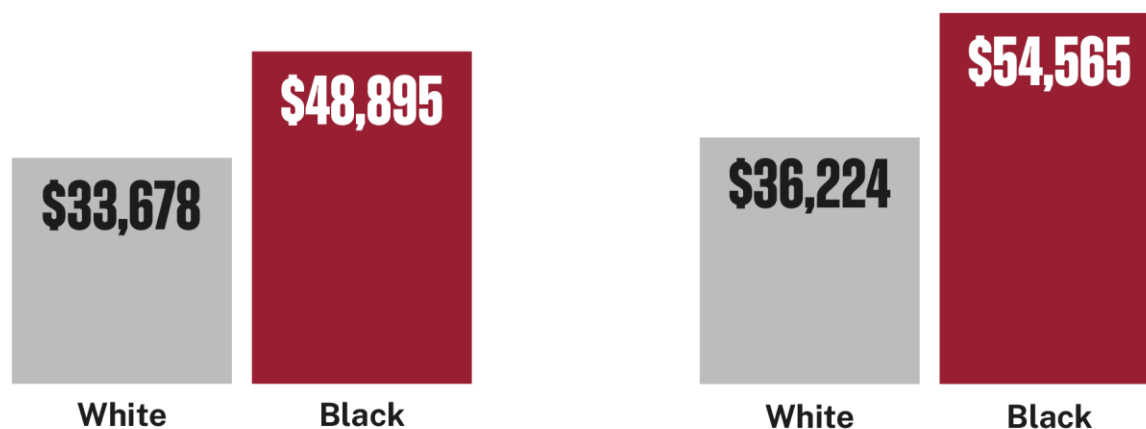
pretrial more often than White people, especially for the second to least serious crime category (Category IV charges), where data shows 43% of Black people were held without bail compared to just 31% of White people.¹⁰⁴

These glaring disparities are also present for decisions regarding bail. Data compiled by the Office of the Public Defender found that the mean bail amount imposed on Black people was 45% higher than White people (\$48,895 for Black people as compared to \$33,678 for White people) at the commissioner hearing – the initial bail setting phase of a criminal case in Maryland – and 51% higher (\$54,565 for Black people and about \$36,224 for White people) at the bail review hearing, where a District Court of Maryland judge reviews the bail amount.¹⁰⁵ These disparate bail decisions are likely a key driver in the significant overrepresentation of Black people awaiting trial in Maryland jails: 59% of the Maryland jail population was Black in 2019, the most recently available statewide data, and 72% were in jail awaiting their trial.¹⁰⁶ This makes Black people 2.8 times more likely to be jailed than White people in the State.¹⁰⁷

Bail Consistently Higher for Black Defendants Than White Defendants

Commissioner Hearing

Bail Review Hearing



Sentencing Disparities

Racial disparities are also prevalent in sentencing, fueled in part by mandatory minimums, three strikes, and truth in sentencing laws and aggressive policing in Black communities.¹⁰⁸ Recent research found that, on a national level, Black people receive average sentences that are approximately 19 months longer than people of other racial demographics.¹⁰⁹ Studies have largely attributed these disparate outcomes to differential treatment by courtroom actors during sentencing.¹¹⁰ They found that the main priorities in sentencing decisions, including blameworthiness, community safety, and the practical constraints associated with a longer sentence, often rely on stereotypes. For instance, White people are underrepresented as perpetrators of crime in news reports, and this underrepresentation appears to provide White people “an innocence premium” - a societal presumption of innocence that stems from media portrayals.”¹¹¹

Other qualitative evidence suggests that judges perceive White people as being especially harmed by prison time.¹¹² In Maryland, these stereotypes have manifested in Black people serving an overwhelming percentage of the State's longest sentence of life in prison at 82%, with over half of those serving a life term having been convicted as a young adult (aged 18-24).¹¹³ These disproportionately long sentences for Black people are yet another source for the current staggering overrepresentation of Black people in Maryland prisons.¹¹⁴

Parole Decisions and Post-Incarceration Outcomes

Parole decisions are also subject to significant discretion, influenced by such factors as the racial composition of the parole board, its voting processes, and the subjective criteria used to determine if someone should be released.¹¹⁵ In Maryland, the criteria often used to determine parole eligibility are highly subjective, leaving significant room for individual biases to influence decisions.¹¹⁶ Currently, the Maryland Parole Commission (MPC) considers factors such as the applicant's moral qualifications, whether their release would be incompatible with the welfare of society, and their progress during incarceration¹¹⁷ — criteria that lack clear, objective standards. Although no Maryland-specific study has examined this, a study of parole grant rates in New York found that between 2016 and 2023, the parole board was over 20% less likely to release a Black or Hispanic person than a White person.¹¹⁸ As such, inconsistent application of the factors considered by the MPC likely contributes to disparate outcomes by race in who is released on parole.

Multiple studies document higher violation and revocation rates for Black people and more punitive sanctions after violations.¹¹⁹ This is significant in understanding the breadth of impact that individual supervision officer bias can have on the State's criminal legal system, as Black people are twice as likely to be on probation and four times more likely to be on parole than White people in Maryland.¹²⁰ The racial disparities in granting parole, the absence of objective criteria for determining parole eligibility, and the lack of data on the demographics of parole decisions underscore the need for a comprehensive review of racial inequalities within Maryland's parole system.

CONCLUSION

MEJC's efforts highlight the urgent need to address the racial and systemic inequities embedded in Maryland's criminal legal system. In the following section, MEJC presents targeted recommendations across seven key areas: law enforcement policies and practices, criminal law and sentencing, health and human services, prison and jail conditions, reentry support, education and workforce development, and youth justice. These recommendations, developed through extensive research and stakeholder input, represent concrete steps Maryland can take to begin dismantling the systemic barriers that have perpetuated racial inequities for generations.

Recommendations

Law Enforcement Policies & Practices

Policing practices disproportionately target Black communities, leading to officers being more present and involved in the daily lives of Black communities compared to White communities.¹²¹ There are significant disparities in how Black people are treated during traffic stops, pedestrian stops, searches, and arrests.¹²² For instance, Black people are arrested for drug-related offenses much more frequently than White people, despite both groups using drugs at similar rates.¹²³ A study found that Black people are 3.7 times more likely to be arrested for marijuana possession than White people, even though their usage rates are comparable.¹²⁴ Law enforcement is also more likely to stop Black and Hispanic drivers than White drivers, despite searches of White drivers often leading to the discovery of contraband.¹²⁵ Additionally, even when taking into account factors like crime rates and social conditions, Black people continue to be stopped or observed by police more frequently than White people.¹²⁶

These patterns are starkly evident in Maryland as well. For example, between 2013 and 2017, Maryland police searches of White drivers increased by 84%, but searches of Black drivers surged by 170%, further underscoring systemic disparities.¹²⁷ To address systemic injustice and reduce the disproportionate impact on Black communities, MEJC stresses the urgent need for collaboration between law enforcement and communities to implement actionable, measurable reforms. These reforms should focus on decreasing unnecessary police interactions with Black people, increasing accountability and transparency, and confronting established practices that maintain racial disparities in policing.

CONDUCT A STATEWIDE NEEDS ASSESSMENT FOR CRISIS RESPONSE

Recommendation #1: Conduct a statewide assessment to find gaps in Maryland's crisis response systems. Based on the assessment's results, develop ways the State can help counties improve their use, implementation, and expansion of alternative crisis response models and infrastructure.

Background

Behavioral health crises disproportionately lead to interactions with the police and other law enforcement.¹²⁸ These interactions often result in negative consequences, particularly for Black people. Between 2015 and 2024, 20% of fatal police shootings across the United States involved a person exhibiting signs of serious mental illness or other behavioral health issues.¹²⁹ Nationally, people with untreated mental illnesses are 16 times more likely to be killed during a police encounter, and Black people experience these fatal outcomes at disproportionately higher rates.¹³⁰ Maryland reflects this trend, with Black communities overrepresented in crisis-related arrests due to systemic underinvestment in behavioral health resources and the tendency to respond to behavioral health crises with law enforcement intervention.¹³¹

Crisis Response

Has gained significant attention in the past two decades as localities have adopted varying approaches to address the growing frequency of behavioral health or substance use related crises, including:

Crisis Intervention Teams

Comprised of specially trained law enforcement officers

Co-Responder Programs

Involving law enforcement and paired behavioral health professionals

Alternative Response Teams

With behavioral health, peer support, and emergency medical services professionals

The goal of conducting a statewide needs assessment is to holistically identify and address behavioral health crisis response needs, reduce the criminalization of mental illness, and minimize harmful and unnecessary contact with the criminal legal system. The implementation of alternate response models has led to enhanced crisis management, a reduction in arrests of people with mental health issues and in use of force incidents, and a redirection of people in need out of the criminal legal system and into proper treatment facilities, services, and providers.¹³² A statewide needs assessment will lay the groundwork for creating equitable, community-based crisis response systems prioritizing care overcriminalization.

Best Practices

The following are examples of jurisdictions that have found success in implementing alternative ways to respond to people in behavioral health/substance use crises.

- **Baltimore's 911 Diversion Program:** This Program transitions low-risk 911 calls to civilian mental health professionals, reducing police interactions and removing police officers from situations that go beyond their core duties. The program has shown promise; however, these initiatives have not been implemented statewide.¹³³
- **Oregon's CAHOOTS Program:** This nationally recognized program redirects 20% of 911 calls to mobile crisis intervention teams of mental health professionals and paramedics, notably reducing police involvement in crises, helping to prevent escalation and arrests, and fostering community trust.¹³⁴
- **Los Angeles' Co-Responder Program:** This program connects mental health clinicians with police, leading to a 40% reduction in mental health commitments and arrests.¹³⁵

- **Connecticut’s Behavioral Health Partnerships:** This program includes statewide assessments to identify resource gaps and inform the development of a centralized crisis response framework, leading to improved outcomes for communities of color.¹³⁶

These examples demonstrate the success of alternative crisis response systems to reduce racial disparities in arrests and improve care for people in crisis.¹³⁷

Implementation

- **Statewide Needs Assessment:** Build on the existing efforts of the Governor’s Office of Crime Prevention and Policy’s Crisis Intervention Center for Excellence and Behavioral Health and Public Safety Center for Excellence and conduct a comprehensive needs assessment and includes behavioral health experts, law enforcement representatives, community leaders, and people with lived experience to ensure a holistic understanding of crisis response needs.
- **Resource Allocation:** Use the assessment findings to identify and address disparities in crisis response capabilities across jurisdictions and neighborhoods, prioritizing funding for underserved areas with higher rates of police-led crisis interventions.
- **Legislative Action:** Pass legislation mandating the implementation of non-policing crisis response systems in all jurisdictions, supported by state and federal funding.
- **Infrastructure Development:** Expand existing programs like Baltimore’s 911 Diversion Pilot to a statewide model, train interdisciplinary crisis intervention teams to handle behavioral health emergencies, and integrate these services into emergency call systems.
- **Monitoring and Reporting:** Require regular reporting on the outcomes of crisis interventions, disaggregated by race, gender, and location, to track progress in reducing racial disparities and improving access to care.

Communities working with law enforcement and behavioral health partners can identify the most effective programs, considering resource availability, funding, existing crisis response programs, and community needs.

END NON-SAFETY-RELATED TRAFFIC STOPS

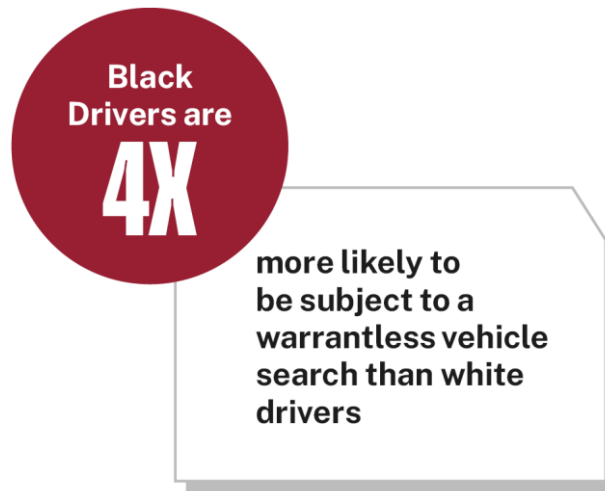
Recommendation #2: Enact legislation to end non-safety-related traffic stops; enhance data reporting requirements and include data on race and gender; re-examine the use and efficacy of consent searches to reduce unnecessary interactions with police and allow for more appropriate utilization of law enforcement.

Background

Traffic stops are one of the most common interactions between law enforcement and the public.¹³⁸ Yet, they disproportionately target Black drivers for non-safety-related

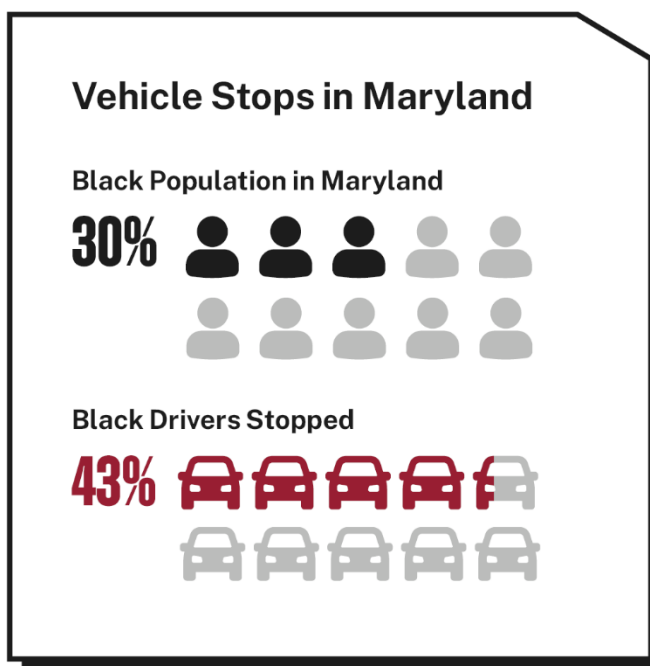
infractions such as broken taillights or expired vehicle registrations. These traffic stops often result in minor fines or no enforcement action but create significant risks for escalation, harm, or even fatal outcomes.¹³⁹

Non-safety-related traffic stops are on the rise in Maryland, even though they have little impact on preventing criminal activity.¹⁴⁰ Since 2016, the number of equipment and registration-related traffic stops has increased by 14%.¹⁴¹ In Maryland, stops for these types of violations make up approximately 44% of all traffic stops. In contrast, officers make significantly fewer stops for driving behaviors threatening public safety, such as moving violations (11.85%) and reckless driving (1.17%).¹⁴²



Decades of research reveal that (1) non-safety-related traffic stops do not improve road safety and create unnecessary and dangerous interactions; (2) non-safety-related traffic stops have no meaningful effect on crime reduction; and (3) encouraging police officers to stop drivers for minor traffic violations unrelated to safety results in racially biased policing.¹⁴³

Moreover, discretionary searches increase the likelihood of law enforcement using force, which disproportionately impacts Black people.¹⁴⁴ One report found that officers were 1.9 times more likely to use force on White drivers during non-safety stops compared to safety-related traffic stops and 2.9 times more likely to use



force on Black drivers during non-safety stops than during safety-related stops.¹⁴⁵ Data from Maryland highlights this significant disparity: although Black people represent 30% of the State's population, they account for 43% of all traffic stops and are more likely to be searched or arrested during these encounters than White drivers.¹⁴⁶ Addressing this inequity requires reframing traffic enforcement to prioritize public safety while limiting opportunities for biased policing. Reclassifying non-safety-related violations as secondary offenses and leveraging automated enforcement systems for minor infractions would significantly reduce non-safety-related police interactions and racial disparities in enforcement outcomes.¹⁴⁷

Statewide legislation is essential to address racial disparities in traffic enforcement and reduce unnecessary police interactions. Maryland Vehicle Laws preempt local jurisdictions from taking action.¹⁴⁸ In 2023, Montgomery County introduced the Safety and Traffic Equity in Policing (“STEP”) Act to reclassify certain non-safety-related traffic offenses as secondary violations. This allowed police to focus on serious safety-related violations that cause injuries and fatalities. However, due to state law preemption, the STEP Act had to be withdrawn.¹⁴⁹

To address this issue, the State should amend the Maryland Vehicle Laws to limit officers’ authority to stop drivers for non-safety-related equipment infractions. These offenses would become secondary violations, enforceable only after a stop for a safety-related infraction. To ensure compliance, any evidence obtained from such stops would be inadmissible in court, and officers conducting inappropriate stops could face disciplinary action.

These reforms will alleviate the disproportionate burden on Black drivers, decrease the risk of escalation during police encounters, and promote fairness in traffic enforcement by reducing the frequency of police-initiated stops for non-safety-related issues. These measures also redirect law enforcement resources toward addressing more pressing public safety concerns, enhancing community trust and safety for all Marylanders.

Best Practices

The following are examples of jurisdictions that have enacted legislation to limit officers’ authority to stop drivers for non-safety-related conduct.

- **Philadelphia’s Driving Equality Bill:** This legislation reclassifies non-safety-related infractions as secondary offenses and prohibited police from stopping drivers solely for these violations, significantly reducing racially biased stops without compromising traffic safety.¹⁵⁰
- **Virginia’s Traffic Reform Law:** This law limits police authority to initiate stops for non-safety-related violations, reducing racial disparities in traffic enforcement by 19%.¹⁵¹
- **Minnesota’s Lights On! Program:** This program provides repair vouchers instead of citations for equipment-related violations,¹⁵² reducing economic burdens on drivers while fostering positive police-community relationships.

These successful initiatives demonstrate that deprioritizing non-safety-related stops can improve equity in traffic enforcement, reduce the potential for escalation, and maintain public safety.¹⁵³

Implementation

- **Legislation:** Pass statewide legislation to reclassify non-safety-related infractions, such as broken taillights or expired registrations, as secondary offenses, ensuring that police cannot initiate stops solely for these violations and reducing opportunities for racial profiling and biased enforcement.

- **Technology Integration:** Deploy automated systems, such as cameras, to handle minor infractions like expired registrations, eliminating discretionary decisions and ensuring equitable application of penalties without direct police involvement.
- **Data Collection and Reporting:** Require all law enforcement agencies in Maryland to track and publicly report data on traffic stops, including the reason for the stop, driver demographics, and outcomes (e.g., citations, arrests, searches), enabling monitoring of racial disparities and ensuring accountability.
- **Community Support Programs:** Encourage police departments to partner with community organizations to establish initiatives like Minnesota's Lights On! Program, providing repair vouchers for equipment violations, reducing the economic impact on low-income drivers, and fostering trust between law enforcement and communities.

MANDATE COGNITIVE BEHAVIORAL THEORY TRAINING FOR MARYLAND LAW ENFORCEMENT OFFICERS

Recommendation #3: Scale the impact and success of cognitive behavioral theory training programs and mandate that all sworn police officers in Maryland receive the training.

Background

Police officers often encounter high-stress and traumatic situations that can significantly impact their decision-making, emotional regulation, and interactions with the public.¹⁵⁴ Although it is challenging to quantify, some estimates indicate that police officers suffer from depression and post-traumatic stress disorder (PTSD) at rates more than double those found in the general public.¹⁵⁵ Research suggests that the accumulation of traumatic events adversely affects officers' mental health, physical well-being, job performance, and interactions with the community.¹⁵⁶

The heightened rates of depression and PTSD for police officers, coupled with the stress of high-stakes decision-making, contribute to the disproportionate use of force against Black people, as evidenced by their 2.5 times higher likelihood of experiencing use of force incidents in Maryland.¹⁵⁷

Historically, law enforcement culture has emphasized compliance and authority over empathy and community engagement, often perpetuating implicit biases that exacerbate racial disparities.¹⁵⁸ In Maryland, entry-level law enforcement officers must complete health and wellness training at the Maryland Police and Correctional Training Commission (MPCTC) academy. However, this training is often limited due to competing demands, and additional wellness and trauma response training varies by department priorities.¹⁵⁹

Cognitive Behavioral Theory (CBT)-based training programs offer a proven method for improving officer decision-making and emotional regulation, equipping them with tools to manage stress, mitigating the effects of implicit bias, and reducing the likelihood of escalatory incidents.¹⁶⁰ By improving officer conduct and addressing systemic inequities in

policing, this training directly targets one of the fundamental causes of racial disparities in adverse law enforcement outcomes.

One example of CBT training is Rewire4, an interactive 1-day training program that provides police officers with the knowledge and skills to recognize and de-escalate stressful situations.¹⁶¹ The course introduces officers to the basics of brain science and describes how trauma impacts behaviors. Officers learn how thoughts, feelings, and actions are connected and can be “rewired” to improve decision-making and emotional regulation.

A survey of over 4,500 officers across 15 agencies who participated in Rewire4 training showed that, before the training, over 83% of officers reported feeling highly irritated or stressed about their jobs.¹⁶² This stress sometimes manifested in officers’ behavior, with over 22% of officers indicating that they lost their temper with a co-worker, member of the public, or person arrested for a crime within the previous three months. Six months after the training, 76% of officers reported feeling highly irritated or stressed, and 13% reported losing their temper.¹⁶³

Statewide implementation of CBT training will result in fewer use-of-force incidents, decreased community complaints, and improved relationships between law enforcement and historically marginalized communities. By ensuring officers are better equipped to manage high-stress situations, Maryland can foster a policing culture rooted in fairness, equity, and accountability.

Best Practices

Many jurisdictions now use Cognitive Behavioral Training (CBT) to improve police practices. The following are examples of programs that have indicated positive results with this type of training.

- **Baltimore Rewire4 Training:** This training implements the Rewire4 CBT program under a Department of Justice consent decree demonstrated significant reductions in officer stress, community complaints, and use-of-force incidents. Scaling this training statewide would address systemic inequities in policing by improving officer conduct, enhancing community trust, and reducing racial disparities in negative police interactions.¹⁶⁴
- **Massachusetts Statewide CBT Training:** This training implements the Rewire4 CBT program for all law enforcement officers, resulting in measurable declines in officer misconduct and stress-related incidents.¹⁶⁵
- **Los Angeles Emotional Intelligence Program:** This program focuses on stress management and implicit bias, increasing community satisfaction with police interactions while reducing officer-involved complaints.¹⁶⁶

Implementation

- **Statewide Training Mandate:** Pass legislation to prioritize training and secure funding for trainers and officer participation, ensuring statewide reach and long-term effectiveness through a train-the-trainer model to promote continuous learning, and support implementation and refresher courses with state grants and federal aid.

- **Oversight:** Authorize the Maryland Police and Correctional Training Commission (MPCTC) to oversee the training program.
- **Curriculum Development:** Partner with MPCTC to develop a standardized CBT-based curriculum tailored to Maryland’s unique challenges, with input from behavioral health professionals and community leaders.
- **Evaluation and Metrics:** Establish metrics to measure the impact of the training on officer behavior, such as reductions in complaints, use-of-force incidents, and misconduct, disaggregated by race and geography.
- **Community Partnerships:** Collaborate with civil rights organizations, mental health experts, and impacted communities to ensure the training addresses systemic concerns and fosters trust.

Criminal Law & Sentencing

An arrest marks the beginning of a process that can permanently alter the course of a person’s life.¹⁶⁷ In 2024, Maryland law enforcement agencies arrested over 86,600 people, setting off a series of events with significant and lasting consequences.¹⁶⁸ Although still presumed innocent, people arrested may spend days or even weeks in jail, even when charged with misdemeanors and non-violent felonies, while awaiting trial. The aftermath of an arrest often disrupts lives in ways that are difficult to recover from. In Maryland, limited options for judges at critical decision points — such as pretrial detention and sentencing — can set people on irreversible paths, exacerbating cycles of instability and disadvantage.¹⁶⁹ Even brief stays in jail can lead to job loss, housing insecurity, and family strain, disproportionately affecting people with limited resources to recover from such disruptions.¹⁷⁰

In Maryland, Black and low-income people are over-represented in pretrial detention regardless of the severity of the charges.¹⁷¹ This disparity not only increases existing social and economic inequalities but also contributes to higher incarceration rates for Black Marylanders.¹⁷² Judges often do not have access to comprehensive data or proven alternatives, such as diversion programs or pretrial supervision, which further increases the likelihood of harsher and longer sentences.¹⁷³

National studies show that just one day in jail increases the likelihood of rearrest by 24%, rising to 45% by the third day, and nearly 60% after twelve days.¹⁷⁴ Federal studies have also shown that sentencing that provides an alternative to incarceration, such as pretrial release and supervision, is not only more cost-effective but also reduces recidivism while maintaining high compliance rates for court appearances.¹⁷⁵

Maryland’s justice system must expand the availability of alternative sentencing and invest in equitable pretrial practices, accessible diversion programs, and robust data-driven

decision-making. By adopting these measures, Maryland can ensure that a single encounter with the criminal legal system does not spiral into a lifetime of disadvantage.

ANALYZE THE CRIMINAL LEGAL PROCESS FROM ARREST TO SENTENCING TO ASSESS ITS IMPACT ON RACIAL AND GEOGRAPHIC DISPARITIES IN MARYLAND'S ADULT PRISON POPULATION

Recommendation #4: Conduct a qualitative and quantitative analysis of each step in the criminal legal process – from arrest to sentencing and parole – to understand the impact of racial and geographic disparities in Maryland’s adult prison population.

Background

Maryland’s criminal legal system exhibits racial and jurisdictional disparities at every stage of the process – from arrest and charging decisions to sentencing and parole outcomes.¹⁷⁶ Although Black people constitute only 30% of the State’s population¹⁷⁷, they account for 51% of arrests,¹⁷⁸ 59% of the jail population,¹⁷⁹ 71% of the prison population,¹⁸⁰ 71% of the parole population,¹⁸¹ and 53% of the probation population.¹⁸² Geographic inconsistencies further exacerbate these inequities, with sentencing practices, pretrial detention rates, and probation outcomes varying significantly between counties.¹⁸³

The racial disparities observed in Maryland’s criminal legal system are significant and ongoing, reflecting underlying systemic biases at various decision points. Addressing these issues is essential for fostering a more equitable process for everyone involved. Without a comprehensive understanding of where and how these disparities occur, efforts to reform the system risk addressing symptoms rather than root causes. Conducting a statewide qualitative and quantitative analysis of Maryland’s criminal legal process will provide the necessary data to uncover systemic inequities and develop targeted interventions. Today, the lack of comprehensive, disaggregated data on decision-making processes limits the ability to identify and address the specific points where disparities arise.¹⁸⁴

A comprehensive analysis will allow for targeted interventions, such as standardizing decision-making processes and addressing implicit bias, to reduce the overrepresentation of Black people in the prison population and foster greater trust in the justice system. Ultimately, this analysis will lay the foundation for a criminal legal system that is transparent, accountable, and just for all Marylanders. This approach ensures that any suggested reforms are informed by evidence and data, addressing racial and geographic disparities while promoting fairness and accountability.

Best Practices

The following are examples of states that have conducted comprehensive statewide studies of racial disparities in their criminal legal systems.

- **Criminal Justice Reform Act:** New Jersey conducted a statewide study on disparities in pretrial detention and sentencing practices, leading to implementation of risk-based assessment tools and reductions in racial disparities in detention rates.¹⁸⁵

- **Racial and Identity Profiling Act (RIPA):** California mandated disaggregated data collection and analysis across all phases of the criminal system, resulting in training and policy changes that addressed systemic disparities.¹⁸⁶
- **Racial Disparities Advisory Panel:** Vermont conducted a comprehensive analysis of racial disparities at decision points, which led to recommendations for reducing sentencing and parole outcomes inequities.¹⁸⁷

Implementation

- **Legislative Action:** Require police, prosecutors, and courts to share detailed data at every decision point, including arrests, charges, plea deals, pretrial detention, sentencing, and parole decisions.
- **Conduct a Study:** Conduct a comprehensive qualitative and quantitative analysis of every stage of Maryland’s criminal legal process, from arrest and charging to sentencing and parole, to identify disparities by race, ethnicity, gender, and geography; include data collection; collaborate with schools, criminal justice reform groups, and community members to ensure diverse voices; hold focus groups with affected communities, legal professionals, and advocacy groups; and use the results to implement reforms such as standardizing prosecutorial guidelines, adjusting sentencing practices, and adopting fair risk assessment tools.
- **Transparency and Reporting:** Publish an annual report on disparities with clear recommendations to address inequities and track progress over time.

DEVELOP AND ADOPT A NEEDS-BASED SENTENCING PILOT PROGRAM IN COLLABORATION WITH THE DIVISION OF PAROLE AND PROBATION

Recommendation #5: Develop and adopt a Sentencing Pilot using a needs-based case management approach in collaboration with the Division of Parole and Probation in at least two Maryland counties.

Background

Incarceration is the most punitive and costly sentence that an individual can receive. In Maryland, the annual cost to incarcerate someone is \$60,360.¹⁸⁸ Despite these high costs, research indicates that incarceration is not the most effective tool for improving public safety.¹⁸⁹ Recent studies suggest that incarceration, particularly mass incarceration, has a minimal impact on reducing crime and leads to reductions in public safety by destabilizing communities and diverting resources from more effective interventions.¹⁹⁰

Punitive sentencing patterns disproportionately affect Black people, who are more likely to receive longer sentences and have less access to rehabilitative services compared to their White counterparts.¹⁹¹ Although Black Marylanders comprise 30% of the State's population, they account for 71% of the State’s prison population, highlighting the systemic racial disparities present in sentencing practices.¹⁹²

Historically, the criminal legal system has emphasized punishment over rehabilitation, particularly for under-resourced communities.¹⁹³ The traditional sentencing framework in Maryland disproportionately punishes Black people, exacerbating racial disparities in incarceration rates and limiting access to rehabilitative resources. Policies such as mandatory minimums and "three strikes" laws exacerbated these inequities by prioritizing incarceration over tailored interventions.¹⁹⁴ Needs-based sentencing, which integrates rehabilitative goals and community support, offers a promising alternative to this punitive paradigm by prioritizing interventions tailored to a person's needs. By addressing the root causes of criminal behavior, this approach reduces recidivism and promotes equitable outcomes.

Over the years, the Maryland State Commission on Criminal Sentencing Policy (MSCCSP) has examined various components of the sentencing process and outcomes, offering recommendations for further analysis. These include evaluating the availability and accessibility of alternatives to incarceration, gathering comprehensive data on the use of alternatives, and developing a web-based alternative locator site.¹⁹⁵ The results of this inquiry found that judges in Maryland have limited access to crucial information when deciding whether a defendant qualifies for alternatives to incarceration.¹⁹⁶ The MSCCSP also, in a subsequent report on racial disparities, recommended creating a unified clearinghouse for the Judiciary and partners to identify appropriate alternatives to incarceration.¹⁹⁷

A study identifying what alternatives are available and how people match up with these services would provide additional key information to policymakers on the best approaches to reducing unnecessary incarceration and racial disparities at this critical juncture of the criminal legal system. Strengthening the collaboration between the courts and the Division of Parole and Probation (DPP) could provide judges with evidence-based tools to design sentences that promote rehabilitation and reduce the risk of recidivism.

By incorporating assessments of mental health, substance use, and socio-economic challenges into sentencing decisions, the pilot program will create opportunities for people to access services that reduce the likelihood of reoffending. This approach directly addresses the systemic barriers that disproportionately affect Black and marginalized communities, promoting equity and fairness in sentencing outcomes.

Best Practices

The following states have established strong collaborations between their courts and supervision services to promote alternatives to incarceration and enhance the effectiveness of these outcomes.

- **New York:** New York's Alternative-to-Incarceration Programs incorporate individualized needs assessments into sentencing, leading to significant reductions in incarceration rates and racial disparities in sentencing outcomes.¹⁹⁸
- **California:** California's approach establishes partnerships between courts and probation departments through collaborative courts (e.g., drug and mental health courts), where probation officers work closely with judges to monitor compliance and address individual needs.¹⁹⁹

- **Ohio:** Ohio’s Adult Parole Authority collaborates with courts to ensure consistent supervision and information-sharing, particularly within specialized dockets like reentry courts.²⁰⁰
- **Connecticut:** Connecticut’s Court Support Services Division (CSSD) of the Judicial Branch establishes a collaborative relationship between courts and supervision services.²⁰¹

Implementation

- **Collaborative Pilot Development:** Develop a pilot program focusing on needs-based sentencing in at least two Maryland counties to allow the Judiciary and the Department of Public Safety and Correctional Services (DPSCS), including DPP, to evaluate the effectiveness of this approach in reducing racial disparities, lowering recidivism, and improving outcomes for those who are system-involved.
- **Integration with Probation Services:** Expand DPP’s role to include case management support, connecting people with community-based services, and monitoring compliance with rehabilitative goals.
- **Training and Resources:** Train judges, lawyers, probation officers, and other stakeholders on the principles of needs-based sentencing, including strategies to mitigate implicit bias and promote equity.
- **Monitoring and Evaluation:** Establish metrics to assess the pilot program’s impact on recidivism rates, racial disparities in sentencing, and overall rehabilitative outcomes. Publish annual reports to evaluate the program’s effectiveness and scalability.
- **Statewide Study:** Conduct a study by the Judiciary and DPSCS of treatment, support, and community services for judges considering non-incarceration sentences; create a directory to aid judges and DPP decision-making, collecting data on offense types, criminal history, demographics, and recidivism rates, with the goal of evaluating the effectiveness of non-incarceration alternatives by risk levels and identifying racial or jurisdictional disparities in their use; assess the availability of these alternatives statewide and examine how criminal history and risk scores affect eligibility, focusing on potential racial disparities that hinder Black people’s access to these options.

Ultimately, these implementation actions have the potential to strengthen community ties and serve as a model for statewide reform, advancing Maryland’s commitment to a more equitable and rehabilitative justice system.

REDUCE UNNECESSARY PRETRIAL CONFINEMENT THROUGH SYSTEMIC REFORMS

Recommendation #6: Reduce unnecessary pretrial confinement by changing the District Court of Maryland discovery rules so that prosecutors must give discovery to the defense within a reasonable timeframe, developing a uniform civilian complaint review process across all State’s Attorney’s Offices, and allowing defendants to waive their right to a bail review hearing.

Background

Pretrial confinement disproportionately affects Black people and contributes to ongoing inequalities.²⁰² Pretrial detention can lead to loss of employment, housing instability, and family disruption, exacerbating economic and social disparities.²⁰³ Research indicates that pretrial detention decreases the likelihood of employment for three to four years after a bail hearing by 9.4%, compounding financial instability.²⁰⁴

In Maryland, Black people make up 30% of the State's population but account for 52% of people in pretrial detention.²⁰⁵ Overrepresentation is caused by inconsistent reviews of civilian complaints, delayed access to critical information, and strict pretrial processes that restrict defendants' freedom.²⁰⁶

The civilian complaint process increases pretrial incarceration for people who are often never prosecuted or convicted.²⁰⁷ In Maryland, anyone can accuse another person of a crime simply by completing and signing an application of statement of charges before a District Court Commissioner without any correlated documentation or a review by a prosecutor or judge.²⁰⁸ No legal official is required to analyze the merits of the accusation before pretrial detention.²⁰⁹ The lack of consistent civilian complaint review processes reduces accountability in State's Attorneys' Offices, leading to unfairness in charging decisions that directly impact pretrial processes.

Delays in providing discovery to the defense exacerbate pretrial detention by hindering case preparation, forcing many defendants to remain incarcerated while awaiting trial.²¹⁰ Discovery is the legal process where both sides share information and evidence before trial, ensuring fairness by preventing surprises and allowing each side to prepare. In Maryland's District Court, the discovery process rules mandate that discovery must be completed before a hearing or trial. In practice, this means that if the accused needs more time to investigate or examine the evidence, they must request a delay in the trial.²¹¹

Prolonged detention issues also arise from a two-tiered process for pretrial incarceration that mandates a bail review hearing, even when the defendant seeks to waive it. After an arrest, the person appears before a District Court commissioner within 24 hours. A mandatory bail review hearing conducted by a judge occurs within one business day if they remain incarcerated.²¹² If a person is released after the commissioner's hearing, the bail review is canceled; however, if they do not post bail offered by the commissioner, the review by a judge is required. Judges can modify release conditions at the bail review, leading to unequal outcomes for similarly situated defendants. Data from 2011 to 2015 compiled by the Maryland Office of the Public Defender reveals that Black people face bail amounts that are 45% higher than those for White people at the commissioner hearing and 51% higher at the bail review conducted by a judge.²¹³ Allowing a person to waive the second hearing when circumstances permit could lead to more equitable outcomes.

Maryland's pretrial system disproportionately confines Black people, reflecting systemic inequities in prosecutorial practices, procedural delays, and pretrial decision-making.²¹⁴ Targeted reforms to address these issues will reduce unnecessary pretrial detention, lessen racial disparities, and ensure fairness in Maryland's criminal legal system. A uniform civilian complaint review process will promote accountability and consistency in charging decisions, reducing racial biases that disproportionately impact Black defendants. Requiring timely discovery will ensure defendants have the tools to prepare their defense

without unnecessary detention, addressing one critical factor that prolongs pretrial incarceration. And allowing defendants to waive bail review hearings will lead to more efficient case resolution, minimizing a person’s time in pretrial detention.

These reforms directly target structural barriers contributing to racial disparities in Maryland’s criminal legal system. By promoting fairness, transparency, and efficiency, they will reduce the overrepresentation of Black people in pretrial detention, foster trust in the justice system, and advance equitable outcomes for all Marylanders.

Best Practices

Several jurisdictions have implemented reforms aimed at addressing issues related to prolonged pretrial detention. The following examples demonstrate how procedural reforms can reduce pretrial detention rates and address systemic disparities.

- **Washington, D.C.:** The Washington, D.C. Pretrial Services Agency offers flexible pretrial processes, allowing defendants to waive procedural hearings, including bail review hearings, improving efficiency while maintaining fairness.²¹⁵
- **New Jersey:** The New Jersey Pretrial Justice Reform implements comprehensive discovery timelines and risk-based pretrial detention standards, reducing the State’s pretrial jail population by 20%.²¹⁶
- **Cook County (Chicago):** Cook County standardizes civilian complaint review processes, increasing transparency and accountability in prosecutorial decision-making.²¹⁷
- **New York:** New York requires prosecutors to provide automatic and timely disclosure of evidence within specific timeframes — 15 days after the defendant’s arraignment or 30 days if the defendant is not in custody.²¹⁸
- **Virginia:** Virginia does not allow magistrates to process felony warrants on civilian affidavits without approval from the prosecutor and permits magistrates to inquire about corroborative evidence.²¹⁹

Implementation

- **Develop a Uniform Civilian Complaint Review Process:** Standardize civilian complaint procedures across all State’s Attorneys Offices to ensure consistent evaluation of charging decisions and address potential biases, and include independent oversight and public reporting to promote transparency and accountability.
- **Court Rule Change:** Revise the pretrial and discovery processes Rules that are established by the Supreme Court of Maryland, including the following:
 - Require prosecutors to provide discovery to the defense within a reasonable timeframe to prevent prolonged pretrial detention due to delayed case preparation and enhance fairness for defendants.
 - Permit defendants to waive their right to a bail review hearing to ensure equity in Commissioner decisions, reduce unnecessary delays in pretrial

processing, and respect defendants' autonomy in navigating the legal system.

- **Training and Resources:** Provide training for prosecutors, defense attorneys, and judges on implementing these procedural changes, emphasizing equity and efficiency.
- **Monitoring and Evaluation:** Establish metrics to track the impact of these reforms on pretrial detention rates, racial disparities, and case resolution timelines, and publish annual reports to ensure accountability and guide further improvements.

Health & Human Services

In Maryland, people with behavioral health needs, including substance use disorder (SUD) and serious mental illness (SMI), are over-represented in the criminal legal system.²²⁰ As of 2016, 69% of people in Maryland jails had an SUD, and 39% had a mental illness diagnosis, compared to just 18% and 22% of the general adult population respectively. Similarly, in Maryland's state prisons, 32% of people had an SUD, 21% a mental illness diagnosis, and 7% an SMI diagnosis. Black Marylanders are disproportionately affected by the overrepresentation of SUD and SMI in the criminal legal system, as systemic barriers limit their access to mental health care, leading to higher rates of untreated mental health and substance use disorders.²²¹

Individuals Incarcerated in Jails or Detention Centers in Maryland

Diagnosed with a Substance Use Disorder

18% of State Population



69% of Individuals Incarcerated



Diagnosed with a Mental Health Disorder

22% of State Population



39% of Individuals Incarcerated



Unaddressed trauma, particularly that occurred in childhood, is a significant driver of both SUD and SMI, and Black communities in Maryland face disproportionate exposure to the traumatic events that contribute to these conditions.²²² Nationally, 61% of Black children have experienced at least one adverse childhood experience (ACE), compared to 40% of White children.²²³ These higher rates of trauma intersect with systemic barriers to mental health care, resulting in Black people receiving treatment at significantly lower rates than their White counterparts.²²⁴ This lack of access compounds the overrepresentation of Black Marylanders with behavioral health needs in the criminal legal system, inasmuch as behaviors stemming from untreated mental health conditions often result in criminalization rather than medical intervention.²²⁵ This cycle perpetuates higher incarceration rates among Black people, exacerbating existing racial disparities in Maryland's criminal legal system.²²⁶

Despite these numbers, state prisons and local detention centers in Maryland are ill-equipped to properly identify and address these needs.²²⁷ The screening tools used in these facilities often fail to accurately detect co-occurring disorders like SUD and SMI, leaving many people untreated.²²⁸ Without proper screening and intervention, behavioral health conditions remain unaddressed, leading to higher risks of overdose, suicide, and continued involvement in the criminal legal system.²²⁹ Research shows that people in state prisons with behavioral health needs are more likely to have multiple prior convictions, further perpetuating cycles of incarceration.²³⁰

MEJC's recommendations aim to improve screening tools, expand access to treatment services within corrections, and strengthen connections between corrections and community health systems. These recommendations prioritize addressing the disproportionate barriers faced by Black Marylanders, ensuring equitable diagnosis and treatment for SUD and SMI. They also recognize that meaningful change in the criminal legal system requires addressing the root causes of instability and trauma that drive mental health challenges and can lead to criminal legal system involvement.

ENHANCE ACCESS TO TRAUMA-INFORMED MENTAL HEALTH SERVICES IN MARYLAND JAILS AND DETENTION CENTERS

Recommendation #7: Develop a pilot program to improve access to trauma-informed mental health treatment for people incarcerated in Maryland's jails and detention centers.

Background

In Maryland, state prisons and local detention centers face a severe shortage of trauma-informed licensed clinicians to provide behavioral health services for people with SMI and SUD.²³¹ Unfortunately, correctional facilities often lack trained behavioral health professionals and use inefficient screening tools, which fail to effectively assess those who experience a co-occurring disorder, such as SMI and SUD.²³² Failure to identify people with the greatest behavioral health needs results in a failure to treat these needs, which can lead to a higher risk of overdose, suicide, and victimization.²³³ Moreover, long waiting times for transfers to Maryland Department of Health facilities mean that detainees experience extended periods of incarceration in these facilities without treatment.²³⁴

Individuals Incarcerated in State Correctional Facilities in Maryland



Psychologists are present throughout the state to provide treatment and follow-up counseling, as well as to help with mental health crises. However, there is a serious

shortage of trained, trauma-informed licensed clinicians in detention facilities, which limits access to these important services.²³⁵

Developing a pilot program can address the unmet behavioral health needs of incarcerated people and establish pathways for continuity of care post-release. Expanding access to trauma-informed mental health services can help a person address underlying traumas contributing to criminal behavior.²³⁶ For example, a study revealed that only 9% of people who received trauma-informed care while incarcerated reoffended, compared to the significantly higher national recidivism rates.²³⁷ A focus on addressing criminogenic needs through trauma-informed care can reduce recidivism and foster meaningful, systemic change.

This pilot program should target two facilities with persistent racial disparities and limited behavioral health resources: Baltimore County and Prince George's County detention centers. In Prince George's County, 79% of the jail population is Black, compared to 63% of the county's overall population. In Baltimore County, 69% of the jail population is Black, although Black people comprise only 32% of the county's population.²³⁸ Currently, Baltimore County has one counselor for an average daily population of 941, and Prince George's County has one psychiatrist and two therapists for an average daily population of 1122 incarcerated people.²³⁹

This pilot program would prioritize facilities with the highest racial disparities, directly address the unmet behavioral health needs of Black people and provide pathways for equitable care and reintegration. By focusing on trauma-informed interventions, the program would reduce the disproportionate impact of incarceration on Black communities in Maryland, helping to create a more equitable criminal legal system.

Best Practices

The following jurisdictions have implemented trauma-informed care models that incorporate evidence-based practices and training in correctional facilities to address systemic issues and enhance outcomes.

- **Compassion Prison Project's Trauma Talks Program:** This California initiative engages volunteers to deliver a 12-part curriculum, "Trauma Talks," to incarcerated people, addressing the trauma experienced by inmates.²⁴⁰
- **Resilience Prison Project:** This Oklahoma City-based project engages volunteers to provide trauma-informed education and services to incarcerated people, focusing on addressing trauma.²⁴¹
- **Pro Bono Counseling Project in Maryland:** This project connects Maryland residents with limited resources to volunteer licensed mental health providers, potentially serving people involved with the criminal legal system, even though it does not specifically operate in detention centers.²⁴²

Implementation

The proposed pilot program would be launched in detention centers located in Baltimore County and Prince George's County, in partnership with the Maryland Department of Health (MDH). This initiative aims to provide mental health support that begins during incarceration and continues after release. The program seeks to address immediate mental health needs while also targeting the underlying causes of trauma.

Key Components of the Pilot Program:

- **Training Requirements:** All clinicians will be trained in trauma-informed care as part of their onboarding process.
- **Staffing Plan:** The program will recruit pro bono clinicians to deliver services.
- **Oversight Body:** A tiered oversight structure will include site-level oversight and state licensing bodies.
- **Referral Process:** A structured referral process will guide continuity of care based on therapy outcomes.

This targeted initiative addresses critical gaps in behavioral health services for incarcerated people, helping to reduce recidivism, mitigate the impacts of trauma, and foster systemic improvements in Maryland's criminal legal system.

EMPOWERING PRIMARY CARE PHYSICIANS TO PRIORITIZE ADVERSE CHILDHOOD EXPERIENCES SCREENING THROUGH COMMUNITY-LED INTERVENTIONS

Recommendation #8: Incentivize primary care physicians to conduct Adverse Childhood Experiences screening with community-led follow-up interventions.

Background

Adverse Childhood Experiences (ACEs), including exposure to violence, abuse, or systemic inequities such as poverty and discrimination, are strongly linked to negative health outcomes across a person's lifespan.²⁴³ Research shows that ACEs increase the risk of chronic diseases, mental health challenges, and involvement in the criminal legal system.²⁴⁴ Children in under-resourced communities, particularly Black and Latino children, experience disproportionately higher rates of ACEs due to systemic factors such as generational poverty, residential segregation, and racial discrimination.²⁴⁵

The historical criminalization of mental health crisis behaviors has played a significant role in the criminal system involvement of people with high ACEs scores, particularly in communities disproportionately affected by systemic inequities.²⁴⁶ ACEs scores are a strong predictor of long-term mental and physical health challenges.²⁴⁷ High ACEs scores are correlated with increased risks of depression, anxiety, substance use disorders, and post-traumatic stress disorder.²⁴⁸ Without adequate mental health care, these challenges manifest in behaviors that may draw negative attention from law enforcement.²⁴⁹

ACEs screenings can help identify people who are at higher risk for poor mental health, behavioral issues, and involvement with the criminal system due to trauma.²⁵⁰ Currently, most of the statewide data on ACEs comes from voluntary surveys, which means there are few avenues by which a child in Maryland can be continuously screened for traumatic experiences that result in high ACEs scores.²⁵¹

Integrating ACEs screening into routine primary care, supported by follow-up interventions led by trusted community professionals, can provide a comprehensive approach to addressing childhood trauma.²⁵² Supportive behavioral health services early in life can help people with ACEs develop healthier coping mechanisms, emotional regulation, and resilience to prevent the escalation of behavioral issues that may lead to involvement with the criminal system.²⁵³

By incentivizing primary care physicians (PCPs) to prioritize ACEs screening and building a network of community-led support, Maryland can proactively address the root causes of inequities and mitigate the long-term impacts of trauma. Screening may also reduce the likelihood of implicit biases leading to harsher punishments in schools or courts.²⁵⁴ Instead of being punished for trauma-related behaviors, children can receive support to heal and thrive. Screening also supports families by addressing intergenerational trauma, reducing stressors, and breaking cycles of criminal system involvement.²⁵⁵ By reframing behaviors as signs of distress, ACEs screening shifts the focus from punishment to prevention. This approach ensures equitable treatment, reduces racial disparities and fosters healthier, more resilient communities. Investing in ACEs screening is an essential step toward systemic change.²⁵⁶

Best Practices

The following programs demonstrate the effectiveness of linking ACEs screening with community-led interventions to reduce trauma and its associated disparities.

- **Virginia:** Virginia developed HEALS (Helping Everyone Access Linked Services), a program that includes the Screening for Experiences and Strengths Questionnaire, Referral and Response Protocol, Community Resource Mapping Guide, and an Agency Self-Assessment, and by applying these tools, HEALS identifies the symptoms of trauma and victimization in children, trains local agencies, organizations, and communities, and builds capacity for trauma-informed care and service delivery.²⁵⁷
- **California:** California covers screening of ACEs under Medicaid for children and adolescents using the Pediatric ACEs Screening and Related Life-events Screener (PEARLS), and the California Office of the Surgeon General and California's Medicaid agency have offered providers no-cost training on trauma and trauma-informed care through the ACEs Aware website, while the ACEs Aware Initiative provides financial incentives for PCPs to conduct ACEs screenings, with follow-up interventions integrated into community health networks, improving early detection rates and reducing trauma-related health disparities.²⁵⁸

Implementation

- **Financial Incentives for PCPs:** Develop a reimbursement model that expands public and private insurance coverage to encourage primary care providers to incorporate ACE screening into routine visits for children.
- **Training and Resources:** Train PCPs, with the support of the Maryland Board of Physicians, on trauma-informed care and the use of ACE screening tools, emphasizing cultural competence and sensitivity to systemic inequities.
- **Community-Led Interventions:** Establish partnerships between healthcare providers and trusted community professionals, such as social workers, behavioral health specialists, and faith-based organizations, to deliver follow-up interventions tailored to children's needs.
- **Data Collection and Reporting:** Create a centralized database to track ACE screening rates, follow-up interventions, and outcomes, aggregated by race, geography, and socio-economic status, to monitor progress and identify areas for improvement, and ensure compliance with all required patient confidentiality guidelines.
- **Statewide Public Awareness Campaign:** Launch an educational initiative to inform families about ACEs, the benefits of screening, and available community resources to reduce stigma and encourage participation.

Adverse Childhood Experiences

Toxic Stress & Brain Development Impediments

Coping Behaviors & Consequences

Substance Use
and Misuse

Teen Pregnancy

Absenteeism

Poor Work Performance

Instability in Relationships

Revictimization Risk

Long Term Effects

Disability

Disease

Significant Mental Health
Challenges

Social Problems
Criminal Behavior &
Homelessness

Prison, Jail & Detention Facility Reform

Maryland has the nation's highest percentage of Black people in its prisons when compared to the general population.²⁵⁹ Black people, who make up 30% of Maryland's population, represent a disproportionate 71% of the State's prison population.²⁶⁰ This stark disparity is influenced by every stage of the criminal justice process, including sentencing practices which favor harsher punishments for Black people compared to their White counterparts with similar offenses.²⁶¹ In 2020, for example, Black people in Maryland were nearly 30% more likely to receive sentences of 10 years or more.²⁶²

Data shows that these harsher penalties are frequently imposed on emerging adults (18–25-year-olds), who face high recidivism rates at 44%, far exceeding the overall average of 31.55%.²⁶³ Current reintegration efforts do not adequately address the needs of these younger people, especially those from marginalized backgrounds.²⁶⁴

Reforms should be implemented to enhance release mechanisms and effective rehabilitation programs to address these disparities. Improving parole processes and expanding alternatives to incarceration will help dismantle the structural inequities that exacerbate these outcomes. Without targeted action, the system will continue to perpetuate racial disparities and hinder progress toward equity and justice for all Marylanders.

EXPAND ELIGIBILITY FOR EARLY PAROLE DUE TO A SERIOUS MEDICAL CONDITION OR ADVANCED AGE

Recommendation #9: Increase the number of people eligible for earlier parole consideration due to serious medical conditions and having reached an age where they no longer pose a threat to public safety.

Background

Maryland's prison population disproportionately includes older people and those with serious medical conditions, reflecting the long-term impacts of harsh sentencing practices.²⁶⁵ National data shows that incarcerated people over age 55 are the fastest-growing segment of the prison population.²⁶⁶ Maryland's prison population is likewise experiencing significant aging.²⁶⁷ As of 2022, 6.4% of the incarcerated people, totaling 3,324, were over 50 years old. Additionally, approximately 2,341 people, or about 11% of the prison population, were serving life sentences, with a substantial proportion being Black.²⁶⁸

Research shows that incarcerating older people and people with medical needs is of little to no public safety value. The 2012 *Unger* decision²⁶⁹ resulted in the release of 235 people who had an average age of 64 at the time of their release,²⁷⁰ and a recidivism rate over the subsequent eight years of 3% (compared to an average 31.55%²⁷¹ rate across the total statewide population).²⁷² The high costs of incarcerating aging and seriously ill people, combined with the lack of medical resources in prisons, further strain state budgets and exacerbate racial inequities in the criminal legal system.²⁷³ In Fiscal Year 2023, \$202

million, or 14% of the Department of Corrections and Public Safety (DPSCS) budget, was allocated to medical care for people incarcerated in the state prison system.²⁷⁴

The current statutes governing eligibility for medical and geriatric parole in Maryland are too narrow. Although Maryland law has a geriatric parole provision intended to benefit incarcerated people over the age of 60 who have served at least 15 years, very few people are eligible because the law only applies to persons serving sentences for subsequent violent offenses.

To be eligible to apply for medical parole, the person must be “so chronically debilitated or incapacitated by a medical or mental health condition, disease, or syndrome as to be physically incapable of presenting a danger to society.”²⁷⁵ However, assessing a person’s medical condition and the risk they present if released does not require the professional opinion of a medical professional, the examination of the person by a medical professional, or the assessment of public safety risk posed by the applicant.²⁷⁶ Further, the Maryland Parole Commission does not have to meet with the applicant during a hearing.²⁷⁷ As a result, between 2015 and 2020, the Maryland Parole Commission approved 86 medical parole applications and denied 253.²⁷⁸

The overrepresentation of Black people among Maryland’s aging prison population is a direct result of decades of systemic inequities in sentencing and parole practices.²⁷⁹ Expanding eligibility for earlier parole consideration will address these inequities by prioritizing the release of people who no longer pose a threat to public safety while reducing the racial disparities that disproportionately burden Black communities.

Best Practices

Forty-nine states and the District of Columbia have medical parole policies, and seventeen states have geriatric parole policies. Although Maryland is one of those states, the policies in the following jurisdictions are more inclusive and effective at reducing the number of aging and infirm prisoners without compromising public safety.

- **New Jersey:** New Jersey allows for compassionate release of people with severe or terminal illness and a life expectancy of one year or less, and applies to those who have developed a permanent medical condition after sentencing, making them unable to perform basic daily tasks and requiring 24-hour care.²⁸⁰
- **Connecticut:** Connecticut offers three compassionate options for medically related releases that can truly change lives:
 - **Medical Parole:** This special release is for people facing terminal conditions with a prognosis of less than six months, allowing them to find peace and comfort outside prison when they are too ill to pose a risk to society.
 - **Compassionate Release:** This option supports people who have served at least half of their sentence and can no longer pose a danger due to advanced age or a non-terminal condition.

- **Nursing Home Release:** This release is designed for people with terminal illnesses, recognizing the importance of care and safety in their final days.²⁸¹

These models demonstrate the feasibility and benefits of expanding parole eligibility for aging and seriously ill people, highlighting the potential for reducing racial disparities and promoting fairness.

Implementation

- **Legislative Action:** Amend Maryland’s parole statutes to broaden eligibility for medical parole, require a diagnosis from a medical professional for all eligible applicants, and expand the geriatric parole policy adopted in 2016 beyond repeat violent offenders by moving the geriatric parole language in Sec. 14-101(f) to Subsection 3, Section 7-301 of Title 7.
- **Budgetary Analysis:** Require DPSCS to assess and provide budget estimates and necessary resources for the increased number of medical diagnoses under the new statute and compare this cost with the current expenses of housing people with significant medical needs.
- **Data Collection and Reporting:** Require the Maryland Parole Commission to collect and publish data on parole outcomes for aging and seriously ill people, disaggregated by race, gender, and geographic region, to monitor the impact of reforms and address any disparities.

ENHANCE TRANSPARENCY, CONSISTENCY, AND EFFICACY IN MARYLAND PAROLE COMMISSION DECISIONS

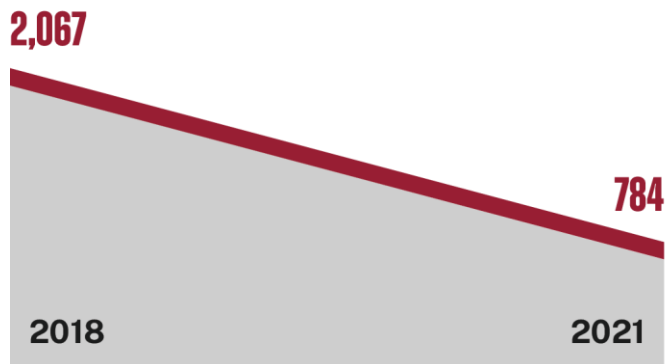
Recommendation #10: Enhance the transparency, consistency, and efficacy of parole decisions by allowing access to the materials and justifications relied upon for decision-making, developing clear guidance on the application of factors impacting release, identifying actions or steps that incarcerated people can take to improve their chances for release, surveying the services available to incarcerated people upon release, and publishing detailed reports on the Maryland Parole Commission’s activities.

Background

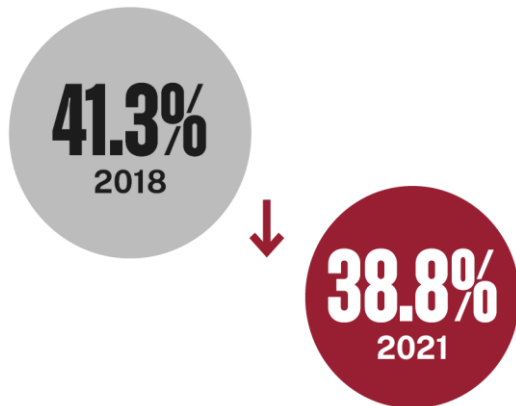
The parole process in Maryland has encountered criticism regarding transparency, consistency, and the potential for racial disparities.²⁸² Subjective and opaque parole decision-making disproportionately disadvantages incarcerated Black people, who often face systemic biases in how their cases are evaluated.²⁸³

Historically, parole processes have favored punitive approaches over rehabilitative ones, with incarcerated people often denied parole without clear explanations or actionable guidance for improving their chances.²⁸⁴ Additionally, the number of parole hearings has declined from 2,067 in 2018 to 784 in 2021.²⁸⁵ Parole grant rates in Maryland have declined from 41.3% in 2018 to 38.8% in 2021.²⁸⁶ The limited availability of post-release services further exacerbates recidivism, disproportionately impacting Black people seeking parole.²⁸⁷

Number of Parole Hearings



Parole Grant Rates



Currently, the parole system in Maryland faces challenges related to transparency and consistency, which contribute to ongoing racial disparities and leave many incarcerated people without a clear path to reintegration.²⁸⁸ We can enhance fairness and accountability by allowing access to decision-making materials and justifications. Additionally, establishing clear guidelines and actionable steps can empower incarcerated people to take proactive measures to improve their readiness for release.

Enhancing support for people transitioning out of incarceration can also significantly reduce the likelihood of recidivism and bring about a more just

and equitable system for all through collaboration and commitment to these improvements.

Best Practices

The following are examples of states that have undertaken parole reforms to increase the efficiency and availability of the program while maintaining public safety.

- **New York:** New York’s Board of Parole reform required parole boards to provide clear explanations for decisions and guidance on steps incarcerated people can take to improve their chances for release, and improved transparency and reduced perceived biases in decision-making.²⁸⁹
- **California:** California’s parole process is guided by a regularly updated Comprehensive Risk Assessment (CRA) to enhance transparency and effectiveness in parole hearings,²⁹⁰ and the California Parole Transparency Act mandates public reporting of parole decisions, including the factors considered and the

demographics of those granted release, increasing accountability and highlighting areas for improvement.²⁹¹

- **Connecticut:** Connecticut overhauled its parole process by developing standardized decision-making frameworks and actionable steps for incarcerated people, significantly reducing racial disparities in parole outcomes.²⁹²
- **Wyoming:** Wyoming's parole system provides incarcerated individuals with full access to all materials the parole board will use, allows them to challenge the accuracy of this information, and ensures they understand the process with the assistance of caseworkers, promoting fair parole decisions.²⁹³
- **Michigan:** Michigan has established a standardized statewide parole process requiring the parole board to adhere to the recommendation for granting parole unless there is a valid reason to deviate, with the statute outlining 11 specific reasons for such deviations and requiring a written explanation if the recommendation is not followed.²⁹⁴

States Making Parole More Transparent and Straightforward



Wyoming

ACCESS + SUPPORT

People up for parole have assigned caseworkers, full access to all materials prior to hearing, and can challenge the accuracy of materials.



Michigan

TRANSPARENCY

Parole can only be denied for 11 predetermined, public reasons and explanation for denial must be detailed in writing.



California

RISK ASSESSMENT TOOLS

Risk assessment tools used by psychologists to make parole decisions.



Texas

OBJECTIVITY

Parole board must offer a written, public explanation based on objective standards when parole is denied.



North Carolina

TIMELINES

Cases must be reviewed at least once a year from the time of parole eligibility.

Implementation

- **Policy Reform:** Amend the Maryland Parole Commission policies to provide:
 - Incarcerated people and their advocates access to materials and justifications relied upon for parole decisions to ensure that decisions are transparent, fair, evidence-based, and bias-free.
 - Specific recommendations on actions that an incarcerated person can take to improve their readiness for success if granted parole, such as completing educational programs, engaging in therapy, or securing housing plans, ensuring that the required actions involve only programs or steps that are accessible and available to the individual.
- **Clear Guidance on Parole Criteria:** Develop and publish comprehensive guidelines detailing the factors influencing parole decisions, including rehabilitation progress, disciplinary records, and community support, to help incarcerated individuals understand how to demonstrate readiness for release, with a decision-making process prioritizing transformative personal changes from program participation rather than focusing solely on the details of the conviction.
- **Survey and Expand Post-Release Services:** Conduct a statewide survey of services available to people upon release, including housing, job training, and mental health

support, identify gaps, and allocate resources to expand access in underserved areas.

- **Public Reporting:** Publish annual reports detailing parole outcomes, disaggregated by race, gender, and offense type, and an analysis of trends and recommendations for reducing disparities.

EXPAND AN EMERGING ADULTS PROGRAM (AGES 18–25) FOCUSED ON COMMUNITY BUILDING AND INTENSIVE SERVICES

Recommendation #11: Expand an Emerging Adults Program (ages 18-25) that creates protocols geared toward community building and intensive services to improve post-release success and prevent future system involvement.

Background

Emerging adults, defined as people between the ages of 18 and 25, are disproportionately impacted by the criminal legal system.²⁹⁵ Emerging adults comprise nearly 13% of Maryland's prison population.²⁹⁶ In Maryland, approximately 80% of people who were sentenced as emerging adults and were sentenced to ten years or more are Black.²⁹⁷ Improving this cohort's rehabilitative outcomes and preventing future system involvement would significantly reduce the adult prison population and the disparities within.

Emerging adults face unique developmental challenges, including higher rates of impulsive decision-making and difficulty navigating systems designed for older adults.²⁹⁸ These factors increase the likelihood of recidivism when this population is released without adequate support.²⁹⁹ The consequences of early criminal legal system involvement can devastate a young person's life trajectory.³⁰⁰ Maryland's most recent recidivism data shows a 44% recidivism rate among emerging adults, compared to an average 32% rate overall.³⁰¹ The collateral consequences of criminal legal system involvement are compounded with every additional arrest. One national study found that with every additional arrest, people are more likely to be unemployed, to earn less, and to fail to receive a high school diploma.³⁰²

Adult-focused punitive frameworks for emerging adults fail to address their developmental needs. Incarceration often disrupts critical life transitions, such as completing education, securing employment, and building stable community ties.³⁰³ Programs tailored to this age group have shown promise in reducing recidivism by addressing these challenges through targeted interventions.³⁰⁴ One study conducted on the emerging adult program in South Carolina revealed that participants were 73% less likely to be convicted of a violent infraction after one year. Additionally, the program was associated with an 83% reduction in the likelihood of participants being placed in restrictive housing. The study also found that officers preferred working in this new environment, reporting reduced stress, enhanced quality of life, and opportunities for professional growth.³⁰⁵

To reduce recidivism, expanding the Emerging Adults Program in Maryland can establish protocols that emphasize community building, education, and intensive services. By concentrating efforts on this age group, Maryland can effectively address the systemic

inequities that disproportionately impact young Black men, thereby developing pathways for continued success.

An Emerging Adults Program has the potential to diminish racial disparities in recidivism and incarceration rates while fostering long-term stability for the State's young population. This initiative may also serve as a model for statewide reform, promoting equity and justice for all people.

Best Practices

The following are examples of jurisdictions that have instituted Emerging Adult units within their correctional facilities, with support from Vera Institute's Restoring Promise program and other nonprofit organizations.

- **Prince George's County Emerging Adults Program (EAP):** The EAP is a 6-month reentry course providing skills to cope with life after incarceration and the services needed to address the root cause of their involvement in the criminal legal system.³⁰⁶ This program has established key reentry training topics for young adults that include counseling, job training, and work programs. EAP program partners include employment providers such as Employ Prince George's, The Builder's Trade Union, and the Painter's Union, to assist in job placement for EAP graduates post release. DPSCS identifies eligible participants for this voluntary program and helps facilitate weekly group sessions at various facilities for Prince George's County incarcerated. The program gives young people a second chance and a path toward successful reentry.
- **Connecticut T.R.U.E.:** Connecticut launched the T.R.U.E. (Truthfulness, Respectfulness, Understanding, and Elevating) program at the Cheshire Correctional Institution in 2017 with a 1-to-5 mentor-to-participant ratio, expanded the Restoring Promises model to other facilities, and became the first state to implement an emerging adult program at a women's facility.³⁰⁷
- **South Carolina Restoring Promise Program:** South Carolina's Restoring Promise program establishes specialized prison housing units for young adults aged 18-25, focusing on human dignity and developmentally appropriate programming, with units staffed by specially trained correctional officers and mentors (older incarcerated people serving long sentences) who guide the younger residents;³⁰⁸

Implementation

- **Expand Emerging Adults Units:** Establish specialized units in two Maryland correctional facilities to expand the Emerging Adults Program, focusing on developmentally appropriate interventions, including cognitive behavioral therapy, mentorship, and restorative justice practices, and seek funding from Maryland's Justice Reinvestment to expand the program and develop a train-the-trainer model for broader deployment to other locations.

- **Community Building Protocols:** Create opportunities for participants to connect with peers, mentors, and community leaders, fostering belonging and reducing isolation, and partner with organizations to offer post-release support, including housing, job training, mental health services, and tailored education programs.
- **Data-Driven Evaluation:** Analyze data on outcomes such as recidivism, employment, and education to refine the program and assess its scalability.
- **Culturally Competent Training:** Train staff and service providers on the developmental needs of emerging adults and strategies for promoting equity and inclusion.

Promoting Successful Re-entry

Systemic racism and discriminatory practices have historically denied Black communities access to economic opportunity, stable housing, and wealth accumulation.³⁰⁹ When a person enters the criminal legal system, they often arrive already burdened by these institutionalized barriers.³¹⁰ Incarceration then compounds these pre-existing disparities, creating additional obstacles that make successful reintegration even more challenging for Black people reentering society.³¹¹

For example, occupational licensing restrictions often disqualify people with criminal records from various professions,³¹² and, despite ‘Ban the Box’ legislation³¹³--which prohibits asking about arrests and convictions early in the job application process--employer reluctance to hire people with criminal histories persists.³¹⁴ Moreover, impacted people owe substantial court fines and fees accrued during incarceration and these debts only impede their financial stability and access to essential services.³¹⁵ Housing stability is another challenge, because people often face discrimination from landlords and are ineligible for public housing due to their criminal histories.³¹⁶ This can lead to homelessness or reliance on temporary accommodations.³¹⁷ Finally, the stigmatization associated with a criminal record can lead to social isolation, which affects mental health and the ability to build supportive networks and relationships essential for successful reentry.³¹⁸ These compounded barriers not only undermine an individual’s ability to rebuild their life but also perpetuate cycles of recidivism, which places strain on families, communities, and the criminal legal system itself.³¹⁹

An additional systemic challenge is the length of time people serve in prison. Extended periods of incarceration not only make community reintegration more difficult but also reveal troubling racial disparities.³²⁰ One study found that "nearly eight in 10 people who were sentenced as emerging adults and have served 10 or more years in a Maryland prison are Black."³²¹ Similarly, data shows that almost 77% of Maryland prisoners who have been incarcerated for at least 20 years and whose race is known are Black.³²²

MEJC’s recommendations address the reality that the hurdles impacted people face upon release, combined with inadequate reentry support, undermine rehabilitation and increase the likelihood of failure rather than success after release. Without significant change, the system will continue to impede the success of those reentering our communities, frustrating public safety goals.

EXPAND AND ENHANCE COMMUNITY-BASED REENTRY PROGRAMMING

Recommendation #12: Expand and improve community-based reentry programming by creating a protocol to share specific service needs of people who are incarcerated, collecting and publishing data on the effectiveness of reentry services, ensuring that all state facilities offer reentry services, increasing funding for successful reentry programs, and expanding community-based reentry programs’ access to incarcerated people 180 days before their reentry date.

Background

The transition from incarceration back into society is riddled with hurdles.³²³ In Maryland, the Department of Public Safety and Correctional Services (DPSCS) and community-based reentry programs make considerable efforts to ease that transition.³²⁴ However, there are still gaps in support and services that connect people with essentials such as healthcare, transportation, and housing.³²⁵ Despite existing efforts, challenges persist in coordinating services between correctional facilities and community-based organizations, leading to gaps in support for those transitioning back into the community.³²⁶ Additionally, there is a need for systematic data collection to evaluate the effectiveness of reentry services and to identify areas for improvement.

Data shows that a person is most vulnerable to recidivism in the first few months of release, when there are often significant barriers to reentry.³²⁷ In 2022, Maryland's recidivism rate was 31.55%,³²⁸ which means close to a third of people who were released from prison returned within three years. Many other data points reveal the hardships faced by impacted people. One national study found that formerly incarcerated people are unemployed at a rate of over 27% — an unemployment rate higher than during the Great Depression (24.9%).³²⁹ Black people experience these struggles even more profoundly and Black women who were formerly incarcerated face the highest unemployment rate at 43.6%.³³⁰ Formerly incarcerated Black men have a slightly lower unemployment rate of 35.2%.³³¹ These numbers reflect the challenges people face when released from incarceration, and why successful reentry requires our collective investment as a society.

Many community-based and DPSCS programs provide support and resources to people preparing for release.³³² However, the lack of standardized quality measures and effective information sharing limits their ability to fully support successful reintegration.³³³ These challenges are intensified by the significant time demand and financial burdens that the criminal legal system imposes on people after their release.³³⁴ To address these issues, DPSCS and community-based organizations must collaborate more effectively to identify service gaps and ensure equitable and comprehensive support across all regions of Maryland.

Recognizing the importance of addressing these challenges, the Maryland General Assembly passed legislation during the 2024 session to study and propose solutions.³³⁵ House Bill 1037 established the Task Force on the Creation of a Division of Returning Citizens and Expanded Reentry Services to develop a plan for establishing such a division within DPSCS.³³⁶ Similarly, Senate Bill 623 created the Prison Education Delivery Reform Commission to ensure that prison workforce and training programs provide opportunities leading to living wages and reduced recidivism.³³⁷

However, greater efforts are needed to improve communication and coordination between prison administrators, reentry service providers, and incarcerated people. Those nearing release — particularly people from communities disproportionately affected by incarceration due to systemic inequalities — must have access to targeted support and resources that address their unique challenges. These tailored interventions are crucial for creating equitable opportunities and reducing disparities in reentry outcomes.

Best Practices

Several states embrace the partnership between institutional services and community-based programming.

- **California:** The Hope and Reentry Team (HART), led by eight formerly incarcerated people with life sentences, provides rehabilitative programming and reentry support to incarcerated adults and youth³³⁸ in 33 state facilities, expanding from seven due to further state investment, and graduated 2,000 participants in 2023.³³⁹
- **Colorado:** The Work and Gain Education and Employment Skills (WAGEES) program, funded by Colorado's Department of Corrections for community-led organizations to provide reentry services that leverage local connections and life experiences,³⁴⁰ and resulted in only 2.5% of participants during the first two years of the programs existence returned to prison for committing new crimes."³⁴¹

These successful initiatives highlight the need for continued collaboration at a state level to improve Maryland's recidivism rate and help people successfully reenter society.

Implementation

- **Standardized Information Sharing:** Develop a standardized protocol between the Department of Public Safety and Correctional Services (DPSCS) and community-based organizations to exchange information regularly about the needs of incarcerated people; streamline service delivery, reduce duplication, and improve reentry programming across all regions.
- **Data Collection and Transparency:** Establish a system for DPSCS to collect, analyze, and publish data on program performance and its impact on participants; improve data collection, support on-going evaluations and refinement, and facilitate transparency and accountability for informed decision-making by stakeholders.
- **Uniform Program Standards Across Sites:** Require DPSCS and community-based reentry programming to work together to ensure all state facilities have consistent high-quality reentry services, by establishing regular site assessments to eliminate disparities in service quality and a shared understanding of the guidelines for community-based reentry organizations to work directly with and gain access to DPSCS facilities.
- **Increased Funding for Proven Programs:** Allocate funding to support best practices and successful programs that address reentry challenges cover DPSCS's operational needs, and enhance the data collection infrastructure.
- **Early Engagement with Community-Based Programs:** Grant community-based organizations access to incarcerated people 180 days before their release to facilitate early engagement.

ENACT A COMPREHENSIVE SECOND LOOK LAW

Recommendation #13: Expand access to Second Look laws that empower judges to reduce or modify, but not increase, sentences under specific conditions. These laws should prioritize rehabilitation, requiring judges to assess an individual's progress, ensure they pose no danger to society, and act in the interests of justice. Decisions must be based on personalized evaluations of behavior and efforts toward reform. Additionally, victims and their representatives should be treated with respect, granted notice of proceedings, allowed to attend and provide input, and offered protective measures like no-contact orders if probation is imposed.

Background

Maryland's current sentencing structure offers limited opportunities for people serving long sentences to have their cases reconsidered.³⁴² This disproportionately affects Black people, who are significantly overrepresented in the State's prison population and more likely to receive lengthy sentences due to systemic inequities in charging, prosecution, and sentencing.³⁴³

The concept of a "Second Look" law reflects the growing recognition that lengthy sentences, particularly those imposed during youth or young adulthood, may no longer align with public safety or rehabilitative goals.³⁴⁴ Research shows that a person "ages out" of criminal behavior as they mature, with recidivism rates declining sharply after age 40.³⁴⁵ Additionally, lengthy incarceration often perpetuates racial disparities by disproportionately affecting people from marginalized communities who have been subject to systemic over-policing and prosecutorial bias.³⁴⁶ One study found that nearly eight in 10 people who were sentenced as emerging adults and have served 10 or more years in a Maryland prison are Black.³⁴⁷ This is the highest rate of any state in the country."³⁴⁸

Second Look laws provide an opportunity to address these injustices by allowing courts to revisit cases and evaluate whether continued incarceration serves the interests of justice and public safety.³⁴⁹ In Maryland, the two options for the review of lengthy sentences are Maryland Rule 4-345(e), permitting a sentencing court to modify a sentence if the defendant filed a motion for modification of sentence within 90 days after the original sentencing or a change in the sentence, and the 2021 Juvenile Restoration Act, allowing people to file a motion for a sentence reduction if they have served more than 20 years in prison for a crime that occurred when they were under 18 years of age.³⁵⁰ Even with these two avenues for resentencing, approximately 77% of Maryland prisoners who have been incarcerated for at least 20 years and whose race is known are Black.³⁵¹ Therefore, expanding Second Look opportunities would help reduce racial disparities in Maryland's incarcerated population.

Expanding Second-Look laws provides an opportunity to address these injustices by allowing courts to revisit cases and evaluate whether continued incarceration serves the interests of justice and public safety. A judge's decision to reduce or modify a sentence should be based on their individualized assessment of the person's behavior while incarcerated and demonstrated efforts toward rehabilitation. Importantly, the judicial review process should also guarantee that victims and victims' representatives are treated with dignity, respect, and sensitivity, provided the right to notice of the proceedings, the

right to attend, and the right to be heard through new or prior victim impact statements, and offered the option of a no-contact order as a condition of any probation. This process must be transparent, equitable, and consistent across jurisdictions.

Best Practices

Twelve states, the District of Columbia, and the federal government have implemented Second Look provisions.³⁵² The following jurisdictions provide an example of provisions that offer expanded opportunities

- **Oregon's Second Look Law:** Oregon law provides people under 18 at the time of their offense with a review of their sentence after serving 50% of their term, considering factors such as developmental maturity, rehabilitation, and community support, and has demonstrated positive outcomes with reduced recidivism rates and increased opportunities for successful reentry.³⁵³
- **Washington, D.C.'s Omnibus Public Safety and Justice Act:** This Act expanded a prior second look law to allow people who have served at least 15 years for a crime that occurred when they were under the age of 25 to petition for resentencing, with judges considering factors such as rehabilitation, age at the time of the offense, and community support.³⁵⁴
- **California Senate Bill 1437:** California law narrows the application of the felony murder rule, enabling a person to petition for resentencing if their original sentence no longer aligns with updated legal standards, and since its passage, thousands of people have been resentenced, many of whom have successfully reintegrated into society, with the law also highlighted the need to reduce racial disparities in sentencing, as a significant portion of those affected were from communities of color.³⁵⁵

Implementation

- **Eligibility Criteria:** Broaden the eligibility criteria for Maryland's Second Look law to include people beyond those eligible under the Juvenile Restoration Act and prioritize people sentenced as juveniles and emerging adults (ages 18–25) who have shown significant rehabilitative progress.
- **Judicial Review Process:** Establish a structured judicial review process that considers developmental maturity, demonstrated rehabilitation, disciplinary records, and available support systems upon release; authorize judges to reduce or modify, but not increase, sentences for people who have served a substantial period of incarceration and file a motion for sentence reduction or have fulfilled the conditions of a problem-solving court program, and as a precondition for any sentence change, ensure that judges assess the incarcerated person's rehabilitation, other interests of justice that warrant such a change, and any danger the person may pose to society, while guaranteeing victims' rights to participate in the process.

- **Community Support Systems:** Collaborate with community organizations to provide reentry support, including housing assistance, job training, mental health services, and mentoring programs for people granted a sentence reduction.
- **Public Reporting:** Require annual reports on the outcomes of Second Look petitions, including data disaggregated by race, gender, and geographic region, to ensure transparency and address potential disparities.
- **Education and Training:** Provide training for judges, prosecutors, and defense attorneys on the principles and goals of the Second Look law, emphasizing equity, rehabilitation, and the reduction of racial disparities.

STUDY THE FINANCIAL OBLIGATIONS IMPOSED ON PEOPLE ON PROBATION AND PAROLE AND THEIR IMPACT ON SUCCESSFUL REENTRY

Recommendation #14: Conduct a comprehensive study on the financial obligations imposed on individuals under probation and parole and their impact on successful reentry.

Background

One of the biggest challenges people face when they are released from incarceration is the staggering financial responsibility that awaits them in the form of child support, restitution, previous court fines and fees, and supervision costs.³⁵⁶ People often fail to comply with the conditions of their parole or probation, either because making these payments is a condition of their supervision or because the overwhelming amount of bills and debt leaves them feeling demoralized and less motivated to fulfill other conditions of supervision.³⁵⁷

Once a person is released from incarceration, it can be difficult to find housing, secure a job, access much-needed treatment, and simultaneously comply with the various conditions imposed at the start of a person's community supervision.³⁵⁸ In 2023, nearly 40% of people on supervision in Maryland did not successfully complete their terms.³⁵⁹ In addition to this already daunting set of responsibilities, the financial burdens of supervision make it even harder for people on supervision to make ends meet and stay on track.

The State collects only a small percentage of the financial obligations placed on people on probation.³⁶⁰ This means the State does not benefit from these fines and fees, which act mostly as an ongoing form of post-incarceration punishment and a barrier to successful reentry. Maryland should, therefore, examine the utility of these financial conditions in relation to its public safety goals, assess whether they increase the likelihood of recidivism, and determine how they advance the public safety goals.

Although Maryland recently authorized the Maryland Parole Commission and the Division of Parole and Probation to exempt certain people from parole supervision fees,³⁶¹ and there are various court fee waivers available to indigent defendants,³⁶² the State still requires all people on probation to pay monthly supervision fees.³⁶³ These costs, added to existing financial obligations, can significantly drain the meager earnings of a supervised person and adversely impact their successful transition to the community.³⁶⁴ Despite comprising only 30% of the State's population, Black people make up 71% of Maryland's parole

population and 53% of the probation population.³⁶⁵ These various fees serve as a significant barrier to the successful reentry of Black people who are disproportionately represented in the supervision population in Maryland.

To effectively address the problems that financial obligations pose on people under supervision, the State needs to develop a comprehensive understanding of the fines and fees it imposes, the personal characteristics and financial challenges of those subject to these fees, and the economic impact of these fees on the programs and services they are intended to support. The study should contain recommendations for policy and practices that would address specific and systemic issues.

An Uphill Climb: Fines and Fees Facing a Person Post-Incarceration



Court-Imposed Fines & Restitution

- \$ Restitution Payments** Amount paid to victims as ordered by the court.
- \$ Outstanding Court Fines** Fines related to the original offense, including costs for legal processes and court fees.

Supervision Costs

- \$ Parole/Probation Fees** Monthly fees for supervision services.
- \$ Electronic Monitoring Costs** Fees associated with ankle bracelets or other monitoring devices.

Reentry-Related Fees

- \$ Program Fees** Payments for mandatory reentry programs like substance abuse counseling, anger management, or employment workshops.
- \$ Drug Testing Costs** Fees for periodic drug testing as part of parole requirements.

Identification & Administrative Fees

- \$ State ID/Driver's License** Fees for reinstating or acquiring identification documents.
- \$ Birth Certificates** Costs to obtain a copy for identification purposes.

Housing-Related Expenses

- \$ Halfway House Fees** Payments required for transitional housing.
- \$ Initial Rent & Deposits** Costs to secure stable housing (often difficult without initial financial support).

Child Support Obligations

- \$ Back Child Support** Accumulated unpaid child support, often accrued during incarceration.
- \$ Current Child Support** Regular payments that resume upon release.

Employment Barriers

- \$ License Reinstatement Fees** For those whose professional licenses were revoked.
- \$ Occupational Licensing Costs** Costs for new or renewed licenses in fields that require them.

Additional Legal Costs

- \$ Public Defender Fees** Payments if legal representation was provided by the state.
- \$ Court-Appointed Counsel Fees** Costs related to any post-release legal representation.

Best Practices

Several states, including New Mexico, California, and Oregon, have enacted legislation to remove supervision fees.³⁶⁶

Recently, Maryland has also taken several legislative and executive actions to remove the financial obligations burdening impacted people, including a law to repeal the authority of the Division of Parole and Probation to collect supervision fees and an executive order canceling the outstanding debt for mandatory, parole, and administrative release supervision fees and drug testing fees for people currently on community supervision, resulting in the cancellation of more than \$13 million impacting 6,715 cases and representing real relief for those struggling to get back on their feet.³⁶⁷

Implementation

- **Conduct a Comprehensive Assessment of Financial Obligations:** Direct the Maryland Parole Commission to conduct a comprehensive review of the financial obligations associated with probation and parole, including fines, fees, restitution, and child support, and examine how these obligations affect a person's financial stability, such as housing, healthcare, and employment, while identifying and addressing any racial disparities in their imposition and collection.
- **Analyze the Impact of Financial Obligations on Reentry Success:** Analyze the relationship between financial obligations and recidivism rates, identify systemic barriers that disproportionately affect marginalized groups, and propose strategies to alleviate these challenges.
- **Develop Data-Informed Policy Recommendations:** Require the Maryland Parole Commission to develop evidence-based policy recommendations to reduce financial burdens for people under supervision based on the findings from the assessment and analysis.
- **Community Collaboration:** Include diverse stakeholders, such as people with lived experience, advocacy groups, community organizations, and policymakers, and make publicly available the results and the recommended changes.

Education, Workforce Development & Economic Opportunity

Communities most impacted by systemic economic inequities are significantly overrepresented in the criminal legal system, creating a cycle that can persist across generations.³⁶⁸ In 2018 the Brookings Institute quantified this relationship, finding that children from families in the lowest income bracket (earning less than \$14,000) are 20 times more likely to be incarcerated in their early 30s compared to children from higher income families (those earning over \$143,000).³⁶⁹ Additionally, laws that criminalize homelessness and allow detention for failure to pay money bail and other fines and fees disproportionately impact the poor.³⁷⁰

After incarceration, these disparities become even more pronounced.³⁷¹ One study found that formerly incarcerated people are almost 10 times more likely to experience homelessness than the general public.³⁷² Early system involvement also has devastating effects on educational outcomes and future opportunities.³⁷³ Research shows that incarceration before age 17 reduces the likelihood of high school graduation by 26% and significantly increases the probability of future criminal legal system involvement.³⁷⁴ Through historical discriminatory policies that have not been sufficiently addressed in current policies, these barriers continue to disproportionately harm Black communities.³⁷⁵

The clear connection between system involvement and limited socioeconomic opportunity led MEJC to focus specifically on supporting educational attainment and upward mobility for young people. The data consistently demonstrates that racial disparities in the criminal legal system mirror racial disparities in education and economic opportunity across Maryland.³⁷⁶ To effectively address the overrepresentation of Black people in Maryland's criminal legal system, the State must work to eliminate racial disparities in education and economic opportunity.

IMPLEMENT COMPREHENSIVE STRATEGIES TO ADDRESS THE CRIMINALIZATION OF IN-SCHOOL BEHAVIOR AND MITIGATE IMPLICIT BIAS IN SCHOOL DISCIPLINE POLICIES

Recommendation #15: Address the rising criminalization of in-school behavior by tracking and analyzing data trends in school-based arrests, enhancing implicit bias training, and revising discipline and criminal justice policies.

Background

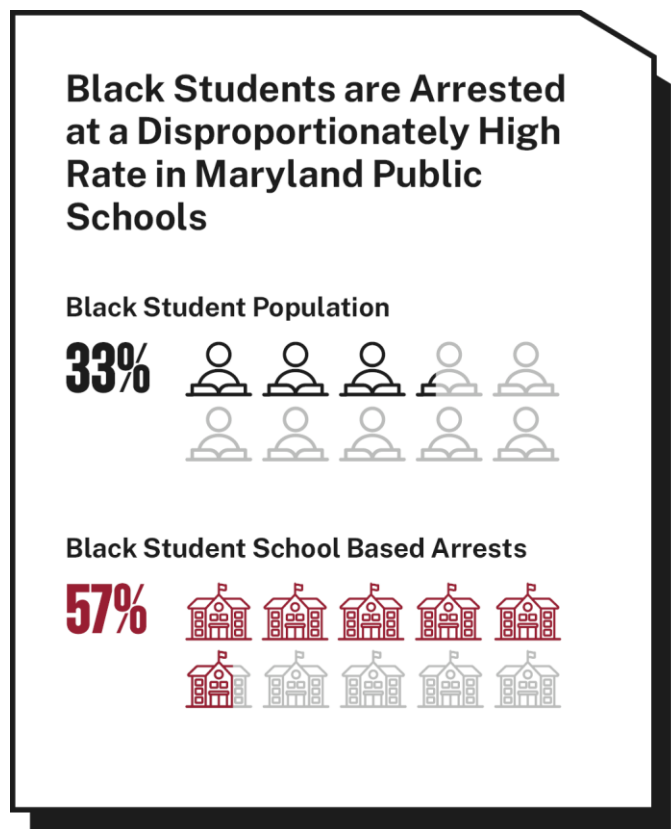
Maryland requires school officials to report delinquent acts to law enforcement.³⁷⁷ However, there is a lack of clarity as to what constitutes delinquent acts and what constitutes conduct that should be treated as a matter of discipline handled by schools.³⁷⁸ Data reveals that this wide discretion and lack of clarity results in disproportionately harsh outcomes for Black children.³⁷⁹

While the State provides guidelines for disciplinary actions, individual school districts have the authority to develop their own written policies.³⁸⁰ An in-depth study of Maryland's individual district policies revealed a wide and inconsistent range of approaches, with a notable gap between the written policies and actual implementation in schools.³⁸¹

These procedures allow for wide discretion on the part of school administrators and school resource offices, putting Black students on a path for overinvolvement in the criminal legal system.³⁸² National studies consistently show that Black students are disciplined more harshly. One study found that Black children are 3.6 times more likely to receive an out-of-school suspension in preschool, 3.8 times more likely to receive an out-of-school suspension in grades K-12, and 2.2 times more likely to be referred to law enforcement or subject to a school-related arrest than White students.³⁸³

In Maryland, this disparate treatment extends to school-based arrests.³⁸⁴ Black students are arrested at a disproportionately higher rate than students of other races in the Maryland Public Schools: 57% of school arrests were of Black students last year,³⁸⁵ although Black students comprised only 33% of the school district's population.³⁸⁶ Maryland urgently needs greater clarity on what constitutes an incident that requires law enforcement and criminal legal system involvement, to eliminate these racially disparate outcomes.

The Maryland Guidelines for a State Code of Discipline was last updated in 2014³⁸⁷ and can be a guide to keep students out of the criminal legal system and encourage them to learn from their mistakes.



Best Practices

Several states have adopted methods for differentiating between behavior that warrants school discipline and behavior that requires involvement with the criminal legal system³⁸⁸, while other research has stressed the importance of regulating the role of SROs in schools and augmenting school-based resources.³⁸⁹ For example, Virginia enacted a law that eliminated the requirement for school principals to report certain misdemeanor offenses to law enforcement, aiming to reduce student involvement in the criminal justice system for minor infractions.³⁹⁰ Another law states that an elementary or secondary school student is not guilty of disorderly conduct in a public place if the conduct occurred on school property, on a school bus, or at any school-sponsored event activity.³⁹¹

Implementation

- **Develop a System for Tracking and Analyzing School-Based Arrest Data:** Direct the Maryland State Department of Education (MSDE) to create a comprehensive system to collect and analyze school-based arrest data, identify trends, and examine disparities across student demographics, including race, gender, and disability status.
- **Enhance Implicit Bias Training for Educators and School Resource Officers:** Implement regular, evidence-based implicit bias training for educators and school resource officers (SROs) to increase awareness of unconscious biases, promote fair treatment for all students, and foster a more inclusive and equitable school environment.
- **Revise School Discipline Policies to Emphasize Restorative Practices:** Revise existing school discipline policies to shift from punitive measures to restorative practices, including updating MSDE regulations to define behaviors to be handled as disciplinary actions by schools rather than intervention by law enforcement, revising the Maryland Guidelines for a State Code of Discipline to keep students out of the criminal legal system, establishing clear guidelines outlining the SROs roles and responsibilities, ensure coordination between MDDE and local school systems to implement these practices effectively.
- **Promote Community and Stakeholder Engagement:** Engage families, community organizations, and advocacy groups in MSDE's development and refinement of discipline policies, and encourage ongoing dialogue and partnerships to enhance community trust and support.
- **Monitor and Evaluate the Effectiveness of Implemented Strategies:** Establish mechanisms for MDDE to monitor and evaluate the effectiveness of implemented strategies, and use regular assessments to provide feedback, enabling adjustments to ensure that policies and practices meet goals of reducing disparities and improving disciplinary outcomes.

AMEND COMPULSORY SCHOOL ATTENDANCE REQUIREMENTS TO FACILITATE GED COMPLETION FOR JUSTICE-INVOLVED YOUTH

Recommendation #16: Amend the compulsory school attendance requirements to allow justice-involved youth to complete their high school requirements through the GED process.

Background

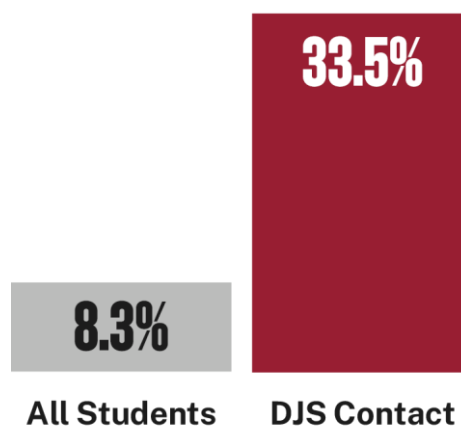
In Maryland, children under 18 cannot receive a GED unless they drop out of school.³⁹² This leaves students who worked towards their GED while in the custody of Department of Juvenile Services (DJS) with limited options, jeopardizing their educational progress and future success.

Today, students who pursue a GED while in DJS’s custody face a difficult choices: (1) drop out of school to complete their GED, losing the critical support of a school environment, or (2) abandon their GED progress and reenroll in a school that is often not equipped to help them catch up and meet graduation requirements after such a long break.³⁹³ Neither choice is ideal. Both DJS involvement and the lack of a high school diploma significantly limit future employment and a prosperous life.³⁹⁴ In 2020, although Maryland’s high school graduation rate was 86.9%, the graduation rate for DJS-involved children was a mere 32.9%.³⁹⁵

The impact of DJS involvement on a young person’s future disproportionately affects Black children, who are overrepresented in Maryland’s youth justice system and already trail White students in educational attainment.³⁹⁶ In 2023, Black children in Maryland were more than twice as likely as White children to interact with DJS.³⁹⁷ In 2022, the school dropout rate for Black children was more than twice the rate for White children at 8.5% and 4.2%, respectively.³⁹⁸

This disparity highlights a troubling cycle, where young Black people face compounded academic and systemic obstacles that limit their opportunities for success.³⁹⁹ As a result, Black students are not only more likely to become involved in the criminal legal system but also more likely to drop out of school, which further deepens their challenges in achieving long-term stability and prosperity.⁴⁰⁰

Dropout Rate in Maryland



Best Practices

Although the Maryland legislature has not yet addressed this specific issue, it has already established a waiver process for a different group of students, which could serve as a model.

In 2018, the Maryland General Assembly passed HB193, which created an exemption for English language learners to remain in school while pursuing their GED through the GED Option Program.⁴⁰¹ The bill was requested by the Department of Labor and Licensing and Regulation (DLLR) to allow English language learners, who often struggle to meet the credit requirements for a variety of personal and institutional reasons, to earn a GED. Both the Secretary and Deputy Secretary of DLLR testified in favor of the exemption, recognizing that English language learners frequently encounter significant challenges in accumulating the required number of credits to graduate before turning 21 years old.⁴⁰²

The GED Option Program offers an alternative route to earn a high school diploma. It specifically benefits students who have the potential to meet graduation requirements but face various challenges that cause them to fall behind in credits. DJS-involved students are at risk of leaving school without a diploma. The GED Option provides them with a valuable

second chance to remain in school, gain the essential knowledge and skills required for the GED test, and ultimately earn a high school diploma within the same timeframe as their peers.

Implementation

- **Review and Amend Attendance Policies:** Enact legislation to revise compulsory school attendance policies, similar to the current exemption for English language learners, to allow justice-involved youth to meet high school completion requirements through the GED program, ensuring that the Maryland State Department of Education (MSDE) implements a waiver of compulsory school attendance for Department of Juvenile Services (DJS)-involved youth who actively participate in GED courses in the community, with their progress monitored by a local pupil personnel worker.

- **Develop Tailored GED Programs for Justice-Involved Youth:** Implement specialized GED preparation programs for justice-involved youth by MSDE, local boards of education, and DJS, addressing their unique needs through flexible scheduling and trauma-informed strategies.

- **Provide Professional Development for Educators:** Revise professional development programs for educators and staff working with justice-involved youth to enhance the effectiveness of GED programs and improve support for these students.

- **Engage Families and Communities:** Engage families and community organizations in supporting justice-involved youth through partnerships with MSDE, local boards of education, and community organizations to provide mentoring, career guidance, and other vital support services.

- **Monitor and Evaluate Program Effectiveness:** Establish a system to monitor and evaluate GED programs for justice-involved youth, ensuring their educational needs are met consistently and effectively.

Youth Justice Reform

Black youth face systemic disparities at every stage of Maryland's youth justice system.⁴⁰³ Although Black children constitute only 30% of Maryland's youth population⁴⁰⁴, they account for 62% of juvenile complaints⁴⁰⁵, 55% of pre-court supervision cases⁴⁰⁶, and 77% of detained youth.⁴⁰⁷ This is stark evidence of persistent racial inequities. These disparities stem from specific policies and practices that systematically disadvantage Black youth, perhaps best reflected by Maryland's practice of automatically charging certain youth as adults.⁴⁰⁸ Data reveals that Black youth are disproportionately charged as adults, resulting in harsher sentences and fewer opportunities for rehabilitation.⁴⁰⁹ More than 80% of youth charged as adults are Black, making Black children in Maryland seven times more likely to be criminally charged as adults compared to their White peers.⁴¹⁰

Judicial discretion can also contribute to racially disparate outcomes.⁴¹¹ Research demonstrates that Black youth are more likely to receive out-of-home placements than their White peers, even when controlling for offense severity and prior records.⁴¹² Although Black children comprise only 15% of all young people in the U.S., they account for 41% of those placed in residential facilities.⁴¹³

MEJC's recommendations aim to reduce these disparities by protecting youth unnecessary exposure to adult charges and ensuring that judicial practices acknowledge and address implicit bias. Together, these reforms target some of the core practices that fuel racial disparities, working toward a fairer and more developmentally appropriate system for all Maryland youth.

Black Children in Maryland Justice System

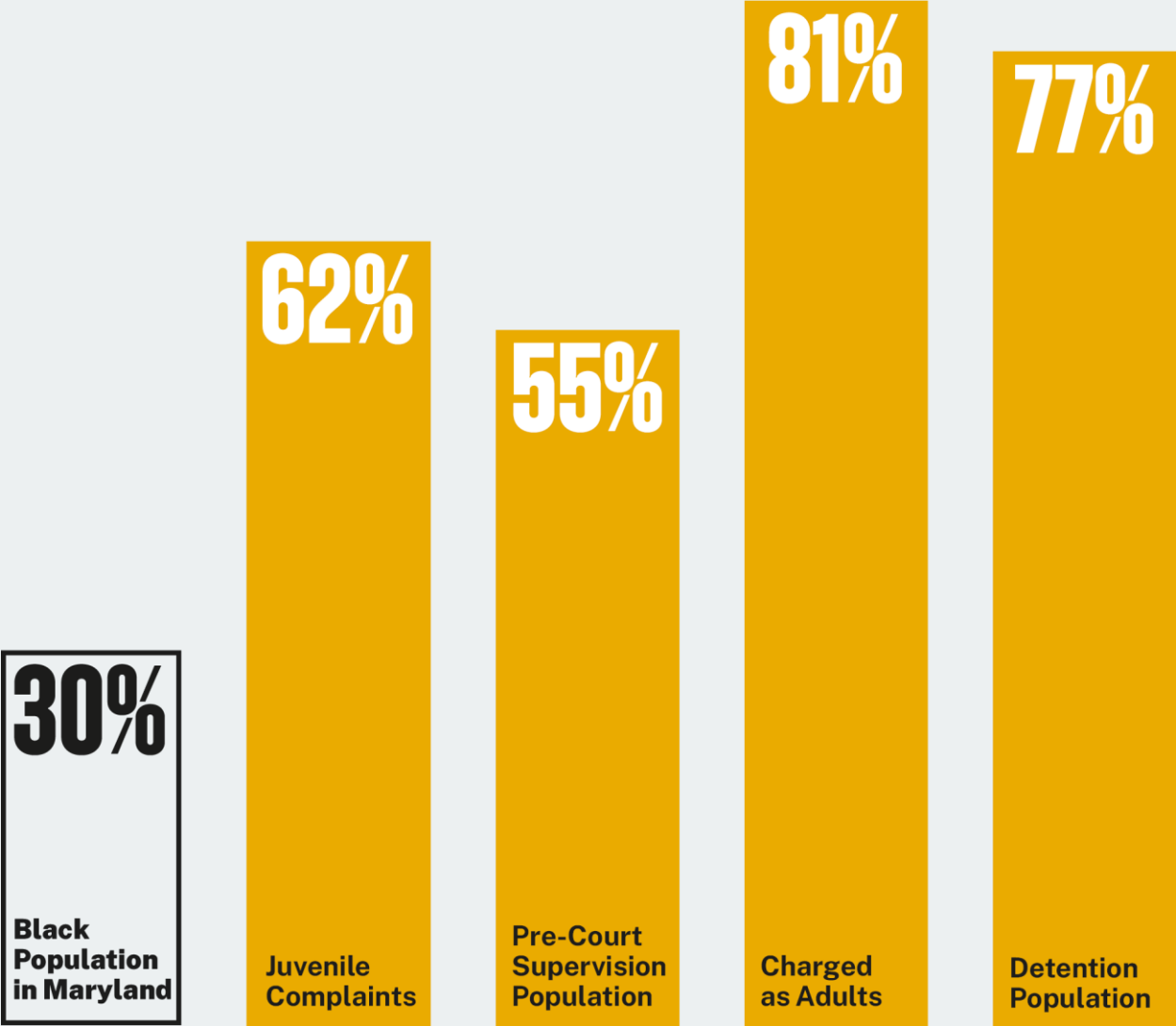
30%
**Black
Population
in Maryland**

62%
**Juvenile
Complaints**

55%
**Pre-Court
Supervision
Population**

81%
**Charged
as Adults**

77%
**Detention
Population**



LIMIT AUTOMATIC ADULT CHARGING OF CHILDREN

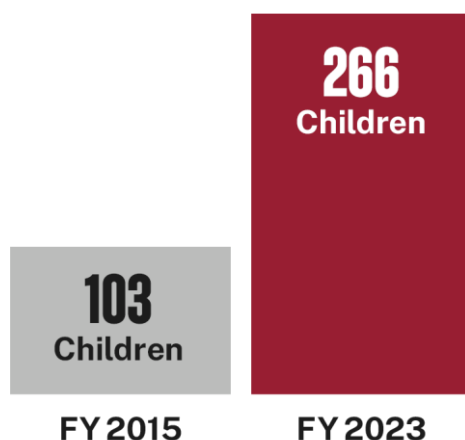
Recommendation #17: Restrict laws that allow for the automatic adult charges to more serious felonies or provide more opportunities for judicial review before transferring children to adult court.

Background

Automatically charging 16- and 17-year-olds as adults for certain offenses and permitting an extensive list of offenses that allow a waiver into the adult system disproportionately impacts Black children.⁴¹⁴ These processes deny children a fair chance at rehabilitation within the juvenile system and expose them to harsher penalties and lifelong collateral consequences from an adult conviction.

Under Maryland law, 16- and 17-year-olds are automatically charged as adults for 33 offenses, including a lengthy list of misdemeanor gun offenses.⁴¹⁵ By automatically charging children as adults based purely on the offense for which they are accused, Maryland's approach does not consider the individual circumstances of a child's involvement in the alleged offense, their prior history, or their amenability to treatment at the point of charging.⁴¹⁶ This practice has been increasing with the number of children charged as adults growing by 24.9% between 2015 and 2024. 87.4% of youth charged as adults in FY 2024 were charged automatically.⁴¹⁷ Moreover, an increasing share of children charged as adults face criminal charges solely for misdemeanor gun possession offenses, which are now the most common type of offense for which children are charged as adults.⁴¹⁸

Number of Children Automatically Charged as Adults



The practice of detaining children in adult jails or juvenile detention facilities while they await transfer from adult criminal courts causes significant harm to both the children and their communities.⁴¹⁹ Although most children charged as adults are not ultimately convicted in adult criminal courts — often having their cases transferred to juvenile court, dismissed, or resulting in time served — they are still subjected to incarceration during the

process.⁴²⁰ Over the last year, more than 150 children were incarcerated while being charged as adults, comprising 59% of the juvenile detention population.⁴²¹ The ultimate result of these practices of holding children in jails and convicting them as adults, has earned Maryland the distinction of having the fourth highest rate in the nation of people incarcerated for crimes they committed as children.⁴²² Data shows that 6% of Maryland’s prison population in 2023 was serving time for a crime committed as a child, which is double the national average.⁴²³



The impact of these policies falls disproportionately on Black children.⁴²⁴

Although Black children make up only 31% of Maryland’s youth population, they represented 81% of those charged as adults between 2021 and 2023, making them over seven times more likely to be charged as adults than their White peers.⁴²⁵ Among the most common offenses — such as misdemeanor gun possession — 87% of the children charged were Black.⁴²⁶ Furthermore, over 90% of individuals incarcerated in Maryland since childhood are people of color.⁴²⁷ The harm extends beyond incarceration itself. Black and Brown children detained while awaiting transfer to juvenile court spend nearly a month longer in detention than White children facing similar circumstances.⁴²⁸ These extended periods of detention in adult or juvenile facilities not only expose children to unsafe and traumatizing environments but also disrupt their education, mental health, and community connections, exacerbating long-term harm to both the children and their families.⁴²⁹

Limiting the automatic charging of children as adults will disrupt a major mechanism that results in the disproportionate incarceration of Black children in adult and juvenile facilities. Although several members of the Collaborative support the full elimination of automatic charging of children as adults, MEJC developed consensus around a recommendation to greatly limit this practice. As explained more fully below, states across the country have successfully implemented both approaches, and Maryland is by far an outlier across the country in allowing for such breadth in automatic charging, with limited oversight over the process.

Best Practices

Most states either limit automatic adult charges to more serious felonies or provide more opportunities for judicial review before transferring children to adult court.⁴³⁰

Eight states require all juvenile cases to start in juvenile court: California, Hawaii, Kansas, Kentucky, Missouri, Oregon, Tennessee, and Texas. More than half of all states have recently narrowed the eligibility for children being charged as adults.⁴³¹

- Some states by changing the age for which children are eligible: South Carolina, 2016; Virginia, 2020.⁴³²
- Some states by reducing the list of offenses that make children eligible: Delaware, 2017; Illinois, 2015; Utah, 2020; Washington State, 2018).⁴³³
- Other states have established more oversight over the adult charging process: Florida.⁴³⁴

Implementation

- **Legislative Action:** Pass legislation to significantly limit the charges for which a child is automatically charged as an adult, require a mandatory judicial hearing for all cases where children may face adult charges and ensure that judges evaluate each case’s specific circumstances, including the child’s background, involvement in the alleged offense, and potential for rehabilitation within the juvenile system.
- **Improve Case Transfers:** Improve case transfers by ensuring stakeholders, including judges, prosecutors, defense attorneys, the Department of Juvenile Services (DJS), and the Department of Public Safety and Correctional Services (DPSCS), work together to facilitate smooth transitions for cases transferred between adult and juvenile courts and to develop best practices for handling youth cases in the justice system.
- **Establish Data Collection and Reporting Mechanisms:** Implement a robust system to collect data and report on key metrics related to children charged as adults, including the number of such cases, demographics of affected children, offenses charged, and case outcomes.
- **Monitor and Adjust Policy Implementation:** Establish a mechanism to review the effectiveness of the policy periodically by analyzing its impact on recidivism rates, racial disparities, and public safety outcomes, and make necessary adjustments to balance rehabilitation and accountability effectively.

REVIEW AND ENHANCE JUDICIAL TRAINING PROGRAMS TO EMPHASIZE IMPLICIT BIAS, CULTURAL COMPETENCY, AND TRAUMA-INFORMED PRACTICES AND PROVIDE PUBLIC SUMMARIES OF TRAINING CONTENT

Recommendation #18: Review the training requirements of judges and magistrates to ensure that their decisions are supported by a comprehensive and working knowledge of implicit bias, cultural competency, adolescent brain development, adverse childhood experiences, trauma, and other important considerations. A summary of the current training requirements and materials involved should be made available for public review.

Background

Significant racial disparities persist in Maryland's youth justice system, and research shows that Black people, including Black children, are disproportionately disadvantaged when the criminal legal system allows for and exercises broad discretion.⁴³⁵ Even when judges and other decision makers are aware of these disparities and their role in either minimizing or exacerbating them, it can be confusing to understand exactly when and how implicit bias plays a role in their evaluation process.

In Maryland, Black and Brown youth are disproportionately committed to the Department of Juvenile Services (DJS) and placed in out-of-home placements.⁴³⁶ Data shows that, when juvenile courts exercise their discretion, Black and Brown youth are more likely than their White counterparts to be placed in such settings.⁴³⁷ This disparity underscores the critical need for ongoing and enhanced judicial training to ensure decisions are informed by consistent and equitable application of justice, particularly in cases involving Black and Brown youth. Equipping judges with the tools to recognize and mitigate unconscious bias can lead to fairer courtroom decisions, reduce disparities in sentencing, limit out-of-home placements, and improve treatment and outcomes for youth statewide.⁴³⁸

For over two decades, the Maryland Judiciary has required all judges to engage in continuing education classes.⁴³⁹ This includes programs such as Family Law University, the annual Child, Abuse, Neglect, and Delinquency Options (CANDO) conference, and juvenile justice focused courses that are reviewed, updated, and taught by subject matter experts, internal and external to the judiciary.⁴⁴⁰ Moreover, State law acknowledges and to the extent possible, requires juvenile judges and magistrates to have special training. Since its enactment, the Judiciary has continually mandated such training and expanded its scope.⁴⁴¹

In addition, for more than 20 years, the Maryland Judiciary has secured federal funding in part to provide for the CANDO conference and ongoing educational programs for judges, attorneys, and other legal personnel involved in child welfare cases.⁴⁴² In 2016, the Judiciary institutionalized its training programs through the creation of the Judicial College of Maryland (The Judicial College).⁴⁴³ The Judicial College is responsible for the continuing education of all Maryland justices, judges, magistrates, commissioners, and judiciary employees.⁴⁴⁴ The Judicial College's charge includes identifying and addressing emerging issues of importance to the courts, integrating best practices in adult learning, using local and national subject matter experts, and offering opportunities through a variety of learning modalities.⁴⁴⁵ The goal is to help ensure justices, judges, magistrates, commissioners, and judiciary employees have the awareness, knowledge, skill, and resources required to effectively address the needs of their communities.⁴⁴⁶

MEJC recognizes the critical importance of judicial training in promoting equity within the juvenile justice system. Ensuring that current programming addresses implicit bias, cultural competency, and the unique characteristics of adolescent and youthful behavior is essential. These efforts assist judicial officers in identifying and addressing unconscious biases that can influence courtroom decisions and outcomes. Making information on these training courses and related materials publicly available would allow community members and other stakeholders to better understand the curricula and provide informed feedback to enhance their effectiveness.

Best Practices

The following are examples of states that have passed laws requiring judges to undergo training on specific issues.

- **Minnesota:** Minnesota Statutes § 480.30 mandates training for judges on issues related to racial bias and cultural competency, an action akin to a broader effort to address racial disparities within the judicial system.⁴⁴⁷
- **California:** California Rule of Court 10.469 mandates education for judicial officers on issues including fairness, bias, access to justice, and the elimination of bias, with implicit bias training being included within the broader mandate.⁴⁴⁸
- **Washington:** Washington State implemented judicial anti-bias training as a part of their continuing education requirements for judges.⁴⁴⁹

Implementation

- **Review Current Training Programs:** Conduct a review by the Administrative Office of the Courts (AOC) to assess existing judicial training programs at the Judicial College of Maryland, focusing on implicit bias, cultural competency, and trauma-informed practices, and incorporate input from judges and subject-matter experts to ensure alignment with best practices.
- **Enhance Training Modules:** Develop new training modules and improve existing ones using interactive methods like scenario-based learning, and include content designed to reduce unconscious bias, improve cultural competency, and address racial disparities effectively.
- **Mandate Continuing Education:** Mandate by legislation or judicial rules that all judges and magistrates participate in the enhanced training programs to ensure consistency.
- **Make Training Information Available to the Public:** Permit public inspection of training information by making AOC-created summaries of training requirements and content accessible for review, ensuring transparency and accountability.
- **Monitor Effectiveness:** Implement metrics to evaluate the effectiveness of training programs by collecting feedback from judges and changes in courtroom practices, to ensure ongoing improvement and equity in the judicial process.

Conclusion

WHY IT MATTERS

Mass incarceration and racial disparities are devastating Maryland's communities, especially Black Marylanders, and are deeply rooted in a broader network of systemic inequities. The analysis in this report highlights how unequal access to healthcare and mental health services, housing instability, and limited economic opportunities create barriers that disproportionately affect Black Marylanders. These barriers increase the likelihood of criminal legal system involvement and entangle individuals in cycles of incarceration.

The harm to children and young people is especially profound, depriving them of education, employment, stability, and a fair start in life. National research underscores how poverty, systemic racism, and structural vulnerabilities intersect to funnel Black people into the criminal legal system. Maryland-specific data reveals a troubling recidivism rate and persistent racial disparities throughout the continuum of the criminal legal system. Once someone enters the system, their odds of overcoming these barriers diminish further, with data illustrating the heightened risks of homelessness and unemployment for those re-entering society.

Ending mass incarceration in Maryland and addressing these racial disparities requires more than reforming the criminal legal system. The data and analysis in this report make clear that systemic inequities must be tackled both within and beyond the justice system to break the cycles of disadvantage and incarceration. Achieving meaningful change will depend on confronting the historical injustices that shape present outcomes and implementing the reforms recommended in this report, which are grounded in the analysis and data provided. These actions represent a critical step toward dismantling structural barriers, ending mass incarceration, and ensuring a more equitable future for all Marylanders.

71% is unconscionable!

Acknowledgements

The Maryland Equitable Justice Collaborative represents an unprecedented partnership between our offices and a remarkable coalition of stakeholders committed to addressing racial disparities in Maryland's criminal legal system. We are deeply grateful to everyone who contributed their time, expertise, and lived experience to this vital work.

We extend our sincere appreciation to the Judge Alexander Williams, Jr. Center for Education, Justice & Ethics at the University of Maryland and the Bowie State University Institute for Restorative Justice for their partnership and guidance as our academic partners. Their expertise and commitment to evidence-based reform have been invaluable to this effort.

This report would not have been possible without the dedication of our work group co-chairs and members. Their willingness to engage in difficult conversations, share their knowledge, and work collaboratively across traditional divides has set a new standard for reform efforts in Maryland. We particularly thank those who brought their lived experience to these discussions, ensuring our recommendations remain grounded in real-world impact.

We are grateful to Arnold Ventures for their support and to the Crime and Justice Institute for their assistance in research and drafting. Their contributions have helped ensure this report meets the highest standards of policy analysis and presentation.

Special thanks to the staff of both the Office of the Attorney General and the Office of the Public Defender who supported this work, particularly:

- **Kirsten Gettys Downs** *Director of Systemic Reform, Office of the Public Defender*
- **Christian Gant** *Assistant Attorney General, Office of the Attorney General*
- **Leonard Howie** *Deputy Attorney General, Office of the Attorney General*
- **Zenita Wickham Hurley** *Chief, Office of Equity, Policy, and Engagement, Office of the Attorney General*
- **Melissa Rothstein** *Chief of External Affairs, Office of the Public Defender*

The recommendations in this report represent just the beginning. Their implementation will require continued collaboration, commitment, and courage from all stakeholders. We look forward to working together to build a more equitable justice system for all Marylanders.

Thank you,

— Anthony G. Brown

— Natasha M. Dartigue

Appendix



To: Anthony Brown, Maryland Attorney General, and Natasha Dartigue, Maryland Public Defender (Co-Leads, Maryland Equitable Justice Collaborative)

From: Michael Pinard, Faculty Director, Gibson-Banks Center for Race and the Law, University of Maryland Francis King Carey School of Law (and member, Maryland Equitable Justice Collaborative)

Re: Maryland Equitable Justice Collaborative, Approved Recommendations (Dissent, Recommendation #17)

Date: December 19, 2024

I applaud the mission and historic work of the Maryland Equitable Justice Collaborative (MEJC). The recommendations set forth in the collaborative’s final report will help lay the foundation for addressing mass incarceration—and the over-incarceration of Black adults and children—in Maryland.

However, and respectfully, I write to dissent from the MEJC’s approved Recommendation #17: Limit the automatic charging in adult criminal court. In my view, the MEJC should recommend that Maryland *eliminate* automatic charging altogether. Importantly, eliminating automatic charging would *not* prohibit prosecuting children in adult court; rather, it would only prohibit initially charging children in adult court. As you know, Maryland law allows a juvenile court to waive its jurisdiction and transfer the charged child to adult criminal court if “it determines, from a preponderance of evidence presented at the [waiver] hearing, that the child is an unfit subject for juvenile rehabilitative services.” MD. CTS & JUD. PRO. § 3-8A-06 (d)(1) (Westlaw 2020). Among the factors the court must consider in its waiver analysis are the “nature of the offense” and “public safety.” *Id.* at (e)(4) & (5). Accordingly, elimination of automatic charging would not eliminate prosecution in adult criminal court.

Racial justice and brain development science compel auto-charge elimination. As Recommendation

17 details, Black children (81%) are charged as adults wildly disproportionate to their overall share of Maryland’s child population (31%). Eliminating auto-charging would be a substantial advance towards addressing Maryland’s over-criminalization of Black children. It would also align with brain development science, which establishes that children are impulsive and unable to contemplate the short- and long-term impacts of their actions and behaviors. Importantly, as their brains fully mature (by approximately 25 years of age), they move past the impulsivity of their youth. Simply put, they are likely to grow up, mature, manage life challenges with context and sharpened tools, and age out of criminal conduct.

Recommendation # 17 sets forth eight states—including Tennessee, Texas, Missouri, and Kentucky—that mandate all child cases start in juvenile court. The percentage of Black children living in Maryland far exceeds the percentages in these states. Given the over-criminalization of Black children in Maryland, embedded in the past and present of racialized criminalization and adultification of these children; as well as the short- and long-term harms of charging children as adults, the MEJC should recommend elimination of auto-charging.

To the Members of the Maryland Equitable Justice Collaborative (MEJC):

The Maryland State's Attorney Association (MSAA) appreciates the opportunity to participate in the Maryland Equitable Justice Collaborative (MEJC). We are committed to confronting the racial disparities in the incarceration of African Americans and other marginalized groups in Maryland's prisons and jails.

As gatekeepers to the criminal justice system, we support the MEJC's objectives. We are sworn to prioritize equity, fairness, and justice at every step in every case. We understand the critical importance of recognizing, researching, and addressing the numerous factors that drive over-incarceration and its disproportionate and negative impact on people of color and marginalized communities.

On December 12, 2024, the MEJC approved and released 18 recommendations aimed at reducing the mass incarceration of Black men and women, as well as other marginalized groups in Maryland. We acknowledge that each recommendation was crafted with careful consideration and intention to confront and eliminate the racial disparities linked to law enforcement encounters in our state, including discriminatory profiling and mass incarceration. As a result, the MSAA supports the vast majority of the MEJC recommendations.

However, during the December 12th meeting, the MSAA, represented by Karen R. Piper Mitchell, Deputy State's Attorney of the Charles County State's Attorney's Office, raised concerns about six of the eighteen recommendations for legislative and agency reforms, program development, data collection, and other measures. Most of MSAA's concerns are rooted in the recommendations' practicality, impact on strained budgets, demand on human capital resources, and impact to public safety.

Here, MSAA memorializes our opposition to the enactment and implementation of the following recommendations below:

Recommendation #2: Pass legislation to end non-safety-related traffic stops; enhance data reporting requirements and include data on race and gender; re-examine the use and efficacy of consent searches to reduce unnecessary interactions with police and allow for more appropriate utilization of law enforcement.

While the MSAA understands the intention behind this recommendation, we oppose the broad reclassification of non-safety-related traffic stops as secondary offenses, prohibiting law enforcement officers from using the selected codified infractions as the basis for initiating a traffic stop. Unequivocally, race, gender, ethnicity, or any other protection should never be the basis for a stop. Still, a legitimate traffic stop is an essential tool in public safety, and hampering the ability to make these stops could adversely impact the safety of the communities we serve.

Traffic stops are often critical to furthering other investigations and are one of the most common ways law enforcement agencies intercept the guns, drugs, and other contraband flooding our communities. Additionally, consent searches are established law, and the entire interaction between civilians and law enforcement is now captured on body-worn cameras (BWC) in each jurisdiction, memorializing any untoward action by either party for review.

Moreover, the inadmissibility of resulting evidence and disciplinary action against officers serve as overly strict compliance tools.

MSAA does not support this recommendation without a precise enumeration and review of each violation to be considered for secondary offenses.

Recommendation #4: Conduct a qualitative and quantitative analysis of each step in the criminal legal process – from arrest to sentencing – to understand the impact of racial and geographic disparities in Maryland’s adult prison population.

The MSAA does not oppose the concept in principle. However, we have concerns regarding its feasibility. Given the absence of a universally adopted data collection system among the twenty-four State’s Attorneys’ Offices across Maryland, this recommendation would require each jurisdiction to collect data uniformly, which could be cost-prohibitive for some jurisdictions based on their funding and staffing needs.

Alternatively, instead of requiring data collection from the prosecutorial offices, we suggest creating a tool that feeds from the Maryland Electronic Courts, most commonly referred to as MDEC, and the Maryland State Commission on Criminal Sentencing Policy, which maintains the Maryland Sentencing Guidelines. Either of these options or some other measure that utilizes State data would provide the accuracy and uniformity desired without overburdening each jurisdiction’s State’s Attorney Office.

Additionally, it could address the voluminous and rapid pace of the statewide District Courts while maintaining consistency among the local Circuit Courts.

Recommendation #6: Reduce unnecessary pretrial confinement by changing the district court discovery rules so that prosecutors must give discovery to the defense within a reasonable timeframe, developing a uniform civilian complaint review process across all State’s Attorney’s Offices, and allowing defendants to waive their right to a bail review hearing.

Void of any specific data illustrating elongated pretrial detainment based on delayed discovery, the MSAA has concerns about the basis of changing the District Court discovery rules. The statutory timelines are challenging for prosecutors due to an increased volume of discovery driven by technological and scientific advancements, including body camera video, cell site information, DNA, BWC review, and more. Such change in the district court discovery rules will require significant growth in the personnel in each of the twenty-four prosecutorial offices in order to turn discovery over more timely than current time-sensitive practices. Additionally, remedies are currently in place to resolve any intentional or unintentional encroachments that arise in the process.

Furthermore, while we do not oppose a civilian complaint review process, we question the need for uniformity, as most jurisdictions already have such processes. Therefore, we currently oppose implementing a uniform method, as the size of the jurisdiction plays a significant role, and we have received no evidence that what is currently in place is flawed or exacerbates pretrial detainment.

Recommendation #9: Increase the number of people eligible for earlier parole consideration due to severe medical conditions and having reached an age where they no longer pose a threat to public safety.

Consistent with previous attempts in prior years, the MSAA opposes this recommendation. If a person is serving a lengthy sentence, they have likely been convicted of a violent crime. Therefore, eliminating the requirement for a medical assessment that determines the applicant to be chronically debilitated to such a degree as to be physically unable to present a danger to society is fundamentally flawed and detrimental to public safety.

We believe the current process balances the concerns of the offender, victim, and public.

Recommendation #13: Expand access to Second Look laws that empower judges to reduce or modify sentences, but not increase, under specific conditions. These laws should prioritize rehabilitation, requiring judges to assess an individual's progress, ensure they pose no danger to society, and act in the interests of justice. Decisions must be based on personalized evaluations of behavior and efforts toward reform. Additionally, victims and their representatives should be treated with respect, granted notice of proceedings, allowed to attend and provide input, and offered protective measures like no-contact orders if probation is imposed.

The MSAA has opposed this measure since 2018. The justice system already provides measures for judges and defendants to collaterally attack a conviction throughout the criminal justice process, including the motion to dismiss, sentence review, appeal, post-conviction, actual innocence, and the Justice Reinvestment Act.

Recommendation #17: Limit the automatic charging of children in adult criminal court.

MSAA maintains its strong opposition to this recommendation as the crimes in which juveniles are exposed to adult jurisdiction are a category of crimes that pose a significant threat to society.

Again, we value the role of the MEJC and are grateful for our inclusion in the process. We welcome the opportunity to continue the dialogue and further explain our opposition to the previously identified recommendations.

In Justice,
Steve Kroll

Endnotes

-
- ¹ Zhen Zeng, PhD, Todd Minton, Census of Jails, 2005-2019, Statistical Tables, (Washington, D.C.: Bureau of Justice Statistics, 2021), 13, <https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/cj0519st.pdf>; BJS Prisoner Series, 2022 – Statistical Tables; BJS Probation and Parole in the U.S., 2022
- ² BJS Probation and Parole in the U.S., 2022
- ³ BJS Prisoner Series, 2022 – Statistical Tables
- ⁴ Zhen Zeng, PhD, Todd Minton, Census of Jails, 2005-2019, Statistical Tables, (Washington, D.C.: Bureau of Justice Statistics, 2021), 13, <https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/cj0519st.pdf>.
- ⁵ Lisa Woelfl, “As pandemic eases, share of Black inmates in Maryland prisons peaks,” *Maryland Matters*, April 17, 2024, <https://marylandmatters.org/2024/04/17/as-pandemic-eases-share-of-black-inmates-in-maryland-prisons-peaks/>
- ⁶ FBI CDE/UCR Data
- ⁷ Ann Carson, Prisoners in 2022, Bureau of Justice Statistics, November 2023.
- ⁸ Ann Carson, *Prisoners in 2022*, Bureau of Justice Statistics, November 2023, <https://bjs.ojp.gov/document/p22st.pdf>.
- ⁹ DPSCS - DPP Annual Data Dashboard (maryland.gov)
- ¹⁰ DPSCS - DPP Annual Data Dashboard (maryland.gov)
- ¹¹ Leckrone, Bennett. 2021. "The General Assembly Overrode Hogan's Vetoes of Police Reform Bills. We Break Down the Votes." *Maryland Matters*, April 10, 2021. <https://marylandmatters.org/2021/04/10/the-general-assembly-overrode-hogans-vetoes-of-police-reform-bills-we-break-down-the-votes/>.
- ¹² Maryland Department of Public Safety and Correctional Services. *DOC Annual Data Dashboard*. <https://public.tableau.com/app/profile/dpsecs/viz/DPSCS-DOCAnnualDataDashboard/KeyIndicators>.
- ¹³ DPSCS - DOC Annual Data Dashboard (maryland.gov)
- ¹⁴ Governor's Office of Crime Prevention and Policy, *Maryland Justice Reinvestment Initiative Fact Sheet*, <https://gocpp.maryland.gov/wp-content/uploads/Maryland-Justice-Reinvestment-Initiative-Fact-Sheet.pdf>
- ¹⁵ The Washington Post, “Maryland Governor Signs Legislation Removing Threat of Jail for Small Amount of Marijuana,” April 14, 2014, https://www.washingtonpost.com/local/md-politics/maryland-governor-signs-legislation-removing-threat-of-jail-for-small-amount-of-marijuana/2014/04/14/c5a185d2-c3f6-11e3-bcec-b71ee10e9bc3_story.html
- ¹⁶ https://spia.princeton.edu/sites/default/files/content/Advancing_Bail_Reform_In_Maryland_2018-Feb27_Digital.pdf
- ¹⁷ Zhen Zeng, PhD, Todd Minton, Census of Jails, 2005-2019, Statistical Tables, (Washington, D.C.: Bureau of Justice Statistics, 2021), 13, <https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/cj0519st.pdf>; BJS Prisoner Series, 2022 – Statistical Tables; BJS Probation and Parole in the U.S., 2022.
- ¹⁸ Bureau of Justice Statistics. *Prisoners in 2022 – Statistical Tables*. Washington, DC: U.S. Department of Justice, 2023. <https://bjs.ojp.gov/library/publications/prisoners-2022-statistical-tables>.
- ¹⁹ Zhen Zeng, PhD, Todd Minton, Census of Jails, 2005-2019, Statistical Tables, (Washington, D.C.: Bureau of Justice Statistics, 2021), <https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/cj0519st.pdf>.
- ²⁰ Justice Policy Institute. "Rethinking Approaches to Over Incarceration of Black Young Adults in Maryland." November 2019. <https://justicepolicy.org/research/policy-briefs-2019-rethinking-approaches-to-over-incarceration-of-black-young-adults-in-maryland/>
- ²¹ FBI CDE/UCR Data
- ²² Ann Carson, Prisoners in 2022, Bureau of Justice Statistics, November 2023.
- ²³ Ann Carson, Prisoners in 2022, Bureau of Justice Statistics, November 2023.
- ²⁴ DPSCS - DPP Annual Data Dashboard (maryland.gov)
- ²⁵ DPSCS - DPP Annual Data Dashboard (maryland.gov)
- ²⁶ Osher, Julia Van Zandt. "Addressing Racial Disparities in Maryland's Juvenile Justice System: What the Juvenile Restoration Act Could Mean for Maryland's Black Youth Tried as Adults." *University of Baltimore Law Review*, October 29, 2021. <https://ubaltlawreview.com/2021/10/29/addressing-racial-disparities-in-marylands->

[juvenile-justice-system-what-the-juvenile-restoration-act-could-mean-for-marylands-black-youth-tried-as-adults/](#).

²⁷ Annie E. Casey Foundation. *Child Population by Race/Ethnicity*. KIDS COUNT Data Center. <https://datacenter.kidscount.org/>.

²⁸ The Sentencing Project. *Testimony in Support of Senate Bill 93*. February 2023. <https://www.sentencingproject.org/app/uploads/2023/02/SB93-testimony.pdf>.

²⁹ The Pew Charitable Trusts. *Racial Disparities Persist in Many U.S. Jails*. May 2023. <https://marylandmatters.org/2024/04/17/as-pandemic-eases-share-of-black-inmates-in-maryland-prisons-peaks/>; CNS Maryland, "After Pandemic Decreases, Share of Black people in Maryland Prisons Peak," April 16, 2024, <https://cnsmaryland.org/2024/04/16/after-pandemic-decreases-share-of-black-people-in-maryland-prisons-peaks/>.

³⁰ Maryland State Archives. *A Guide to the History of Slavery in Maryland*. Annapolis, MD: Maryland State Archives, 2020. <https://msa.maryland.gov/msa/mdslavery/pdf/md-slavery-guide-2020.pdf>.

³¹ Maryland State Archives. *A Guide to the History of Slavery in Maryland*. Annapolis, MD: Maryland State Archives, 2020. <https://msa.maryland.gov/msa/mdslavery/pdf/md-slavery-guide-2020.pdf>.

³² Manuscript of "Bacon's Laws of Maryland," Vol. 75, 515, Archives of Maryland, (Baltimore and Annapolis, MD: 1883+), <https://msa.maryland.gov/megafile/msa/speccol/sc2900/sc2908/000001/000075/html/am75--515.html>. This series is ongoing and available online at <http://aomol.msa.maryland.gov/> where volumes, collectively or individually, can be searched electronically; Maryland H.B. 734, (2024).

³³ FBI CDE/UCR Data; Ann Carson, *Prisoners in 2022*, Bureau of Justice Statistics, November 2023.; [DPSCS - DPP Annual Data Dashboard \(maryland.gov\)](#).

³⁴ Maryland State Archives. *A Guide to the History of Slavery in Maryland*. Annapolis, MD: Maryland State Archives, 2020. <https://msa.maryland.gov/msa/mdslavery/pdf/md-slavery-guide-2020.pdf>.

³⁵ Maryland State Archives. *A Guide to the History of Slavery in Maryland*. Annapolis, MD: Maryland State Archives, 2020. <https://msa.maryland.gov/msa/mdslavery/pdf/md-slavery-guide-2020.pdf>.

³⁶ Maryland State Archives. *A Guide to the History of Slavery in Maryland*. Annapolis, MD: Maryland State Archives, n.d. https://msa.maryland.gov/msa/intromsa/pdf/slavery_pamphlet.pdf.

³⁷ Maryland State Archives. "Chapter 3: The Legal Basis of Slavery." Accessed December 2024. <https://msa.maryland.gov/msa/speccol/sc5300/sc5348/html/chap3.html>.

³⁸ Maryland State Archives. *Historical Laws of Maryland Related to Enslavement and Punishment*. Annapolis, MD: Maryland State Archives, 2020. <https://msa.maryland.gov/msa/mdslavery/pdf/md-slavery-guide-2020.pdf>.

³⁹ Maryland State Archives. *Historical Laws of Maryland Related to Enslavement and Punishment*. Annapolis, MD: Maryland State Archives, 2020. <https://msa.maryland.gov/msa/mdslavery/pdf/md-slavery-guide-2020.pdf>.

⁴⁰ Maryland State Archives. *Slavery in Maryland: Historical Documents and Analysis*. Annapolis, MD: Maryland State Archives, 2020. <https://msa.maryland.gov/msa/mdslavery/>. Maryland General Assembly. *Proceedings and Acts of the General Assembly of Maryland, 1729-1730*. Archives of Maryland Online, vol. 37, 1917, pp. 208-209.

⁴¹ Facing History and Ourselves. "The History of Slave Patrols, Black Codes, and Vagrancy Laws." Accessed December 2024. <https://www.facinghistory.org/resource-library/history-slave-patrols-black-codes-vagrancy-laws>.

⁴² Facing History and Ourselves. "The History of Slave Patrols, Black Codes, and Vagrancy Laws." Accessed December 2024. <https://www.facinghistory.org/resource-library/history-slave-patrols-black-codes-vagrancy-laws>.

⁴³ Kelley, Robin D.G. "Black Codes and Vagrancy Laws in Post-Emancipation America." Oxford Research Encyclopedia of American History. Last modified April 2021. <https://oxfordre.com/americanhistorical/black-codes-vagrancy-laws>.

⁴⁴ Encyclopedia Britannica. "Black Codes." Last modified 2023. <https://www.britannica.com/topic/Black-Codes>

⁴⁵ "American Experience: Freedom Riders, Jim Crow Laws," PBS, accessed October 8, 2024, <https://www.pbs.org/wgbh/americanexperience/features/freedom-riders-jim-crow-laws/>.

⁴⁶ Cecil County History. "Taking a Stand for Equal Treatment on the Mason-Dixon Line in 1904." Accessed December 2024. <https://cecilcountyhistory.com/taking-a-stand-for-equal-treatment-on-the-mason-dixon-line-in-1904>.

⁴⁷ Maryland General Assembly. *Acts of the General Assembly of Maryland, 1904*. Chapter 109. Maryland State Archives. <https://msa.maryland.gov/megafile/msa/speccol/sc2900/sc2908/000001/000209/html/am209-->

186.html; "The Baltimore Story: Jim Crow in Maryland." Accessed December 2024. <https://www.thebaltimorestory.com/history/jim-crow>; Maryland General Assembly. Acts of the General Assembly of Maryland, 1908. Chapter 248. Maryland State Archives. <https://msa.maryland.gov/megafile/msa/speccol/sc2900/sc2908/000001/000483/html/am483--68.html>.

⁴⁸ Loewen, James W. *Sundown Towns: A Hidden Dimension of American Racism*. New York: The New Press, 2005.

⁴⁹ Activist History Review. "Protesting Invisibility in Silver Spring, Maryland." Accessed December 2024. <https://activisthistory.com/2017/06/23/protesting-invisibility-in-silver-spring-maryland>.

⁵⁰ Drew Desilver and Kristen Bialik, "Blacks and Hispanics Face Extra Challenges in Getting Home Loans," *Pew Research Center* (blog), January 10, 2017, <https://www.pewresearch.org/short-reads/2017/01/10/blacks-and-hispanics-face-extra-challenges-in-getting-home-loans/>.

⁵¹ Pietila, Antero. *Not in My Neighborhood: How Bigotry Shaped a Great American City*. Chicago: Ivan R. Dee, 2010; Law Department of the University of Maryland. "Baltimore's 1910 Housing Segregation Ordinance." *Maryland Law Review*, accessed December 2024. https://digitalcommons.law.umaryland.edu/fac_pubs/184/.

⁵² Nelson, Robert K., et al. "Mapping Inequality: Redlining in New Deal America." *American Panorama*, accessed December 2024. <https://dsl.richmond.edu/panorama/redlining/>; ArcGIS StoryMaps. "How Redlining Shaped Baltimore." Accessed December 2024. <https://storymaps.arcgis.com/stories/a2d055fecc4c4b259f10f19dd375e546>.

⁵³ National Community Reinvestment Coalition. "Decades of Disinvestment: The History of Redlining." Accessed December 2024. <https://ncrc.org/decades-of-disinvestment/>.

⁵⁴ The effects of these practices are still evident in Maryland today. As recently as 2020, studies showed that Black homeowners in Maryland paid higher property taxes than White homeowners for similar properties, a consequence of longstanding racial discrimination in property valuation and taxation.

⁵⁵ Hinton, Elizabeth. *From the War on Poverty to the War on Crime: The Making of Mass Incarceration in America*. Cambridge: Harvard University Press, 2016.

⁵⁶ Hinton, Elizabeth. *From the War on Poverty to the War on Crime: The Making of Mass Incarceration in America*. Cambridge: Harvard University Press, 2016; Western, Bruce, and Christopher Wildeman. "The Black Family and Mass Incarceration." *The ANNALS of the American Academy of Political and Social Science* 621, no. 1 (2009): 221-242; Urban Institute. "The Ghosts of Housing Discrimination Reach Beyond Redlining." Accessed December 2024. <https://www.urban.org/stories/ghosts-housing-discrimination-reach-beyond-redlining/>.

⁵⁷ 347 U.S. 483 (1954).

⁵⁸ "Miseducation: Maryland," *ProPublica*, last modified October 2018, <https://projects.propublica.org/miseducation/state/MD>.

⁵⁹ Maryland State Education Association. "How Do We Fund Public Schools in Maryland?" https://www.marylandeducators.org/sites/default/files/post_coalition_blueprint_fundingflier_2019.pdf.

⁶⁰ "Miseducation: Maryland," *ProPublica*, last modified October 2018, <https://projects.propublica.org/miseducation/state/MD>.

⁶¹ Maryland State Education Association. "Eliminating Inequities in Our Schools." Accessed December 2024. <https://marylandeducators.org/eliminating-inequities-in-our-schools/>.

⁶² The Education Trust. "Inequities in Opportunity and Achievement in Maryland." Accessed December 2024. <https://www.bcf.org/wp-content/uploads/2020/09/BCF-Education-Trust-Report.pdf>.

⁶³ American Bar Association. "School-to-Prison Pipeline Statistics." Accessed December 2024. https://www.americanbar.org/groups/diversity/racial_ethnic_justice/projects/school_to_prison/statistics/.

⁶⁴ Ellingston, John Rocky. *Maryland's Services and Facilities for Delinquent Children and Youthful Offenders: A Report*. Maryland State Department of Public Welfare and Maryland Commission on Administrative Organization of the State, 1955.

⁶⁵ Ellingston, John Rocky. *Maryland's Services and Facilities for Delinquent Children and Youthful Offenders: A Report*. Maryland State Department of Public Welfare and Maryland Commission on Administrative Organization of the State, 1955.

⁶⁶ Maryland Commission on the School-to-Prison Pipeline and Restorative Practices. "Final Report." Accessed December 2024. <https://www.law.umaryland.edu/media/sol/pdfs/programs/adr/STPP--RP-Commission-Final-Report.pdf>.

⁶⁷ ACLU of Maryland. "We Must Acknowledge Race in Schools." Accessed December 2024. <https://www.aclu-md.org/en/news/we-must-acknowledge-race-schools>.

⁶⁸ Umeh, Uchenna. "Mental Illness in Black Community, 1700-2019: A Short History." *BlackPast*, March 11, 2019. <https://www.blackpast.org/african-american-history/mental-illness-in-black-community-1700-2019-a-short-history/>.

-
- ⁶⁹ Emily A. Largent, "Public Health, Racism, and the Lasting Impact of Hospital Segregation," *Public Health Reports* 133, no. 6 (2018), <https://doi.org/10.1177/0033354918795891>.
- ⁷⁰ Umeh, Uchenna. "Mental Illness in Black Community, 1700-2019: A Short History." BlackPast, March 11, 2019. <https://www.blackpast.org/african-american-history/mental-illness-in-black-community-1700-2019-a-short-history/>.
- ⁷¹ "New Book 'Madness' Documents the Racism of a Jim Crow-Era Mental Health Facility." PBS NewsHour. January 24, 2024.
- ⁷² "Behind the Walls: The Uncertain Future of Crownsville State Hospital." National Trust for Historic Preservation. Accessed January 20, 2025.
- ⁷³ Metzl, Jonathan M. "How Schizophrenia Became a Black Disease." Psychology Today. May 4, 2010. <https://www.psychologytoday.com/us/blog/side-effects/201005/how-schizophrenia-became-black-disease-interview-jonathan-metzl>.
- ⁷⁴ Metzl, Jonathan M. "How Schizophrenia Became a Black Disease." Psychology Today. May 4, 2010. <https://www.psychologytoday.com/us/blog/side-effects/201005/how-schizophrenia-became-black-disease-interview-jonathan-metzl>.
- ⁷⁵ National Alliance on Mental Illness. "Criminalization of People with Mental Illness." Accessed December 2024. <https://www.nami.org/Advocacy/Policy-Priorities/Stopping-Harmful-Practices/Criminalization-of-People-with-Mental-Illness>.
- ⁷⁶ Mukku VK, Benson TG, Alam F, Richie WD, Bailey RK. Overview of substance use disorders and incarceration of african american males. *Front Psychiatry*. 2012 Nov 12;3:98. doi: 10.3389/fpsy.2012.00098. PMID: 23162480; PMCID: PMC3495267.
- ⁷⁷ Maryland Department of Health. "Office of Minority Health and Health Disparities. (Third Edition December 2012)" <https://health.maryland.gov/mhhd/Pages/Home.aspx>.
- ⁷⁸ "Maryland Chartbook of Minority Health and Minority Health Disparities Data." December 2009. https://health.maryland.gov/mhhd/Documents/Chartbook_2nd_Ed_Final_2010_04_28.pdf.
- ⁷⁹ National Alliance on Mental Illness. "Mental Health Inequities: Racism and Racial Discrimination." Accessed December 2024. <https://www.nami.org/Advocacy/Policy-Priorities/Supporting-Community-Inclusion-and-Non-Discrimination/Mental-Health-Inequities-Racism-and-Racial-Discrimination>. (People of Color are less likely to receive mental health services compared to those who are white. From 2008-2012, among adults with any mental illness, 46.3% of white adults received mental health services, compared with 41.6% of American Indian or Alaska Native (AIAN) adults, 30% of Black adults, 27% of Hispanic adults and 18.1% of Asian adults.)
- ⁸⁰ Maryland Office of Minority Health and Health Disparities, and Maryland Health Care Commission. Health Care Disparities Policy Report Card. January 2010.
- ⁸¹ Leah Pope. "Racial Disparities in Mental Health and Criminal Justice." *Vera Institute of Justice*, July 24, 2019 .
- ⁸² Job Opportunities Task Force. The Criminalization of Poverty: How to Break the Cycle Through Policy Reform in Maryland. Accessed January 20, 2025. <https://jotf.org/report/the-criminalization-of-poverty-how-to-break-the-cycle-through-policy-reform-in-maryland/>
- ⁸³ "Black Codes." History.com. Last modified March 29, 2023. <https://www.history.com/topics/black-history/black-codes>.
- ⁸⁴ Malka, Adam. *The Men of Mobtown: Policing Baltimore in the Age of Slavery and Emancipation*. Chapel Hill: University of North Carolina Press, 2018.
- ⁸⁵ Wisconsin Law Review. "Black Codes and the Criminalization of Poverty in Post-Emancipation America." *Wisconsin Law Review*, 2024, pp. 533-560. <https://wlr.law.wisc.edu/wp-content/uploads/sites/1263/2024/05/2024-Wis.-L.-Rev.-533.pdf>.
- ⁸⁶ Racial Disparities in Sentencing in the United States; July, 14 2022 https://www.sentencingproject.org/app/uploads/2022/10/07-14-2022_CERD-Shadow-Report-Draft_with-endnotes.pdf
- ⁸⁷ Racial Disparities in Sentencing in the United States; July, 14 2022 https://www.sentencingproject.org/app/uploads/2022/10/07-14-2022_CERD-Shadow-Report-Draft_with-endnotes.pdf
- ⁸⁸ "Policing by the Numbers," Council on Criminal Justice Task Force on Policing, accessed November 14, 2024, <https://counciloncj.foleon.com/policing/assessing-the-evidence/policing-by-the-numbers#Police-Contacts-Public>.
- ⁸⁹ Racial Disparities in Sentencing in the United States; July, 14 2022 https://www.sentencingproject.org/app/uploads/2022/10/07-14-2022_CERD-Shadow-Report-Draft_with-endnotes.pdf
- ⁹⁰ FBI Crime Data Explorer – CDE (cjs.gov); Maryland population by year, county, race, & more | USAFacts;
- ⁹¹ Maryland Governor's Office of Crime Prevention and Policy, *Race-Based Traffic Stop Data Dashboard*, 2023.

-
- ⁹² National Research Council. *The Growth of Incarceration in the United States: Exploring Causes and Consequences*. Washington, DC: The National Academies Press, 2014. <https://doi.org/10.17226/18613>.
- ⁹³ Maryland Matters, "Research Group: Maryland's Local Prosecutors Could Be More Transparent," November 2, 2023, <https://marylandmatters.org/2023/11/02/research-group-marylands-local-prosecutors-could-be-more-transparent/>; Lynch, Mona. "Prosecutors as Punishers: A Case Study of Trump-Era Practices." *Punishment & Society* 25, no. 5 (2023): 1312-1333. <https://doi.org/10.1177/14624745231166311>.
- ⁹⁴ Maryland Judiciary. *Maryland Judiciary Data Dashboard*. Accessed February 10, 2025. https://datadashboard.mdcourts.gov/?utm_source.
- ⁹⁵ Maryland Alliance for Justice Reform. "Prosecutorial Discretion." Maryland Alliance for Justice Reform. Accessed February 26, 2025. <https://www.ma4jr.org/prosecutorial-discretion/>.
- ⁹⁶ Shermer, L. O., & Johnson, B. D., "Criminal Prosecutions: Examining Prosecutorial Discretion and Charge Reductions in U.S. Federal District Courts," *Justice Quarterly*, 27(3), (2009): 394–430. <https://doi.org/10.1080/07418820902856972>.
- ⁹⁷ Ibid.
- ⁹⁸ Besiki Kutateladze Vanessa Lynn Edward Liang, Do Race and Ethnicity Matter in Prosecution, Vera Institute of Justice: Prosecution and Racial Justice Program, June 2012, <https://www.prisonpolicy.org/scans/vera/race-and-ethnicity-in-prosecution-first-edition.pdf>.
- ⁹⁹ Besiki Kutateladze Vanessa Lynn Edward Liang, Do Race and Ethnicity Matter in Prosecution, Vera Institute of Justice: Prosecution and Racial Justice Program, June 2012, <https://www.prisonpolicy.org/scans/vera/race-and-ethnicity-in-prosecution-first-edition.pdf>.
- ¹⁰⁰ Bureau of Justice Assistance. n.d. "Plea and Charge Bargaining: Research Summary," 3. U.S. Department of Justice, Office of Justice Programs. Accessed February 26, 2025. <https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/pleabargainingresearchsummary.pdf>.
- ¹⁰¹ Jennifer Skeem, Lina Montoya, Christopher Lowenkamp, "Understanding racial disparities in pretrial detention recommendations to shape policy reform," *Criminology and Public Policy*, 22, no. 2 (May 2023): 233-262, <https://doi.org/10.1111/1745-9133.12620>.
- ¹⁰² Jennifer Skeem, Lina Montoya, Christopher Lowenkamp, "Understanding racial disparities in pretrial detention recommendations to shape policy reform," *Criminology and Public Policy*, 22, no. 2 (May 2023): 233-262, <https://doi.org/10.1111/1745-9133.12620>.
- ¹⁰³ Jennifer Skeem, Lina Montoya, Christopher Lowenkamp, "Understanding racial disparities in pretrial detention recommendations to shape policy reform," *Criminology and Public Policy*, 22, no. 2 (May 2023): 233-262, <https://doi.org/10.1111/1745-9133.12620>.
- ¹⁰⁴ Maryland Alliance for Justice Reform, Advancing Bail Reform in Maryland: Progress and Possibilities, 2018, <https://www.ma4jr.org/wp-content/uploads/2018/03/Advancing-Bail-Reform-In-Maryland-2018.pdf>.
- ¹⁰⁵ [868471_23811682395a4fedacc40dda7fa71124.pdf](https://www.ma4jr.org/wp-content/uploads/2018/03/Advancing-Bail-Reform-In-Maryland-2018.pdf).
- ¹⁰⁶ Zhen Zeng, PhD, Todd Minton, *Census of Jails, 2005-2019, Statistical Tables*, (Washington, D.C.: Bureau of Justice Statistics, 2021), <https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/cj0519st.pdf>.
- ¹⁰⁷ Zhen Zeng, PhD, Todd Minton, *Census of Jails, 2005-2019, Statistical Tables*, (Washington, D.C.: Bureau of Justice Statistics, 2021), <https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/cj0519st.pdf>.
- ¹⁰⁸ Brennan Center for Justice. "Race, Mass Incarceration, and the Disastrous War on Drugs." Last modified October 20, 2020. Accessed December 16, 2024. <https://www.brennancenter.org/our-work/analysis-opinion/race-mass-incarceration-and-disastrous-war-drugs>; PBS NewsHour. "50-Year War on Drugs Imprisoned Millions of Black Americans." Last modified June 17, 2021. Accessed December 16, 2024. <https://www.pbs.org/newshour/nation/50-year-war-on-drugs-imprisoned-millions-of-black-americans>; The Sentencing Project. "How Mandatory Minimums Perpetuate Mass Incarceration and What to Do About It." February 14, 2024. <https://www.sentencingproject.org/fact-sheet/how-mandatory-minimums-perpetuate-mass-incarceration-and-what-to-do-about-it/>.
- ¹⁰⁹ Topaz, C.M., Ning, S., Ciocanel, MV. et al. Federal criminal sentencing: race-based disparate impact and differential treatment in judicial districts. *Humanit Soc Sci Commun* 10, 366 (2023). <https://doi.org/10.1057/s41599-023-01879-5>.
- ¹¹⁰ Topaz, C.M., Ning, S., Ciocanel, MV. et al. Federal criminal sentencing: race-based disparate impact and differential treatment in judicial districts. *Humanit Soc Sci Commun* 10, 366 (2023). <https://doi.org/10.1057/s41599-023-01879-5>.
- ¹¹¹ Dixon TL, Linz D (2000) Overrepresentation and underrepresentation of African Americans and Latinos as lawbreakers on television news. *J Comm* 50(2):131–154; Dixon TL (2006) Schemas as average conceptions: skin tone, television news exposure, and culpability judgments. *Journal Mass Commun Q* 83(1):131–149

-
- ¹¹² Ghandnoosh, Nazgol. "Race and Punishment: Racial Perceptions of Crime and Support for Punitive Policies." The Sentencing Project, 2014, 13-17. <https://www.sentencingproject.org/app/uploads/2022/08/Race-and-Punishment.pdf>.
- ¹¹³ [Rethinking Approaches to Over Incarceration MD.pdf \(justicepolicy.org\)](#)
- ¹¹⁴ Bureau of Justice Statistics, National Prisoner Series 2022.
- ¹¹⁵ Justice Policy Institute, *Safe at Home: Improving Maryland's Parole Release Decision-Making*(Washington, DC: 2023), 4, <https://justicepolicy.org/research/safe-at-home-improving-marylands-parole-release-decision-making/>.
- ¹¹⁶ Justice Policy Institute, *Safe at Home: Improving Maryland's Parole Release Decision-Making*(Washington, DC: 2023), 16, <https://justicepolicy.org/research/safe-at-home-improving-marylands-parole-release-decision-making/>.
- ¹¹⁷ Md. Correctional Services Code Ann. § 7-305
- ¹¹⁸ The Center on Race Inequality and the Law, NYU School of Law, *The Problem With Parole: New York State's Failing System of Release: 2023 Addendum*, (New York, NY: 2023), 3, https://www.law.nyu.edu/sites/default/files/Parole%20Board%20Decisions%20Report_508.pdf.
- ¹¹⁹ Kevin Steinmetz, Howard Henderson, "Inequality on Probation: An Examination of Differential Probation Outcomes." *Journal of Ethnicity in Criminal Justice*. 14. (2015): 00-00. 10.1080/15377938.2015.1030527.
- ¹²⁰ These estimates came from calculating the odds ratio of being on probation as a White person in Maryland in 2022 and the odds ratio of being on probation as a Black person in Maryland in 2022. From this, the odds were compared against one another. This process was repeated for parole. The data for the equations was obtained from the Census and the BJS Probation and Parole series.
- ¹²¹ "Policing by the Numbers," Council on Criminal Justice Task Force on Policing, accessed November 14, 2024, <https://counciloncj.foleon.com/policing/assessing-the-evidence/policing-by-the-numbers#Police-Contacts-Public>.
- ¹²² "Policing by the Numbers," Council on Criminal Justice Task Force on Policing, accessed November 14, 2024, <https://counciloncj.foleon.com/policing/assessing-the-evidence/policing-by-the-numbers#Police-Contacts-Public>.
- ¹²³ Elizabeth Hinton, LeShae Henderson & Cindy Reed, *An Unjust Burden: The Disparate Treatment of Black Americans in the Criminal Justice System* (New York, NY: Vera Institute of Justice, 2018), <https://www.vera.org/downloads/publications/for-the-record-unjust-burden-racial-disparities.pdf>.
- ¹²⁴ Elizabeth Hinton, LeShae Henderson & Cindy Reed, *An Unjust Burden: The Disparate Treatment of Black Americans in the Criminal Justice System* (New York, NY: Vera Institute of Justice, 2018), <https://www.vera.org/downloads/publications/for-the-record-unjust-burden-racial-disparities.pdf>.
- ¹²⁵ Elizabeth Hinton, LeShae Henderson & Cindy Reed, *An Unjust Burden: The Disparate Treatment of Black Americans in the Criminal Justice System* (New York, NY: Vera Institute of Justice, 2018), <https://www.vera.org/downloads/publications/for-the-record-unjust-burden-racial-disparities.pdf>.
- ¹²⁶ Pierson, Emma, Camelia Simoiu, Jan Overgoor, Sam Corbett-Davies, Daniel Jenson, Amy Shoemaker, Vignesh Ramachandran, et al. "A Large-Scale Analysis of Racial Disparities in Police Stops across the United States." *Nature Human Behaviour* 4, no. 7 (2020): 736–745. <https://web.stanford.edu/~csimoiu/doc/traffic-stops.pdf>.
- ¹²⁷ Joe Spielberger, *Chasing Justice: Addressing Police Violence and Corruption in Maryland* (Baltimore, MD: ACLU Maryland, 2021), https://www.aclu-md.org/sites/default/files/field_documents/aclu-md_chasingjusticereport_aug2021.pdf.
- ¹²⁸ Laniyonu, A., Goff, P.A. Measuring disparities in police use of force and injury among persons with serious mental illness. *BMC Psychiatry* 21, 500 (2021). <https://doi.org/10.1186/s12888-021-03510-w>
- ¹²⁹ "Fatal Force Police Shootings Database," *Washington Post*, accessed November 14, 2024, <https://www.washingtonpost.com/graphics/investigations/police-shootings-database>.
- ¹³⁰ Treatment Advocacy Center. *Overlooked in the Undercounted: The Role of Mental Illness in Fatal Law Enforcement Encounters*. December 2015. <https://www.treatmentadvocacycenter.org/overlooked-in-the-undercounted>; Sifferlin, Alexandra. "Mentally Ill 16 Times More Likely to Be Killed By Police." *Time*, December 10, 2015. <https://time.com/4144276/mentally-ill-police-killings-study/>.
- ¹³¹ Governor's Office of Crime Prevention, Youth, and Victim Services. *Maryland's Behavioral Health and Public Safety Center of Excellence Strategic Plan*. July 24, 2023. Accessed January 9, 2025. <https://gocpp.maryland.gov/wp-content/uploads/Maryland%E2%80%99s-Behavioral-Health-and-Public-Safety-Center-of-Excellence-Strategic-Plan-7-24-23.pdf>; Pope, Leah. "Racial Disparities in Mental Health and Criminal Justice." National Alliance on Mental Illness, July 24, 2019. <https://www.nami.org/Blogs/NAMI-Blog/July-2019/Racial-Disparities-in-Mental-Health-and-Criminal-Justice>; Innovative Solutions to Address the Mental Health Crisis: Shifting Away from Police as First Responders." Brookings Institution, May 26, 2020.

<https://www.brookings.edu/articles/innovative-solutions-to-address-the-mental-health-crisis-shifting-away-from-police-as-first-responders/>.

¹³² Center for Police Research and Policy, *Assessing the Impact of Crisis Intervention Teams: A Review of Research* (Cincinnati, OH: University of Cincinnati, 2021),

https://www.informedpoliceresponses.com/_files/ugd/313296_14ca1e6710bb4d6daa88bacb127da069.pdf;

Deepa Shivaram, “Mental Health Response Teams Yield Better Outcomes Than Police In NYC, Data Shows,” *NPR*, July 23, 2021, <https://www.npr.org/2021/07/23/1019704823/police-mental-health-crisis-calls-new-york-city>.

¹³³ Midgette, Greg, and Joseph Richardson. “Improving Baltimore Police Relations with the City’s Black Community.” Abell Foundation, May 2024. https://abell.org/wp-content/uploads/2024/05/2024_Abell-Foundation_Police-Community-Relations_Report_Part-2_digital.pdf.

¹³⁴ Oregon Health Authority, *HB 2417 Report: Statewide Coordinated Crisis Services System* (Salem, OR: 2022), https://www.oregon.gov/oha/ERD/SiteAssets/Pages/Government-Relations/OHA%20HB%202417_Crisis%20System%20Report_1.26.22.pdf.

¹³⁵ Manatt Health, *Assessing the Continuum of Care for Behavioral Health Services in California: Data, Stakeholder Perspectives, and Implications* (Sacramento, CA: State of California Department of Health Care Services, 2022), <https://www.dhcs.ca.gov/Documents/Assessing-the-Continuum-of-Care-for-BH-Services-in-California.pdf>.

¹³⁶ Center for Police Research and Policy, *Assessing the Impact of Crisis Intervention Teams: A Review of Research* (Cincinnati, OH: University of Cincinnati, 2021); Deepa Shivaram, “Mental Health Response Teams Yield Better Outcomes Than Police In NYC, Data Shows,” *NPR*, July 23, 2021,

<https://www.npr.org/2021/07/23/1019704823/police-mental-health-crisis-calls-new-york-city>.https://www.informedpoliceresponses.com/_files/ugd/313296_14ca1e6710bb4d6daa88bacb127da069.pdf.

¹³⁷ Jennifer Stuber, et al., *Co-Response: An Essential Crisis Service: A Landscape Analysis for the Washington State Legislature* (Seattle, WA: University of Washington School of Social Work, 2023), https://app.leg.wa.gov/ReportsToTheLegislature/Home/GetPDF?fileName=SB%205644%20Report%20to%20Legislature%20FINAL%206-30-23_5eff66d9-f087-4e7a-88cd-a023ab1d9972.pdf.

¹³⁸ Stanford Open Policing Project. Findings from the Stanford Open Policing Project. Accessed January 20, 2025. <https://openpolicing.stanford.edu/findings>.

¹³⁹ Center for Policing Equity. Compounding Anti-Black Racial Disparities in Police Stops. Accessed January 20, 2025. <https://policingequity.org/traffic-safety/88-white-paper-compounding-anti-black-racial-disparities-in-police-stops/file>.

¹⁴⁰ Nazish Dholakia and Akhi Johnson, “Low-Level Traffic Stops Too Often Turn Deadly: Some Places Are Trying to Change That,” *Vera Institute*, February 9, 2022, <https://www.vera.org/news/low-level-traffic-stops-too-often-turn-deadly-some-places-are-trying-to-change-that>.

¹⁴¹ “Race-Based Traffic Stop Data Dashboard,” Governor’s Office of Crime Prevention and Policy, accessed August 13, 2024. <https://gocpp.maryland.gov/data-dashboards/traffic-stop-data-dashboard/>.

¹⁴² “Race-Based Traffic Stop Data Dashboard,” Governor’s Office of Crime Prevention and Policy, accessed August 13, 2024. <https://gocpp.maryland.gov/data-dashboards/traffic-stop-data-dashboard/>.

¹⁴³ “Sensible Traffic Ordinances for Public Safety (STOPS),” Vera, accessed August 13, 2024, <https://www.vera.org/ending-mass-incarceration/criminalization-racial-disparities/public-safety/redefining-public-safety-initiative/sensible-traffic-ordinances-for-public-safety>.

¹⁴⁴ Matthew A. Graham, et al., *Racial Disparities in Use of Force at Traffic Stops* (Denver, CO: Center for Policing Equity, 2024), <https://policingequity.org/traffic-safety/83-data-brief-use-of-force-at-traffic-stops/file>.

¹⁴⁵ Matthew A. Graham, et al., *Racial Disparities in Use of Force at Traffic Stops* (Denver, CO: Center for Policing Equity, 2024), <https://policingequity.org/traffic-safety/83-data-brief-use-of-force-at-traffic-stops/file>.

¹⁴⁶ Governor’s Office of Crime Prevention and Policy, Race-Based Traffic Stop Data Dashboard <https://gocpp.maryland.gov/data-dashboards/traffic-stop-data-dashboard/>

¹⁴⁷ Center for Policing Equity. Compounding Anti-Black Racial Disparities in Police Stops: A White Paper. Center for Policing Equity, October 2024.

¹⁴⁸ Maryland Code, Transportation § 25-102. “Powers of Local Authorities.” Accessed December 2, 2024. Maryland Transportation Article § 25-102(a) grants local authorities the power to regulate certain traffic matters within their jurisdictions, such as parking, traffic control devices, and speed limits, provided these regulations do not conflict with state law. However, § 25-102(b) clarifies that local regulations must be consistent with the Maryland Vehicle Law, indicating that state law preempts local ordinances in areas where the state has legislated comprehensively.

¹⁴⁹ Montgomery County Government, “Montgomery County Expands Criminal Justice Transparency Initiative,” October 3, 2023,

https://www2.montgomerycountymd.gov/mcgportalapps/Press_Detail.aspx?Item_ID=44096&Dept=1

-
- ¹⁵⁰ City of Philadelphia, *Executive Order 2021-06*, November 9, 2021, <https://www.phila.gov/media/20211109145453/executive-order-2021-06.pdf>
- ¹⁵¹ WTKR News, "Virginia House Bill Would Reverse Law Limiting Minor Traffic Stops," February 21, 2022, <https://www.wtkr.com/news/politics/virginia-house-bill-would-reverse-law-limiting-minor-traffic-stops#:~:text=RICHMOND%2C%20Va.,for%20a%20minor%20traffic%20violation>.
- ¹⁵² CBS News Minnesota, "Minnesota Legislature Considers Vouchers Instead of Tickets for Broken Car Lights," July 10, 2024, <https://www.cbsnews.com/minnesota/news/minnesota-legislature-vouchers-instead-of-tickets-broken-car-lights/>
- ¹⁵³ Kyleigh Clark-Moorman and Danielle Crimmins, *Alternative Traffic Enforcement: Identifying Areas for Future Research*, (Washington, D.C.: U.S Department of Justice National Institute of Justice, 2024), <https://nij.ojp.gov/topics/articles/alternative-traffic-enforcement-identifying-areas-future-research>.
- ¹⁵⁴ H. Douglas Otto and Alysson Gatens, *Understanding Police Officer Stress: A Review of the Literature* (Chicago, IL: Illinois Criminal Justice Information Authority, 2022), <https://icjia.illinois.gov/researchhub/articles/understanding-police-officer-stress-a-review-of-the-literature>.
- ¹⁵⁵ H. Douglas Otto and Alysson Gatens, *Understanding Police Officer Stress: A Review of the Literature* (Chicago, IL: Illinois Criminal Justice Information Authority, 2022), <https://icjia.illinois.gov/researchhub/articles/understanding-police-officer-stress-a-review-of-the-literature>.
- ¹⁵⁶ H. Douglas Otto and Alysson Gatens, *Understanding Police Officer Stress: A Review of the Literature* (Chicago, IL: Illinois Criminal Justice Information Authority, 2022); Violanti, J.M, et al (2017) Police stressors and health: a state-of-the-art review. *Policing: An International Journal of Police Strategies and Management*. <https://icjia.illinois.gov/researchhub/articles/understanding-police-officer-stress-a-review-of-the-literature>.
- ¹⁵⁷ Campaign Zero. (2021) Police Use of Force Report by State.
- ¹⁵⁸ "Addressing Implicit Bias in Policing." *Police Chief Magazine*, <https://www.policechiefmagazine.org/addressing-implicit-bias-in-policing/>; "Solving Racial Disparities in Policing." *Harvard Gazette*, February 24, 2021. <https://news.harvard.edu/gazette/story/2021/02/solving-racial-disparities-in-policing/>.
- ¹⁵⁹ Maryland Police and Correctional Training Commissions. "Police Entrance Level Training Program (PELTP)." <https://mpctc.dpscs.maryland.gov/PELTP.htm>.
- ¹⁶⁰ College of Policing. n.d. "Cognitive Behavioural Therapy." *Crime Reduction Toolkit*. Accessed February 26, 2025. <https://www.college.police.uk/research/crime-reduction-toolkit/cbt>.
- ¹⁶¹ The Roca Impact Institute, *Rewire4 by Roca: Stage 1: 18 Month Evaluation Report* (Chelsea, MA: Roca, 2024).
- ¹⁶² The Roca Impact Institute, *Rewire4 by Roca: Stage 1: 18 Month Evaluation Report* (Chelsea, MA: Roca, 2024).
- ¹⁶³ The Roca Impact Institute, *Rewire4 by Roca: Stage 1: 18 Month Evaluation Report* (Chelsea, MA: Roca, 2024).
- ¹⁶⁴ Roca Impact Institute. "Roca Trains Baltimore Police to Regulate Emotions, Understand Stress and Trauma." *Baltimore Fishbowl*, September 2024.
- ¹⁶⁵ Roca. "Rewire4." Accessed December 9, 2024.
- ¹⁶⁶ Los Angeles Police Foundation. "Specialized Training." Accessed December 9, 2024.
- ¹⁶⁷ Prison Policy Initiative. "Short Jail Stays Have Long-Lasting Consequences." August 6, 2024. https://www.prisonpolicy.org/blog/2024/08/06/short_jail_stays/; The Sentencing Project. "The Color of Justice: Racial and Ethnic Disparity in State Prisons." 2021. <https://www.sentencingproject.org/reports/the-color-of-justice-2021/>.
- ¹⁶⁸ Prison Policy Initiative. "Short Jail Stays Have Long-Lasting Consequences." August 6, 2024. https://www.prisonpolicy.org/blog/2024/08/06/short_jail_stays/.
- ¹⁶⁹ Prison Policy Initiative. "Short Jail Stays Have Long-Lasting Consequences." August 6, 2024. https://www.prisonpolicy.org/blog/2024/08/06/short_jail_stays/.
- ¹⁷⁰ Prison Policy Initiative. "Short Jail Stays Have Long-Lasting Consequences." August 6, 2024. https://www.prisonpolicy.org/blog/2024/08/06/short_jail_stays/; The Sentencing Project. "The Color of Justice: Racial and Ethnic Disparity in State Prisons." 2021. <https://www.sentencingproject.org/reports/the-color-of-justice-2021/>.
- ¹⁷¹ Maryland Alliance for Justice Reform, *Advancing Bail Reform in Maryland: Progress and Possibilities*, 2018, <https://www.ma4jr.org/wp-content/uploads/2018/03/Advancing-Bail-Reform-In-Maryland-2018.pdf>.
- ¹⁷² Maryland Alliance for Justice Reform, *Advancing Bail Reform in Maryland: Progress and Possibilities*, 2018, <https://www.ma4jr.org/wp-content/uploads/2018/03/Advancing-Bail-Reform-In-Maryland-2018.pdf>
- ¹⁷³ Maryland State Commission on Criminal Sentencing Policy. *An Assessment of Racial Differences in Maryland Guidelines Sentencing Outcomes*.

-
- ¹⁷⁴ Mejia, Bruce, Leah Sakala, and Jean Chung. *The Hidden Costs of Pretrial Detention*. New York: VERA Institute of Justice, 2019. <https://craftmediabucket.s3.amazonaws.com/uploads/HiddenCosts.pdf>.
- ¹⁷⁵ Federal Probation Journal. *Revalidating the Federal Pretrial Risk Assessment Instrument (PTRA): A Research Summary*. Thomas H. Cohen, Christopher T. Lowenkamp, William E. Hicks. September 2018. <https://www.uscourts.gov/federal-probation-journal/2018/09/revalidating-federal-pretrial-risk-assessment-instrument-ptra>.
- ¹⁷⁶ Maryland Department of Public Safety and Corrections, *July 2022 Inmate Characteristics* (Sykesville, MD: 2022), <https://www.dpccs.state.md.us/publicinfo/publications/pdfs/Inmate%20Characteristics%20Report%20FY%202022%20Q4.pdf>; Maryland State Commission on Criminal Sentencing Policy, *An Assessment of Racial Differences in Maryland Guidelines-Eligible Sentencing Events* (College Park, MD: 2023); https://msccsp.org/Files/Reports/Sentencing_Racial_Differences_Assessment_July2023.pdf; Council of State Governments, *Maryland Criminal Justice Data Snapshot: December 2023*, 34, https://justicereinvestmentinitiative.org/wp-content/uploads/2024/01/Maryland-Criminal-Justice-Data-Snapshot_accessible.pdf.
- ¹⁷⁷ Maryland population by year, county, race, & more | USAFacts.
- ¹⁷⁸ FBI CDE/UCR Data.
- ¹⁷⁹ Ann Carson, Prisoners in 2022, Bureau of Justice Statistics, November 2023.
- ¹⁸⁰ Ann Carson, Prisoners in 2022, Bureau of Justice Statistics, November 2023.
- ¹⁸¹ DPSCS - DPP Annual Data Dashboard (maryland.gov).
- ¹⁸² DPSCS - DPP Annual Data Dashboard (maryland.gov).
- ¹⁸³ Maryland population by year, county, race, & more | USAFacts.
- ¹⁸⁴ Maryland State Commission on Criminal Sentencing Policy. *An Assessment of Racial Differences in Maryland Guidelines Sentencing*. July 2023. https://msccsp.org/Files/Reports/Sentencing_Racial_Differences_Assessment_July2023.pdf.
- ¹⁸⁵ New Jersey Courts. "Criminal Justice Reform: Annual Report to the Governor and the Legislature." 2021.
- ¹⁸⁶ California Racial and Identity Profiling Advisory Board. "2024 RIPA Board Report." State of California Department of Justice, 2024.
- ¹⁸⁷ Racial Disparities in the Criminal and Juvenile Justice System Advisory Panel. "Report of the Racial Disparities in the Criminal and Juvenile Justice System Advisory Panel." December 4, 2019.
- ¹⁸⁸ 2024 Regular Session - Fiscal and Policy Note for Senate Bill 1098
- ¹⁸⁹ Patrice Villettaz, Gwladys Gillieron, Martin Killias "The Effects on Re-offending of Custodial versus Non-custodial Sanctions: An Updated Systematic Review of the State of Knowledge." Campbell Systemic Reviews, Volume 11, Issue 1, 1-92, 2015.
- ¹⁹⁰ Nazgol Ghandnoosh, Ph.D., Luke Trinkka and Celeste Barry, *One in Five: How Mass Incarceration Deepens Inequality and Harms Public Safety* (January 16, 2024) <https://www.sentencingproject.org/publications/one-in-five-how-mass-incarceration-deepens-inequality-and-harms-public-safety/>.
- ¹⁹¹ Justice Policy Institute. "Rethinking Approaches to Over Incarceration of Black Young Adults in Maryland." November 2019. <https://justicepolicy.org/research/policy-briefs-2019-rethinking-approaches-to-over-incarceration-of-black-young-adults-in-maryland/>
- ¹⁹² Vera Institute of Justice. "Incarceration Trends in Maryland." <https://vera-institute.files.svdcdn.com/production/downloads/pdfdownloads/state-incarceration-trends-maryland.pdf>
- ¹⁹³ Maryland State Commission on Criminal Sentencing Policy. *An Assessment of Racial Differences in Maryland Guidelines Sentencing*. July 2023. https://msccsp.org/Files/Reports/Sentencing_Racial_Differences_Assessment_July2023.pdf.
- ¹⁹⁴ National Institute of Corrections. *Implementing Evidence-Based Practice in Community Corrections: The Principles of Effective Intervention*. 2004. <https://static.prisonpolicy.org/scans/nic/023358.pdf>.
- ¹⁹⁵ Maryland State Commission on Criminal Sentencing Policy. *Alternatives to Incarceration in Maryland: What Are the Options?* January 2018. https://www.msccsp.org/Files/Reports/Alternatives_to_incarceration_Jan2018.pdf.
- ¹⁹⁶ Maryland State Commission on Criminal Sentencing Policy. "Study on Alternatives to Incarceration." January 1, 2018. https://msccsp.org/Files/Reports/Alternatives_to_incarceration_Jan2018.pdf.
- ¹⁹⁷ Maryland State Commission on Criminal Sentencing Policy. "An Assessment of Racial Differences in Maryland Guidelines-Eligible Sentencing Events." July 2023. https://msccsp.org/Files/Reports/Sentencing_Racial_Differences_Assessment_July2023.pdf.
- ¹⁹⁸ Mayor's Office of Criminal Justice. "Alternatives to Incarceration – NYC." City of New York. Accessed December 4, 2024. <https://criminaljustice.cityofnewyork.us/programs/alternatives-to-incarceration/>

-
- ¹⁹⁹ Judicial Council of California. "Collaborative Justice Courts." California Courts. Accessed December 4, 2024. <https://www.courts.ca.gov/programs-collabjustice.htm>.
- ²⁰⁰ Ohio Department of Rehabilitation and Correction. "Parole and Community Services." Accessed December 4, 2024. <https://drc.ohio.gov/systems-and-services/1-parole/parole>.
- ²⁰¹ Connecticut Judicial Branch. "Court Support Services Division (CSSD)." Accessed December 4, 2024. <https://www.jud.ct.gov/CSSD/>.
- ²⁰² Dobbie, Will, Jacob Goldin, and Crystal S. Yang. "The Economic Costs of Pretrial Detention." Brookings Institute, November 2018. <https://www.brookings.edu/articles/the-economic-costs-of-pretrial-detention/>.
- ²⁰³ Dobbie, Will, Jacob Goldin, and Crystal S. Yang. "The Economic Costs of Pretrial Detention." Brookings Institute, November 2018. <https://www.brookings.edu/articles/the-economic-costs-of-pretrial-detention/>.
- ²⁰⁴ Dobbie, Will, Jacob Goldin, and Crystal S. Yang. "The Economic Costs of Pretrial Detention." Brookings Institute, November 2018. <https://www.brookings.edu/articles/the-economic-costs-of-pretrial-detention/>.
- ²⁰⁵ Vera Institute of Justice. "Incarceration Trends in Maryland." Accessed December 4, 2024. <https://vera-institute.files.svdcdn.com/production/downloads/pdfdownloads/state-incarceration-trends-maryland.pdf>.
- ²⁰⁶ Commission to Reform Maryland's Pretrial System. Final Report. Annapolis, MD: Governor's Office of Crime Control and Prevention, December 2014. <https://gocpp.maryland.gov/pretrial/documents/2014-pretrial-commission-final-report.pdf>.
- ²⁰⁷ *Ibid.*, 26.
- ²⁰⁸ MD. Public Safety Code Ann. § 3-519
- ²⁰⁹ MD. Public Safety Code Ann. § 3-519
- ²¹⁰ American Bar Association. "Pretrial Release Standards." Criminal Justice Section. Accessed February 28, 2025. https://www.americanbar.org/groups/criminal_justice/resources/standards/pretrial-release/.
- ²¹¹ Md. R. Civ. P. Cir. Ct. 2-401
- ²¹² Maryland Rules of Procedure, Rule 4-216.1 (Pretrial Release).
- ²¹³ The High Cost of Bail: How Maryland's Reliance on Money Bail Jails the Poor and Costs the Community Millions, https://opd.state.md.us/_files/ugd/868471_23811682395a4fedacc40dda7fa71124.pdf.
- ²¹⁴ Maryland Alliance for Justice Reform, Advancing Bail Reform in Maryland: Progress and Possibilities, 2018, <https://www.ma4jr.org/wp-content/uploads/2018/03/Advancing-Bail-Reform-In-Maryland-2018.pdf>.
- ²¹⁵ Washington, D.C.: Pretrial Services Agency Pretrial Services Agency for the District of Columbia. "Mission and Work." Accessed December 4, 2024. <https://www.psa.gov>.
- ²¹⁶ New Jersey's Pretrial Justice Reform New Jersey Judiciary. "Criminal Justice Reform." Accessed December 4, 2024. <https://www.njcourts.gov/public/criminaljustice>.
- ²¹⁷ Cook County (Chicago): Civilian Review Process Cook County State's Attorney's Office. "Community Justice Centers and Civilian Oversight." Accessed December 4, 2024. <https://www.cookcountystatesattorney.org>.
- ²¹⁸ New York: Timely Disclosure of Evidence New York State Unified Court System. "Reforms to Criminal Justice Discovery Laws." Accessed December 4, 2024. <https://www.nycourts.gov>.
- ²¹⁹ Virginia: Magistrate and Prosecutor Collaboration Virginia State Crime Commission. "Magistrates' Role in Felony Case Processing." Accessed December 4, 2024. <https://vscv.virginia.gov>.
- ²²⁰ Nirmita Panchal, Heather Saunders and Nambi Ndugga, "Five Key Findings on Mental Health and Substance Use Disorders by Race/Ethnicity," *KFF* (blog), September 22, 2022, <https://www.kff.org/mental-health/issue-brief/five-key-findings-on-mental-health-and-substance-use-disorders-by-race-ethnicity>; Maryland Addiction Consultation Service (MACS). Systemic Racism and Substance Use Disorders: Understanding and Addressing Disparities. University of Maryland School of Medicine, 2023. <https://www.marylandmacs.org/media/som/microsites/macsd/documents/Systemic-Racism-and-SUDs.pdf>; Artiga, Samantha, and Kendal Orgera. Racial and Ethnic Disparities in Mental Health Care: Findings from the KFF Survey of Racism, Discrimination, and Health. Kaiser Family Foundation, 2023. <https://www.kff.org/racial-equity-and-health-policy/issue-brief/racial-and-ethnic-disparities-in-mental-health-care-findings-from-the-kff-survey-of-racism-discrimination-and-health>.
- ²²¹ Nirmita Panchal, Heather Saunders and Nambi Ndugga, "Five Key Findings on Mental Health and Substance Use Disorders by Race/Ethnicity," *KFF* (blog), September 22, 2022, <https://www.kff.org/mental-health/issue-brief/five-key-findings-on-mental-health-and-substance-use-disorders-by-race-ethnicity>; Maryland Addiction Consultation Service (MACS). Systemic Racism and Substance Use Disorders: Understanding and Addressing Disparities. University of Maryland School of Medicine, 2023. <https://www.marylandmacs.org/media/som/microsites/macsd/documents/Systemic-Racism-and-SUDs.pdf>; Artiga, Samantha, and Kendal Orgera. Racial and Ethnic Disparities in Mental Health Care: Findings from the KFF Survey of Racism, Discrimination, and Health. Kaiser Family Foundation, 2023. <https://www.kff.org/racial-equity-and-health-policy/issue-brief/racial-and-ethnic-disparities-in-mental-health-care-findings-from-the-kff-survey-of-racism-discrimination-and-health>.

-
- ²²² Kerry Jameison, "ACEs and Minorities," *Center for Child Counseling* (blog), December 13, 2018, <https://www.centerforchildcounseling.org/aces-and-minorities/>.
- ²²³ Sacks, Vanessa, and David Murphey. "The Prevalence of Adverse Childhood Experiences, Nationally, by State, and by Race or Ethnicity." *Child Trends*, February 2018. <https://www.childtrends.org/publications/prevalence-adverse-childhood-experiences-nationally-state-race-ethnicity>.
- ²²⁴ Artiga, Samantha, and Kendal Orgera. "Racial and Ethnic Disparities in Mental Health Care: Findings from the KFF Survey of Racism, Discrimination, and Health." Kaiser Family Foundation, April 2023. <https://www.kff.org/racial-equity-and-health-policy/issue-brief/racial-and-ethnic-disparities-in-mental-health-care-findings-from-the-kff-survey-of-racism-discrimination-and-health/>.
- ²²⁵ Leap Pope, Racial Disparities in Mental health and Criminal Justice, Vera Institute, (July 25, 2029) <https://www.vera.org/news/racial-disparities-in-mental-health-and-criminal-justice>.
- ²²⁶ Leap Pope, Racial Disparities in Mental health and Criminal Justice, Vera Institute, (July 25, 2029) <https://www.vera.org/news/racial-disparities-in-mental-health-and-criminal-justice>.
- ²²⁷ Bianca Bersani, et al., *Maryland's Behavioral Health and Public Safety Center of Excellence* (College Park, MD: Maryland Crime Research and Innovation Center, 2023), <https://gocpp.maryland.gov/wp-content/uploads/Maryland%E2%80%99s-Behavioral-Health-and-Public-Safety-Center-of-Excellence-Strategic-Plan-7-24-23.pdf>.
- ²²⁸ Bianca Bersani, et al., *Maryland's Behavioral Health and Public Safety Center of Excellence* (College Park, MD: Maryland Crime Research and Innovation Center, 2023), <https://gocpp.maryland.gov/wp-content/uploads/Maryland%E2%80%99s-Behavioral-Health-and-Public-Safety-Center-of-Excellence-Strategic-Plan-7-24-23.pdf>.
- ²²⁹ Bianca Bersani, et al., *Maryland's Behavioral Health and Public Safety Center of Excellence* (College Park, MD: Maryland Crime Research and Innovation Center, 2023), <https://gocpp.maryland.gov/wp-content/uploads/Maryland%E2%80%99s-Behavioral-Health-and-Public-Safety-Center-of-Excellence-Strategic-Plan-7-24-23.pdf>.
- ²³⁰ Doris J. James and Lauren E. Glaze, *Mental Health Problems of Prison and Jail Inmates* (Washington, D.C.: U.S. Department of Justice Bureau of Justice Statistics, 2006), <https://bjs.ojp.gov/content/pub/pdf/mhppji.pdf>.
- ²³¹ Health Care for Maryland Prisoners Was Compromised by Poor Oversight, Audit Finds." AP News, December 4, 2024. <https://apnews.com/article/b77f73b709113b9c03585972b42319cc>.
- ²³² Bianca Bersani, et al., *Maryland's Behavioral Health and Public Safety Center of Excellence* (College Park, MD: Maryland Crime Research and Innovation Center, 2023), <https://gocpp.maryland.gov/wp-content/uploads/Maryland%E2%80%99s-Behavioral-Health-and-Public-Safety-Center-of-Excellence-Strategic-Plan-7-24-23.pdf>.
- ²³³ Bianca Bersani, et al., *Maryland's Behavioral Health and Public Safety Center of Excellence* (College Park, MD: Maryland Crime Research and Innovation Center, 2023), <https://gocpp.maryland.gov/wp-content/uploads/Maryland%E2%80%99s-Behavioral-Health-and-Public-Safety-Center-of-Excellence-Strategic-Plan-7-24-23.pdf>.
- ²³⁴ Criminal Justice-Involved Behavioral Health Work group, *The Criminal Justice-Involved Behavioral Health Work group 2023 Report* (Baltimore, MD: Maryland Department of Health Commission on Behavioral Health Care Treatment and Access, 2023), <https://health.maryland.gov/commission-bhc/Documents/Criminal%20Justice-Involved%20Behavioral%20Health%20Workgroup%202023%20Report.pdf>
- ²³⁵ "Office of Clinical Services and Incarcerated Individual Health," Maryland Department of Public Safety and Correctional Services, accessed August 8, 2024, <https://www.dpscs.state.md.us/agencies/ots.shtml>.
- ²³⁶ Dana Lehrer, "Trauma-Informed Care: The Importance of Understanding the Incarcerated Women," *J Correct Health Care* 27, no. 2 (2021), <https://doi.org/10.1089%2Fjchc.20.07.0060>.
- ²³⁷ Dana Lehrer, "Trauma-Informed Care: The Importance of Understanding the Incarcerated Women," *J Correct Health Care* 27, no. 2 (2021), <https://doi.org/10.1089%2Fjchc.20.07.0060>.
- ²³⁸ "Prince George's County, MD," *Vera Incarceration Trends* (blog), June 11, 2024, https://trends.vera.org/state/MD/county/prince_george's_county.
- ²³⁹ Governor's Office of Crime Prevention and Policy, "Maryland Jail Statistics Summary, November 2024 Total," unpublished data on file with the authors, December 2024.
- ²⁴⁰ Compassion Prison Project's Trauma Talks Program, Compassion Prison Project. "Trauma Talks." Accessed December 4, 2024. <https://prisonjournalismproject.org/2022/07/07/california-program-confronts-trauma-behind-incarceration/>.
- ²⁴¹ Resilience Prison Project, Resilience Prison Project. "Volunteer with Us." Accessed December 4, 2024. <https://resilienceprisonproject.com/volunteer/>.

-
- ²⁴² Pro Bono Counseling Project in Maryland Pro Bono Counseling Project. "Providing Access to Care." Accessed December 4, 2024. <https://www.probonocounseling.org>.
- ²⁴³ Centers for Disease Control and Prevention, *Adverse Childhood Experiences Prevention Strategy* (Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention: 2021), https://www.cdc.gov/injury/pdfs/priority/ACEs-Strategic-Plan_Final_508.pdf.
- ²⁴⁴ Testa, Alexander, and Dylan B. Jackson. "Adverse Childhood Experiences and Criminal Justice Contact in Adulthood." *Academic Pediatrics* 22, no. 6 (2022): 972–80. <https://doi.org/10.1016/j.acap.2021.10.011>.
- ²⁴⁵ Sacks, Vanessa, and David Murphey. "The Prevalence of Adverse Childhood Experiences, Nationally, by State, and by Race or Ethnicity." *Child Trends*, February 2018. <https://www.childtrends.org/publications/prevalence-adverse-childhood-experiences-nationally-state-race-ethnicity>.
- ²⁴⁶ Centers for Disease Control and Prevention, *Adverse Childhood Experiences Prevention Strategy* (Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention: 2021), https://www.cdc.gov/injury/pdfs/priority/ACEs-Strategic-Plan_Final_508.pdf.
- ²⁴⁷ Centers for Disease Control and Prevention. "Adverse Childhood Experiences (ACEs)." *Vital Signs*, November 2019. Accessed February 14, 2025. <https://www.cdc.gov/vitalsigns/aces/index.html>.
- ²⁴⁸ George C. T. Mugoya, Steve M. Muchiri, Wanja Ogongi, Mary Gitau, Rahma Mkuu, Ryan Cook, Yu Lu; Adverse Childhood Experiences, Substance Use, and Poor Mental Health Among the U.S. Adult Population. *Journal of Mental Health Counseling* 1 July 2024; 46 (3): 259–280. doi: <https://doi.org/10.17744/mehc.46.3.04>
- ²⁴⁹ Ashekun, Oluwatoyin, Adria Zern, Stephanie Langlois, and Michael T. Compton. "Adverse Childhood Experiences and Arrest Rates among Individuals with Serious Mental Illnesses." *Journal of the American Academy of Psychiatry and the Law* 51, no. 3 (2023): 329–336. <https://doi.org/10.29158/JAAPL.220096-22>.
- ²⁵⁰ Centers for Disease Control and Prevention. "Adverse Childhood Experiences (ACEs)." *Vital Signs*, November 2019. Accessed February 14, 2025. <https://www.cdc.gov/vitalsigns/aces/index.html>.
- ²⁵¹ "Adverse Childhood Experiences (ACEs) Data Inventory," Governor's Office of Crime Prevention and Policy, accessed November 11, 2024, <https://gocpp.maryland.gov/data-dashboards/juvenile-justice-division/aces-data-inventory/>.
- ²⁵² "Family and Community-Based Organization Experiences in ACE Screening, Treatment, and Referrals/Care Coordination." *ACEs Aware*, December 2021. <https://www.acesaware.org/wp-content/uploads/2021/12/Family-Community-Based-Organization-Experiences-in-ACE-Screening-Treatment.pdf>.
- ²⁵³ Gloria Huei-Jong Graf, et al., "Adverse Childhood Experiences and Justice System Contact: A Systematic Review." *Pediatrics* 147, no. 1 (2021), <https://doi.org/10.1542/peds.2020-021030>.
- ²⁵⁴ Gloria Huei-Jong Graf, et al., "Adverse Childhood Experiences and Justice System Contact: A Systematic Review." *Pediatrics* 147, no. 1 (2021), <https://doi.org/10.1542/peds.2020-021030>.
- ²⁵⁵ Gloria Huei-Jong Graf, et al., "Adverse Childhood Experiences and Justice System Contact: A Systematic Review." *Pediatrics* 147, no. 1 (2021), <https://doi.org/10.1542/peds.2020-021030>.
- ²⁵⁶ Gloria Huei-Jong Graf, et al., "Adverse Childhood Experiences and Justice System Contact: A Systematic Review." *Pediatrics* 147, no. 1 (2021), <https://doi.org/10.1542/peds.2020-021030>.
- ²⁵⁷ Sweta Haldar, et al., *State Actions to Prevent and Mitigate Adverse Childhood Experiences* (Washington, D.C.: National Governors Association Center for Best Practices and National Academy for State Health Policy, 2019), https://www.nashp.org/wp-content/uploads/2021/12/NGA_State_Actions_to_Prevent_Mitigate_ACEs_Dec_2021.pdf.
- ²⁵⁸ Sweta Haldar, et al., *State Actions to Prevent and Mitigate Adverse Childhood Experiences* (Washington, D.C.: National Governors Association Center for Best Practices and National Academy for State Health Policy, 2019), https://www.nashp.org/wp-content/uploads/2021/12/NGA_State_Actions_to_Prevent_Mitigate_ACEs_Dec_2021.pdf.
- ²⁵⁹ Prison Policy Initiative, "Incarcerated Populations by Race/Ethnicity and Gender for Each State," 2021, June 25, 2024, <https://www.prisonpolicy.org/data/#state>
- ²⁶⁰ Prison Policy Initiative. "Maryland Profile." Accessed December 4, 2024. <https://www.prisonpolicy.org/profiles/MD.html>
- ²⁶¹ Maryland Department of Public Safety and Correctional Services, *Recidivism Report* (Baltimore, MD: 2022), 27, https://dpdcs.maryland.gov/publicinfo/publications/pdfs/2022_p157_DPSCS_Recidivism%20Report.pdf.
- ²⁶² Council on Criminal Justice, *Long sentences by the numbers*, (Washington, D.C.: 2022), <https://counciloncj.foleon.com/tfls/long-sentences-by-the-numbers/>
- ²⁶³ Maryland Department of Public Safety and Correctional Services, *Recidivism Report* (Baltimore, MD: 2022), 27, https://dpdcs.maryland.gov/publicinfo/publications/pdfs/2022_p157_DPSCS_Recidivism%20Report.pdf.
- ²⁶⁴ Maryland Department of Public Safety and Correctional Services, *Recidivism Report* (Baltimore, MD: 2022), 27, https://dpdcs.maryland.gov/publicinfo/publications/pdfs/2022_p157_DPSCS_Recidivism%20Report.pdf.

-
- ²⁶⁵ Justice Policy Institute. "Compassionate Release in Maryland: Medical and Geriatric Parole Examined." January 20, 2022. <https://justicepolicy.org/research/compassionate-release-in-maryland-medical-and-geriatric-parole-examined/>.
- ²⁶⁶ Carson, E. Ann, and William J. Sabol. "Aging of the State Prison Population, 1993–2013." Bureau of Justice Statistics, May 2016. <https://bjs.ojp.gov/content/pub/pdf/aspp9313.pdf>.
- ²⁶⁷ Justice Policy Institute. "Compassionate Release in Maryland: Medical and Geriatric Parole Examined." January 20, 2022. <https://justicepolicy.org/research/compassionate-release-in-maryland-medical-and-geriatric-parole-examined/>.
- ²⁶⁸ Justice Policy Institute. "Compassionate Release in Maryland: Medical and Geriatric Parole Examined." January 20, 2022. <https://justicepolicy.org/research/compassionate-release-in-maryland-medical-and-geriatric-parole-examined/>.
- ²⁶⁹ 427 Md. 383, 47 A.3d 495 (2012).
- ²⁷⁰ The Ungers, 5 Years and Counting: A case study in safely reducing long prison terms and saving taxpayer dollars (Washington, D.C., Justice Policy Institute, 2018), 2, https://justicepolicy.org/wp-content/uploads/2021/06/Unger_MD_Recs.pdf.
- ²⁷¹ Maryland Department of Public Safety and Correctional Services, *Recidivism Report* (Baltimore, MD: 2022), 27, https://dpdcs.maryland.gov/publicinfo/publications/pdfs/2022_p157_DPSCS_Recidivism%20Report.pdf.
- ²⁷² Maryland Department of Public Safety and Correctional Services, *Recidivism Report* (Baltimore, MD: 2022), 27, https://dpdcs.maryland.gov/publicinfo/publications/pdfs/2022_p157_DPSCS_Recidivism%20Report.pdf.
- ²⁷³ House Bill 118, Correctional Services -Geriatric and Medical Parole." 2024. https://mgaleg.maryland.gov/cmte_testimony/2024/jud/21799_02272024_11125-149.pdf.
- ²⁷⁴ Maryland Department of Public Safety and Correctional Services, *Department of Public Safety and Correctional Services Fiscal 2023 Budget Overview* (Annapolis, MD: 2022), 8, <https://mgaleg.maryland.gov/pubs/budgetfiscal/2023fy-budget-docs-operating-Q00-DPSCS-Overview.pdf>.
- ²⁷⁵ Compassionate Release In Maryland, Recommendations for improving medical and geriatric parole. Justice Policy Institute, January 2022.
- ²⁷⁶ Compassionate Release In Maryland, Recommendations for improving medical and geriatric parole. Justice Policy Institute, January 2022.
- ²⁷⁷ Compassionate Release In Maryland, Recommendations for improving medical and geriatric parole. Justice Policy Institute, January 2022.
- ²⁷⁸ Compassionate Release In Maryland, Recommendations for improving medical and geriatric parole. Justice Policy Institute, January 2022.
- ²⁷⁹ Justice Policy Institute, *Safe at Home: Improving Maryland's Parole Release Decision-Making*(Washington, DC: 2023), 16, <https://justicepolicy.org/research/safe-at-home-improving-marylands-parole-release-decision-making/>.
- ²⁸⁰ Families Against Mandatory Minimums. "New Jersey Compassionate Release." December 2021.
- ²⁸¹ Connecticut Sentencing Commission. "Compassionate Release in Connecticut." March 2023.
- ²⁸² ACLU of Maryland. "Maryland Parole Partnership." Accessed December 9, 2024. <https://www.aclu-md.org/en/maryland-parole-partnership>.
- ²⁸³ Justice Policy Institute. "Maryland's Parole Release." Accessed December 4, 2024. https://justicepolicy.org/wp-content/uploads/2023/09/JPI-MD-Parole_Overview.pdf
- ²⁸⁴ Justice Policy Institute, *Safe at Home: Improving Maryland's Parole Release Decision-Making*(Washington, DC: 2023), 16, <https://justicepolicy.org/research/safe-at-home-improving-marylands-parole-release-decision-making/>.
- ²⁸⁵ Justice Policy Institute, *Safe at Home: Improving Maryland's Parole Release Decision-Making*(Washington, DC: 2023), 16, <https://justicepolicy.org/research/safe-at-home-improving-marylands-parole-release-decision-making/>.
- ²⁸⁶ Justice Policy Institute, *Safe at Home: Improving Maryland's Parole Release Decision-Making*(Washington, DC: 2023), 16, <https://justicepolicy.org/research/safe-at-home-improving-marylands-parole-release-decision-making/>.
- ²⁸⁷ Joe Russo, et al., , *Examining the Role of California's Probation System: A Survey of Chief Probation Officers*, (Santa Monica, CA: The RAND Corporation, 2020), 12, https://www.rand.org/pubs/research_reports/RRA108-20.html.
- ²⁸⁸ Justice Policy Institute, *Safe at Home: Improving Maryland's Parole Release Decision-Making*(Washington, DC: 2023), 16, <https://justicepolicy.org/research/safe-at-home-improving-marylands-parole-release-decision-making/>.
- ²⁸⁹ Jorge Renaud, *Grading the Parole Release Systems of All 50 States* (Northampton, MA: Prison Policy Initiative, 2019), https://www.prisonpolicy.org/reports/grading_parole.html.

-
- ²⁹⁰ California Department of Corrections and Rehabilitation, “Comprehensive Risk Assessments: Proposed Emergency Regulations,” January 2021, <https://www.cdcr.ca.gov/bph/wp-content/uploads/sites/161/2021/01/BPH-RN-21-02-15-CCR-%C2%A7-2240-Comprehensive-Risk-Assessments-PROPOSED-EMERGENCY-REGULATIONS-r.pdf>
- ²⁹¹ Jorge Renaud, *Grading the Parole Release Systems of All 50 States* (Northampton, MA: Prison Policy Initiative, 2019), https://www.prisonpolicy.org/reports/grading_parole.html.
- ²⁹² Jorge Renaud, *Grading the Parole Release Systems of All 50 States* (Northampton, MA: Prison Policy Initiative, 2019), https://www.prisonpolicy.org/reports/grading_parole.html.
- ²⁹³ Jorge Renaud, *Grading the Parole Release Systems of All 50 States* (Northampton, MA: Prison Policy Initiative, 2019), https://www.prisonpolicy.org/reports/grading_parole.html.
- ²⁹⁴ Mich. Stat. Ann. MCL § 791.233e (1953) <https://www.legislature.mi.gov/Laws/MCL?objectName=MCL-791-233E>
- ²⁹⁵ Maryland Department of Public Safety and Correctional Services, “DOC Data Dashboard FY 2023 Population Overview,” accessed September 25, 2024, https://dpscs.maryland.gov/community_releases/DOC-Annual-Data-Dashboard.shtml.
- ²⁹⁶ Maryland Department of Public Safety and Correctional Services, “DOC Data Dashboard FY 2023 Population Overview,” accessed September 25, 2024, https://dpscs.maryland.gov/community_releases/DOC-Annual-Data-Dashboard.shtml.
- ²⁹⁷ Justice Policy Institute. “Rethinking Approaches to Over Incarceration of Black Young Adults in Maryland.” November 2019. https://justicepolicy.org/wp-content/uploads/justicepolicy/documents/Rethinking_Approaches_to_Over_Incarceration_MD.pdf
- ²⁹⁸ National Research Council of the National Academies, *Reforming Juvenile Justice: A Developmental Approach* (Washington, D.C.: 2013), 91, <https://doi.org/10.17226/14685>.
- ²⁹⁹ Maryland Department of Public Safety and Correctional Services, *Recidivism Report* (Baltimore, MD: 2022), 27, https://dpscs.maryland.gov/publicinfo/publications/pdfs/2022_p157_DPSCS_Recidivism%20Report.pdf.
- ³⁰⁰ Alexi Jones and Wendy Swayer, *Arrest, Release, Repeat: How police and jails are misused to respond to social problems* (Washington, D.C.: Prison Policy Institute, 2019), Table 1, <https://www.prisonpolicy.org/reports/repeatarrests.html>.
- ³⁰¹ Maryland Department of Public Safety and Correctional Services, *Recidivism Report* (Baltimore, MD: 2022), 27, https://dpscs.maryland.gov/publicinfo/publications/pdfs/2022_p157_DPSCS_Recidivism%20Report.pdf.
- ³⁰² Alexi Jones and Wendy Swayer, *Arrest, Release, Repeat: How police and jails are misused to respond to social problems* (Washington, D.C.: Prison Policy Institute, 2019), Table 1, <https://www.prisonpolicy.org/reports/repeatarrests.html>.
- ³⁰³ Alexi Jones and Wendy Swayer, *Arrest, Release, Repeat: How police and jails are misused to respond to social problems* (Washington, D.C.: Prison Policy Institute, 2019), Table 1, <https://www.prisonpolicy.org/reports/repeatarrests.html>.
- ³⁰⁴ Ryan Shanahan, Ph.D., Selma Djokovic, Lidia Vasquez, *Restoring Promise: A Randomized Control Trial Examining the Impact of an Innovative Young Adult Housing on Reducing Violence* (Washington, D.C.: Office of Justice Programs, 2023), <https://www.ojp.gov/pdffiles1/nij/grants/306958.pdf>.
- ³⁰⁵ Ryan Shanahan, Ph.D., Selma Djokovic, Lidia Vasquez, *Restoring Promise: A Randomized Control Trial Examining the Impact of an Innovative Young Adult Housing on Reducing Violence* (Washington, D.C.: Office of Justice Programs, 2023), <https://www.ojp.gov/pdffiles1/nij/grants/306958.pdf>.
- ³⁰⁶ Prince George’s County State’s Attorney’s Office, “About the Office,” <https://www.pgsao.org/about#:~:text=This%20legislation%20will%20fund%20the,massive%20increase%20in%20storage%20fees>.
- ³⁰⁷ Nancy La Vigne, *Restoring Promise: Positive research results from a program that aims to transform correctional culture*, (Washington, D.C.: National Institute of Justice, 2024), <https://nij.ojp.gov/topics/articles/restoring-promise>.
- ³⁰⁸ Ryan Shanahan, Ph.D., Selma Djokovic, Lidia Vasquez, *Restoring Promise: A Randomized Control Trial Examining the Impact of an Innovative Young Adult Housing on Reducing Violence* (Washington, D.C.: Office of Justice Programs, 2023), <https://www.ojp.gov/pdffiles1/nij/grants/306958.pdf>.
- ³⁰⁹ Adam Looney and Nicholas Turner, *Work and opportunity before and after incarceration*, (Washington, DC: The Brookings Institution, 2018), 10, https://www.brookings.edu/wp-content/uploads/2018/03/es_20180314_looneyincarceration_final.pdf.
- ³¹⁰ Adam Looney and Nicholas Turner, *Work and opportunity before and after incarceration*, (Washington, DC: The Brookings Institution, 2018), 11, https://www.brookings.edu/wp-content/uploads/2018/03/es_20180314_looneyincarceration_final.pdf.

³¹¹ Adam Looney and Nicholas Turner, *Work and opportunity before and after incarceration*, (Washington, DC: The Brookings Institution, 2018), 10, https://www.brookings.edu/wp-content/uploads/2018/03/es_20180314_looneyincarceration_final.pdf.

³¹² National Conference of State Legislators, *Barriers to Work: Increasing Access to Licensed Occupations for Individuals With Criminal Records* (Washington, D.C.: 2024), <https://www.ncsl.org/labor-and-employment/barriers-to-work-improving-employment-in-licensed-occupations-for-individuals-with-criminal-records>.

³¹³ Bureau of Justice Assistance. *Cross-Site Evaluation of the Bureau of Justice Assistance FY 2011 Second Chance Act Adult Offender Reentry Demonstration Projects: Final Report*. Washington, DC: Bureau of Justice Assistance, 2017. <https://www.ojp.gov/pdffiles1/nij/grants/251703.pdf>.

³¹⁴ Washington Lawyers' Committee for Civil Rights and Urban Affairs. "Arrest and Conviction Records as a Barrier to Employment." Accessed November 14, 2024. <https://www.washlaw.org/workers-rights-manual/arrest-and-conviction-records-as-a-barrier-to-employment/>.

³¹⁵ Maryland Courts. *Fee Schedule for Maryland Courts*. Acc Governor's Office of Crime Prevention, Youth, and Victim Services. "Governor Moore Announces Debt Cancellation for Mandatory Parole and Administrative Release Supervision and Drug Testing Fees." October 2024. <https://governor.maryland.gov/news/press/pages/governor-moore-announces-debt-cancellation-for-mandatory-parole-and-administrative-release-supervision-and-drug-testing-fee.aspx> Accessed November 14, 2024. <https://www.courts.state.md.us/courts/feeschedules/>;

³¹⁶ Bureau of Justice Assistance, *Cross-Site Evaluation of the Bureau of Justice Assistance FY 2011 Second Chance Act Adult Offender Reentry Demonstration Projects: Final Report* (Washington, DC: Bureau of Justice Assistance: 2018), 1-4, <https://www.ojp.gov/pdffiles1/nij/grants/251703.pdf>.

³¹⁷ Bureau of Justice Assistance. *Cross-Site Evaluation of the Bureau of Justice Assistance FY 2011 Second Chance Act Adult Offender Reentry Demonstration Projects: Final Report*. Washington, DC: Bureau of Justice Assistance, 2017. <https://www.ojp.gov/pdffiles1/nij/grants/251703.pdf>.

³¹⁸ Maryland Alliance for Justice Reform. "Returning Citizens." Last modified 2020. <https://www.ma4jr.org/returning-citizens/>.

³¹⁹ Arnold Ventures. "Promoting Success on Community Supervision: Strategies for Improving Outcomes and Reducing Revocations," Arnold Ventures, July 2022. <https://www.cjinstitute.org/assets/sites/2/2023/05/Promoting-Success-Community-Supervision.pdf>

³²⁰ Justice Policy Institute, *Rethinking Approaches to Over Incarceration of Black Young Adults in Maryland* (Washington, D.C.: 2019), 4, https://justicepolicy.org/wp-content/uploads/justicepolicy/documents/Rethinking_Approaches_to_Over_Incarceration_MD.pdf.

³²¹ Justice Policy Institute, Report, *Rethinking Approaches to Over Incarceration of Black Young Adults in Maryland*, Nov. 2019).

³²² see Email from DPSCS Office of Data Development to MEJC Reentry Work Group Co-Chair Brian Saccenti (July 10, 2024)

³²³ "Promoting Success on Community Supervision: Strategies for Improving Outcomes and Reducing Revocations," Arnold Ventures, July 2022. <https://www.cjinstitute.org/assets/sites/2/2023/05/Promoting-Success-Community-Supervision.pdf>.

³²⁴ Maryland Department of Public Safety and Correctional Services, "Re-entry Services," accessed February 6, 2024, <https://dpscs.maryland.gov/rehabservs/reentry/reentryunit.shtml>.

³²⁵ Dr. Crystal R. Francis and Phil Caroom, *Maryland Reentry Roundtable Report 2019* (Annapolis, MD: Maryland Association for Justice Reform, 2019), 18, <https://www.ma4jr.org/wp-content/uploads/2020/01/2019-Reentry-Roundtable-Booklet.pdf>.

³²⁶ Dr. Crystal R. Francis and Phil Caroom, *Maryland Reentry Roundtable Report 2019* (Annapolis, MD: Maryland Association for Justice Reform, 2019), 18, <https://www.ma4jr.org/wp-content/uploads/2020/01/2019-Reentry-Roundtable-Booklet.pdf>.

³²⁷ "Promoting Success on Community Supervision: Strategies for Improving Outcomes and Reducing Revocations," Arnold Ventures, July 2022. <https://www.cjinstitute.org/assets/sites/2/2023/05/Promoting-Success-Community-Supervision.pdf>

³²⁸ Maryland Department of Public Safety and Correctional Services, *Recidivism Report* (Baltimore, MD: 2022), 27, https://dpscs.maryland.gov/publicinfo/publications/pdfs/2022_p157_DPSCS_Recidivism%20Report.pdf.

³²⁹ Lucius Couloute and Daniel Kopf, *Out of Prison and Out of Work: Unemployment Among Formerly Incarcerated People* (Northampton, MA: Prison Policy Initiative, 2018), <https://www.prisonpolicy.org/reports/outofwork.html>.

³³⁰ Lucius Couloute and Daniel Kopf, *Out of Prison & Out of Work: Unemployment among formerly incarcerated people* (Northampton, MA: 2018), <https://www.prisonpolicy.org/contact.html>.

-
- ³³¹ Lucius Couloute and Daniel Kopf, *Out of Prison & Out of Work: Unemployment among formerly incarcerated people* (Northampton, MA: 2018), <https://www.prisonpolicy.org/contact.html>.
- ³³² Maryland Department of Public Safety and Correctional Services, “Re-entry Services,” accessed February 6, 2024, <https://dpscs.maryland.gov/rehabservs/reentry/reentryunit.shtml>.
- ³³³ Dr. Crystal R. Francis and Phil Caroom, *Maryland Reentry Roundtable Report 2019* (Annapolis, MD: Maryland Association for Justice Reform, 2019), 18, <https://www.ma4jr.org/wp-content/uploads/2020/01/2019-Reentry-Roundtable-Booklet.pdf>.
- ³³⁴ Dr. Crystal R. Francis and Phil Caroom, *Maryland Reentry Roundtable Report 2019* (Annapolis, MD: Maryland Association for Justice Reform, 2019), 18, <https://www.ma4jr.org/wp-content/uploads/2020/01/2019-Reentry-Roundtable-Booklet.pdf>.
- ³³⁵ Maryland General Assembly. *House Bill 1037: 2024 Regular Session*. <https://mgaleg.maryland.gov/2024RS/bills/hb/hb1037E.pdf>
- ³³⁶ Maryland General Assembly. *House Bill 1037*
- ³³⁷ Maryland General Assembly. *Senate Bill 623: 2024 Regular Session*. <https://mgaleg.maryland.gov/2024RS/bills/sb/sb0623T.pdf>
- ³³⁸ “Inside Programs: Hope and Redemption Team,” Anti-Recidivism Coalition, accessed November 15, 2024, <https://antirecidivism.org/our-programs/inside/>.
- ³³⁹ “Inside Programs: Hope and Redemption Team,” Anti-Recidivism Coalition, accessed November 15, 2024, <https://antirecidivism.org/our-programs/inside/>.
- ³⁴⁰ Chelsea Thomson, et al., *Investing Justice Resources to Address Community Needs: Lessons Learned from Colorado’s Work and Gain Education and Employment Skills (WAGEES) Program*, (Washington, D.C.: Urban Institute, 2018), 2, https://www.urban.org/sites/default/files/publication/96341/investing_justice_resources_to_address_community_needs.pdf.
- ³⁴¹ Chelsea Thomson, et al., *Investing Justice Resources to Address Community Needs: Lessons Learned from Colorado’s Work and Gain Education and Employment Skills (WAGEES) Program*, (Washington, D.C.: Urban Institute, 2018), 8, https://www.urban.org/sites/default/files/publication/96341/investing_justice_resources_to_address_community_needs.pdf.
- ³⁴² See <https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/sb0494/?ys=2021rs>
- ³⁴³ Lisa Woelfl, “As pandemic eases, share of Black inmates in Maryland prisons peaks,” *Maryland Matters*, April 17, 2024, <https://marylandmatters.org/2024/04/17/as-pandemic-eases-share-of-black-inmates-in-maryland-prisons-peaks/>
- ³⁴⁴ The Sentencing Project, Report, *The Second Look Movement: A Review of the Nation’s Sentence Review Laws*, at 4 (May 2024).
- ³⁴⁵ Council on Criminal Justice, *Recidivism Rates: What You Need to Know* (Washington, D.C.: 2021), [https://counciloncj.org/recidivism_report/#:~:text=Older%20people%20return%20to%20prison,%25\)%20\(see%20Table%208\)](https://counciloncj.org/recidivism_report/#:~:text=Older%20people%20return%20to%20prison,%25)%20(see%20Table%208).).
- ³⁴⁶ Justice Policy Institute, *Rethinking Approaches to Over Incarceration of Black Young Adults in Maryland* (Washington, D.C.: 2019), 4, https://justicepolicy.org/wp-content/uploads/justicepolicy/documents/Rethinking_Approaches_to_Over_Incarceration_MD.pdf.
- ³⁴⁷ Justice Policy Institute, *Rethinking Approaches to Over Incarceration of Black Young Adults in Maryland* (Washington, D.C.: 2019), 4, https://justicepolicy.org/wp-content/uploads/justicepolicy/documents/Rethinking_Approaches_to_Over_Incarceration_MD.pdf.
- ³⁴⁸ Justice Policy Institute, *Rethinking Approaches to Over Incarceration of Black Young Adults in Maryland* (Washington, D.C.: 2019), 4, https://justicepolicy.org/wp-content/uploads/justicepolicy/documents/Rethinking_Approaches_to_Over_Incarceration_MD.pdf.
- ³⁴⁹ The Sentencing Project, Report, *The Second Look Movement: A Review of the Nation’s Sentence Review Laws*, at 4 (May 2024).
- ³⁵⁰ See <https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/sb0494/?ys=2021rs>
- ³⁵¹ Email from DPSCS Office of Data Development to MEJC Reentry Work Group Co-Chair Brian Saccenti (July 10, 2024) (on file with Saccenti)
- ³⁵² Komar, L., Nellis, A., & Budd, K. (2023). *Counting Down: Paths to a 20-year Maximum Prison Sentence*. The Sentencing Project.
- ³⁵³ The Sentencing Project, Report, *The Second Look Movement: A Review of the Nation’s Sentence Review Laws*, at 15 (May 2024)
- ³⁵⁴ The Sentencing Project, Report, *The Second Look Movement: A Review of the Nation’s Sentence Review Laws*, at 15-16 (May 2024)

-
- ³⁵⁵ The Sentencing Project, Report, The Second Look Movement: A Review of the Nation's Sentence Review Laws, at 15 (May 2024)
- ³⁵⁶ Council of State Governments Justice Center. Repaying Debts: Managing Financial Obligations After Incarceration. 2020. https://csgjusticecenter.org/wp-content/uploads/2020/02/repaying_debts_full_report-2.pdf.
- ³⁵⁷ Associated Press. "Maryland Cancels Debt for Parole Release, Drug Testing Fees." February 2023. <https://apnews.com/article/e30573696f383dc1e6edaecfc8449b05>.
- ³⁵⁸ Joe Russo, et al., *Examining the Role of California's Probation System: A Survey of Chief Probation Officers*, (Santa Monica, CA: The RAND Corporation, 2020), 12, https://www.rand.org/pubs/research_reports/RRA108-20.html.
- ³⁵⁹ "Division of Parole and Probation (DPP) Data Dashboard," Department of Public Safety and Correctional Services, accessed November 15, 2024, https://dpscs.maryland.gov/community_releases/DPP-Annual-Data-Dashboard.shtml.
- ³⁶⁰ David J. Harding, et al., Harding, D. J., Western, B., & Sandelson, J. A. (2022). "From Supervision to Opportunity: Reimagining Probation and Parole." *The ANNALS of the American Academy of Political and Social Science* 701, no. 1, 8-25. <https://doi.org/10.1177/00027162221115486>
- ³⁶¹ House Bill 531, 2024 Legislative Session
- ³⁶² SUMMARY: Fee Waiver Rules – Maryland Courts
- ³⁶³ Md. Ann. Code Criminal Procedure §6-226
- ³⁶⁴ Council of State Governments Justice Center. Repaying Debts: Managing Financial Obligations After Incarceration. 2020. https://csgjusticecenter.org/wp-content/uploads/2020/02/repaying_debts_full_report-2.pdf.
- ³⁶⁵ Division of Parole and Probation (DPP) Data Dashboard; MARYLAND POPULATION BY YEAR, COUNTY, RACE, & MORE | USAFACTS.
- ³⁶⁶ "50 State Survey: Probation and Parole Fees." The Fines and Fees Justice Center, May 2022, <https://finesandfeesjusticecenter.org/content/uploads/2022/05/Probation-and-Parole-Fees-Survey-Final-2022-.pdf>.
- ³⁶⁷ Governor Moore Announces Debt Cancellation for Mandatory, Parole and Administrative Release Supervision and Drug Testing Fees (Annapolis, MD 2024), <https://governor.maryland.gov/news/press/pages/governor-moore-announces-debt-cancellation-for-mandatory-parole-and-administrative-release-supervision-and-drug-testing-fee.aspx>.
- ³⁶⁸ United Nations General Assembly, *Report of the Special Rapporteur on extreme poverty and human rights on his mission to the United States of America*, (2018), <https://docs.un.org/en/A/HRC/38/33/ADD.1>.
- ³⁶⁹ Adam Looney and Nicholas Turner, *Work and opportunity before and after incarceration*, (Washington, DC: The Brookings Institution, 2018), 10, https://www.brookings.edu/wp-content/uploads/2018/03/es_20180314_looneyincarceration_final.pdf.
- ³⁷⁰ <https://www.vera.org/news/how-the-united-states-punishes-people-for-being-poor>
- ³⁷¹ Lucius Couloute, *Nowhere to Go: Homelessness among formerly incarcerated people*, (Northampton, MA: Prison Policy Initiative, 2018), <https://www.prisonpolicy.org/reports/housing.html#insecurity>; Adam Looney and Nicholas Turner, *Work and opportunity before and after incarceration*, (Washington, DC: The Brookings Institution, 2018), 10, https://www.brookings.edu/wp-content/uploads/2018/03/es_20180314_looneyincarceration_final.pdf.
- ³⁷² Lucius Couloute, *Nowhere to Go: Homelessness among formerly incarcerated people*, (Northampton, MA: Prison Policy Initiative, 2018), <https://www.prisonpolicy.org/reports/housing.html#insecurity>.
- ³⁷³ Maryland Department of Juvenile Services, *Data Resource Guide Fiscal Year 2023* (Baltimore, MD: 2023), 206, https://djs.maryland.gov/Documents/DRG/Data_Resource_Guide_FY2023.pdf; Adam Looney and Nicholas Turner, *Work and opportunity before and after incarceration*, (Washington, DC: The Brookings Institution, 2018), 10, https://www.brookings.edu/wp-content/uploads/2018/03/es_20180314_looneyincarceration_final.pdf.
- ³⁷⁴ Richard Mendel, *Why Youth Incarceration Fails: An Updated Review of the Evidence* (Washington, D.C.: The Sentencing Project, 2023), <https://www.sentencingproject.org/reports/why-youth-incarceration-fails-an-updated-review-of-the-evidence/>.
- ³⁷⁵ Elizabeth Hinton, LeShae Henderson, and Cindy Reed, *An Unjust Burden: The Disparate Treatment of Black Americans in the Criminal Justice System* (Vera Institute of Justice: New York, NY: 2018), <https://vera-institute.files.svdcdn.com/production/downloads/publications/for-the-record-unjust-burden-racial-disparities.pdf>.
- ³⁷⁶ Maryland Department of Juvenile Services, *Data Resource Guide Fiscal Year 2023* (Baltimore, MD: 2023), 26, https://djs.maryland.gov/Documents/DRG/Data_Resource_Guide_FY2023.pdf; ³⁷⁶ Maryland State Department of Education, *Graduation Rate Information*, (Baltimore, MD: 2024), 7,

<https://marylandpublicschools.org/stateboard/Documents/2024/0326/Graduation-Rate-Information-A.pdf>; "Quality of Life – Income and Poverty," Maryland Nonprofits, accessed February 11, 2025, <https://www.marylandnonprofits.org/maryland-quality-of-life-dashboard/quality-of-life-income/>.

³⁷⁷ Maryland State Board of Education. "Reporting Delinquent Acts." Code of Maryland Regulations, 13A.08.01.15. Accessed December 23, 2024. <https://casetext.com/regulation/maryland-administrative-code/title-13a-state-board-of-education/subtitle-08-students/chapter-13a0801-general-regulations/section-13a080115-reporting-delinquent-acts>.

³⁷⁸ F. Chris Curran, PhD and Maida A. Finch, PhD, *Maryland Schools' Codes of Conduct: Comparing Discipline Policy across Districts*, (Baltimore, MD: University of Maryland Baltimore County and Salisbury, MD: Salisbury University, 2018), 4, 6, 10-11, <https://marylandpublicschools.org/stateboard/Documents/TFSDR/03282019/MDSchoolsCodesConductComparingDisciplinePolicyAcrossDistricts.pdf>

³⁷⁹ Maryland State Board of Education. "The Maryland Guidelines for a State Code of Discipline." August 7, 2014. Accessed December 23, 2024. <https://www.marylandpublicschools.org/about/Documents/DSFSS/SSSP/MDGuidelinesforStateCodeDiscipline08072014.pdf>.

³⁸⁰ F. Chris Curran, PhD and Maida A. Finch, PhD, *Maryland Schools' Codes of Conduct: Comparing Discipline Policy across Districts*, (Baltimore, MD: University of Maryland Baltimore County and Salisbury, MD: Salisbury University, 2018), 4, 6, 10-11, <https://marylandpublicschools.org/stateboard/Documents/TFSDR/03282019/MDSchoolsCodesConductComparingDisciplinePolicyAcrossDistricts.pdf>.

³⁸¹ F. Chris Curran, PhD and Maida A. Finch, PhD, *Maryland Schools' Codes of Conduct: Comparing Discipline Policy across Districts*, (Baltimore, MD: University of Maryland Baltimore County and Salisbury, MD: Salisbury University, 2018), 4, 6, 10-11, <https://marylandpublicschools.org/stateboard/Documents/TFSDR/03282019/MDSchoolsCodesConductComparingDisciplinePolicyAcrossDistricts.pdf>

³⁸² F. Chris Curran, PhD and Maida A. Finch, PhD, *Maryland Schools' Codes of Conduct: Comparing Discipline Policy across Districts*, (Baltimore, MD: University of Maryland Baltimore County and Salisbury, MD: Salisbury University, 2018), 4, 6, 10-11, <https://marylandpublicschools.org/stateboard/Documents/TFSDR/03282019/MDSchoolsCodesConductComparingDisciplinePolicyAcrossDistricts.pdf>

³⁸³ Nathan Barrett, et al., *Disparities in Student Discipline by Race and Family Income* (New Orleans, LA: 2017), 2, <https://educationresearchalliancencola.org/files/publications/010418-Barrett-McEachin-Mills-Valant-Disparities-in-Student-Discipline-by-Race-and-Family-Income.pdf>.

³⁸⁴ Maryland State Department of Education, *Maryland Public Schools Student Arrest Data School Year 2022-2023* (Baltimore, MD: 2024), 4, <https://marylandpublicschools.org/about/Documents/DSFSS/SSSP/StudentArrest/MarylandPublicSchoolsArrestDataSY20222023-A.pdf>

³⁸⁵ Maryland State Department of Education, *Maryland Public Schools Student Arrest Data School Year 2022-2023*, (Baltimore, MD: 2023): 3, <https://marylandpublicschools.org/about/Documents/DSFSS/SSSP/StudentArrest/MarylandPublicSchoolsArrestDataSY20222023-A.pdf>

³⁸⁶ "Maryland at a Glance," Maryland State Department of Education, accessed September 18, 2024, <https://strategicplan.marylandpublicschools.org/maryland-at-a-glance/#:~:text=With%20a%20student%20population%20of,significantly%20from%202017%20to%202023>.

³⁸⁷ Maryland State Department of Education, *The Maryland Guidelines for a State Code of Discipline* (Baltimore, MD: 2014), <https://marylandpublicschools.org/about/Documents/DSFSS/SSSP/MDGuidelinesforStateCodeDiscipline08072014.pdf>.

³⁸⁸ Education Commission of the States. "50-State Comparison: School Discipline Policies." Last modified June 2019. <https://www.ecs.org/50-state-comparison-school-discipline-policies/>.

³⁸⁹ Paige, Jessica Welburn, and Shawn D. Bushway. "The Role and Impact of School Resource Officers: A Brief Discussion." RAND Corporation, November 2024. <https://www.rand.org/pubs/perspectives/PEA243-2.html>.

³⁹⁰ Virginia S.B. 3 (2020); Virginia S.B. 729 (2020)

³⁹¹ Virginia S.B. 3 (2020); Virginia S.B. 729 (2020)

³⁹² Maryland Department of Labor. GED® Testing Eligibility Requirements. Accessed January 7, 2025. <https://labor.maryland.gov/adultliteracy/gedformswithdrawal.shtml> referencing Maryland Education Code § 7-301

-
- ³⁹³ Maryland Department of Labor. GED® Testing Eligibility Requirements. Accessed January 7, 2025. <https://labor.maryland.gov/adultliteracy/gedformswithdrawal.shtml> referencing Maryland Education Code § 7-301
- ³⁹⁴ Maryland Department of Juvenile Services, *Data Resource Guide: Fiscal Year 2023* (Baltimore, MD: 2023), 211, https://djs.maryland.gov/Documents/DRG/Data_Resource_Guide_FY2023.pdf.
- ³⁹⁵ Maryland Department of Juvenile Services, *Data Resource Guide Fiscal Year 2023* (Baltimore, MD: 2023): 26, https://djs.maryland.gov/Documents/DRG/Data_Resource_Guide_FY2023.pdf. (complete)
- ³⁹⁶ Maryland State Department of Education, *Graduation Rate Information* (Baltimore, MD: 2024), 7, <https://marylandpublicschools.org/stateboard/Documents/2024/0326/Graduation-Rate-Information-A.pdf>; Maryland Department of Juvenile Services, *Data Resource Guide: Fiscal Year 2023* (Baltimore, MD: 2023), 18 & 206, https://djs.maryland.gov/Documents/DRG/Data_Resource_Guide_FY2023.pdf.
- ³⁹⁷ Cohort Graduation and Dropout Rates," Powerpoint presentation, February 28, 2023, 20, https://marylandpublicschools.org/stateboard/Documents/2023/0228/CohortRatesSBOE_022023.pdf. Maryland State Department of Education, *Graduation Rate Information* (Baltimore, MD: 2024), 7, <https://marylandpublicschools.org/stateboard/Documents/2024/0326/Graduation-Rate-Information-A.pdf>.
- ³⁹⁸ Maryland State Board of Education, "Cohort Graduation and Dropout Rates," Powerpoint presentation, February 28, 2023, 20, https://marylandpublicschools.org/stateboard/Documents/2023/0228/CohortRatesSBOE_022023.pdf.
- ³⁹⁹ Cohort Graduation and Dropout Rates," Powerpoint presentation, February 28, 2023, 20, https://marylandpublicschools.org/stateboard/Documents/2023/0228/CohortRatesSBOE_022023.pdf; Maryland State Department of Education, *Graduation Rate Information* (Baltimore, MD: 2024), 7, <https://marylandpublicschools.org/stateboard/Documents/2024/0326/Graduation-Rate-Information-A.pdf>.
- ⁴⁰⁰ Maryland Department of Juvenile Services, *Data Resource Guide: Fiscal Year 2023* (Baltimore, MD: 2023), 18 & 206, https://djs.maryland.gov/Documents/DRG/Data_Resource_Guide_FY2023.pdf; Adam Looney and Nicholas Turner, *Work and opportunity before and after incarceration*, (Washington, DC: The Brookings Institution, 2018), 11, https://www.brookings.edu/wp-content/uploads/2018/03/es_20180314_looneyincarceration_final.pdf.
- ⁴⁰¹ Maryland H.B. 193 (2018).
- ⁴⁰² Maryland General Assembly. "House Bill 193: High School Diploma by Examination – Eligibility Requirements – Exemption." 2018 Regular Session. <https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/hb0193?ys=2018RS>
- ⁴⁰³ Annie E. Casey Foundation. *Child Population by Race/Ethnicity*. KIDS COUNT Data Center. <https://datacenter.kidscount.org/>; Maryland Department of Juvenile Services. *Data Resource Guide: Fiscal Year 2022*. Baltimore, MD: Maryland Department of Juvenile Services, 2022; https://djs.maryland.gov/Documents/DRG/Data_Resource_Guide_FY2022.pdf.
- ⁴⁰⁴ Annie E. Casey Foundation. *Child Population by Race/Ethnicity*. KIDS COUNT Data Center. <https://datacenter.kidscount.org/>.
- ⁴⁰⁵ Maryland Department of Juvenile Services. *Data Resource Guide: Fiscal Year 2022*. Baltimore, MD: Maryland Department of Juvenile Services, 2022. https://djs.maryland.gov/Documents/DRG/Data_Resource_Guide_FY2022.pdf.
- ⁴⁰⁶ Maryland Department of Juvenile Services. *Data Resource Guide: Fiscal Year 2022*. Baltimore, MD: Maryland Department of Juvenile Services, 2022. https://djs.maryland.gov/Documents/DRG/Data_Resource_Guide_FY2022.pdf.
- ⁴⁰⁷ Maryland Department of Juvenile Services. *Data Resource Guide: Fiscal Year 2022*. Baltimore, MD: Maryland Department of Juvenile Services, 2022. https://djs.maryland.gov/Documents/DRG/Data_Resource_Guide_FY2022.pdf.
- ⁴⁰⁸ Osher, Julia Van Zandt. "Addressing Racial Disparities in Maryland's Juvenile Justice System: What the Juvenile Restoration Act Could Mean for Maryland's Black Youth Tried as Adults." *University of Baltimore Law Review*, October 29, 2021. <https://ubaltlawreview.com/2021/10/29/addressing-racial-disparities-in-marylands-juvenile-justice-system-what-the-juvenile-restoration-act-could-mean-for-marylands-black-youth-tried-as-adults/>.
- ⁴⁰⁹ Osher, Julia Van Zandt. "Addressing Racial Disparities in Maryland's Juvenile Justice System: What the Juvenile Restoration Act Could Mean for Maryland's Black Youth Tried as Adults." *University of Baltimore Law Review*, October 29, 2021. <https://ubaltlawreview.com/2021/10/29/addressing-racial-disparities-in-marylands-juvenile-justice-system-what-the-juvenile-restoration-act-could-mean-for-marylands-black-youth-tried-as-adults/>.
- ⁴¹⁰ The Sentencing Project. *Testimony in Support of Senate Bill 93*. February 2023. <https://www.sentencingproject.org/app/uploads/2023/02/SB93-testimony.pdf>; The Pew Charitable Trusts. *Racial Disparities Persist in Many U.S. Jails*. May 2023. <https://www.pewtrusts.org/en/research-and->

[analysis/issue-briefs/2023/05/racial-disparities-persist-in-many-us-jails#:~:text=Research%20has%20shown%20that%20Black%20and%20Hispanic,sanctions%2C%20such%20as%20incarceration%20rather%20than%20probation.](#)

⁴¹¹ Maryland Judiciary Equal Justice Committee. *Report on Access to Fairness and Equity in the Maryland Judiciary*. Annapolis, MD: Maryland Judiciary, 2021.

<https://ncsc.contentdm.oclc.org/digital/api/collection/accessfair/id/990/download>.

⁴¹² Maryland Judiciary Equal Justice Committee. *Report on Access to Fairness and Equity in the Maryland Judiciary*. Annapolis, MD: Maryland Judiciary, 2021.

⁴¹³ Office of Juvenile Justice and Delinquency Prevention. *Racial and Ethnic Disparity*. Accessed 2022.

<https://ojjdp.ojp.gov/model-programs-guide/literature-reviews/racial-and-ethnic-disparity#1-0>.

⁴¹⁴ Osher, Julia Van Zandt. "Addressing Racial Disparities in Maryland's Juvenile Justice System: What the Juvenile Restoration Act Could Mean for Maryland's Black Youth Tried as Adults." *University of Baltimore Law Review*, October 29, 2021. <https://ubaltlawreview.com/2021/10/29/addressing-racial-disparities-in-marylands-juvenile-justice-system-what-the-juvenile-restoration-act-could-mean-for-marylands-black-youth-tried-as-adults/>.

⁴¹⁵ Section 3-8A-03 of the Maryland Judicial Proceedings Act

⁴¹⁶ Youth Charged as Adults data from Maryland Department of Public Safety and Correctional Services via Governor's Office of Crime Prevention and Policy (GOCPP) dashboard , pulled August 2024.

⁴¹⁷ Youth Charged as Adults data from Maryland Department of Public Safety and Correctional Services via Governor's Office of Crime Prevention and Policy (GOCPP) dashboard, pulled January 2025.

⁴¹⁸ Youth Charged as Adults data from Maryland Department of Public Safety and Correctional Services via Governor's Office of Crime Prevention and Policy (GOCPP) dashboard, pulled August 2024.

⁴¹⁹ Abell Foundation. *Juvenile Justice Reform in Maryland: Recommendations for Lawmakers and Practitioners*. Baltimore: Abell Foundation, 2018. <https://abell.org/wp-content/uploads/2018/06/JuvenileJusticeReport2018.pdf>. (Note this may be just for Baltimore City

⁴²⁰ Abell Foundation. *Juvenile Justice Reform in Maryland: Recommendations for Lawmakers and Practitioners*. Baltimore: Abell Foundation, 2018. <https://abell.org/wp-content/uploads/2018/06/JuvenileJusticeReport2018.pdf>. (Note this may be just for Baltimore City

⁴²¹ Maryland Department of Juvenile Services. *Juvenile Crime Data Brief*. September 12, 2023. https://djs.maryland.gov/Documents/MD-DJS-Juvenile-Crime-Data-Brief_20230912.pdf.

⁴²² Human Rights for Kids, "Crimes Against Humanity: The Mass Incarceration of Children in the United States," 2023, [Human-Rights-For-Kids-Crimes-Against-Humanity-The-Mass-Incarceration-of-Children-in-the-US.pdf](#).

⁴²³ Human Rights for Kids, "Crimes Against Humanity: The Mass Incarceration of Children in the United States," 2023, [Human-Rights-For-Kids-Crimes-Against-Humanity-The-Mass-Incarceration-of-Children-in-the-US.pdf](#).

⁴²⁴ Youth Charged as Adults data from Maryland Department of Public Safety and Correctional Services via Governor's Office of Crime Prevention and Policy (GOCPP) dashboard , pulled August 2024.

⁴²⁵ Youth Charged as Adults data from Maryland Department of Public Safety and Correctional Services via Governor's Office of Crime Prevention and Policy (GOCPP) dashboard , pulled August 2024.

⁴²⁶ Youth Charged as Adults data from Maryland Department of Public Safety and Correctional Services via Governor's Office of Crime Prevention and Policy (GOCPP) dashboard , pulled August 2024.

⁴²⁷ Human Rights for Kids, "Crimes Against Humanity: The Mass Incarceration of Children in the United States," 2023, [Human-Rights-For-Kids-Crimes-Against-Humanity-The-Mass-Incarceration-of-Children-in-the-US.pdf](#).

⁴²⁸ Youth Charged as Adults data from Maryland Department of Public Safety and Correctional Services via Governor's Office of Crime Prevention and Policy (GOCPP) dashboard , pulled August 2024.

⁴²⁹ Youth Charged as Adults data from Maryland Department of Public Safety and Correctional Services via Governor's Office of Crime Prevention and Policy (GOCPP) dashboard, pulled August 2024.

⁴³⁰ Campaign for Youth Justice., "State Trends: Legislative Victories from 2005 to 2020 Removing Youth from the Adult Criminal legal system." Washington, DC: Campaign for Youth Justice, 2020. https://www.campaignforyouthjustice.org/images/state_trends_2020_final.pdf.

⁴³¹ [William Brangham](#), "Advocates push to end the automatic charging of juveniles as adults in certain crimes," PBS News Hour, November 2022.

⁴³² [William Brangham](#), "Advocates push to end the automatic charging of juveniles as adults in certain crimes," PBS News Hour, November 2022.

⁴³³ [William Brangham](#), "Advocates push to end the automatic charging of juveniles as adults in certain crimes," PBS News Hour, November 2022.

⁴³⁴ Florida HB 339, 2019

⁴³⁵ Maryland Alliance for Justice Reform, *Advancing Bail Reform in Maryland: Progress and Possibilities*, 2018, <https://www.ma4jr.org/wp-content/uploads/2018/03/Advancing-Bail-Reform-In-Maryland-2018.pdf>.

⁴³⁶ Maryland Department of Juvenile Services. *Juvenile Crime Data Brief*. September 12, 2023. https://djs.maryland.gov/Documents/MD-DJS-Juvenile-Crime-Data-Brief_20230912.pdf.

⁴³⁷ Maryland Department of Juvenile Services. *Juvenile Crime Data Brief*. September 12, 2023. https://djs.maryland.gov/Documents/MD-DJS-Juvenile-Crime-Data-Brief_20230912.pdf.

⁴³⁸ Jeffrey J. Rachlinski, Sheri Lynn Johnson, Andrew J. Wistrich, and Chris Guthrie, "Does Unconscious Racial Bias Affect Trial Judges?" *Notre Dame Law Review* 84, no. 3 (2009): 1195-1246. <https://ndlawreview.org/wp-content/uploads/2013/07/Rachlinski.pdf>

⁴³⁹ Maryland Judiciary, *Judicial College of Maryland Administrative Order*.

⁴⁴⁰ Maryland Judiciary. *Foster Care Court Improvement Project Administrative Order*. June 7, 2012, <https://www.mdcourts.gov/sites/default/files/admin-orders/060712fostercarecourtimprovementproject.pdf>; Maryland Judiciary, *Foster Care Court Improvement Project Administrative Order*; The Courts & Judicial Proceeding Article of the Annotated Code, 3-806 and 3-807, <https://www.mdcourts.gov/sites/default/files/admin-orders/20230908concerningtheorientationoninitialassignmentorappointmentasjuvenilejudgeormagistrate.pdf>.

⁴⁴¹ *Westlaw, Maryland Code – Courts and Judicial Proceedings*.

<https://govt.westlaw.com/mdc/Document/N70E18D50CA9211EE866D8496D23BD4BD>; *Westlaw. Maryland Code - Criminal Procedure*. <https://govt.westlaw.com/mdc/Document/N97B2FDB0CA9211EE866D8496D23BD4BD>.

⁴⁴² Administration for Children and Families. *Court Improvement Program*. U.S. Department of Health and Human Services. <https://www.acf.hhs.gov/cb/grant-funding/court-improvement-program>; Social Security Administration. *Social Security Act, Title IV, Section 438* https://www.ssa.gov/OP_Home/ssact/title04/0438.htm.

⁴⁴³ Maryland Judiciary. *Amended Administrative Order on Continuing Education, Outreach, and Leadership of Judges and Magistrates*. January 30, 2023. <https://www.mdcourts.gov/sites/default/files/admin-orders/20230130amendedcontinuingeducationandoutreachandleadershipofjudgesandmagistrates.pdf>

⁴⁴⁴ Maryland Judiciary. *Amended Administrative Order on Continuing Education, Outreach, and Leadership of Judges and Magistrates*. January 30, 2023. <https://www.mdcourts.gov/sites/default/files/admin-orders/20230130amendedcontinuingeducationandoutreachandleadershipofjudgesandmagistrates.pdf>

⁴⁴⁵ Maryland Judiciary. *Amended Administrative Order on Continuing Education, Outreach, and Leadership of Judges and Magistrates*. January 30, 2023. <https://www.mdcourts.gov/sites/default/files/admin-orders/20230130amendedcontinuingeducationandoutreachandleadershipofjudgesandmagistrates.pdf>

⁴⁴⁶ Maryland Judiciary. *Amended Administrative Order on Continuing Education, Outreach, and Leadership of Judges and Magistrates*. January 30, 2023. <https://www.mdcourts.gov/sites/default/files/admin-orders/20230130amendedcontinuingeducationandoutreachandleadershipofjudgesandmagistrates.pdf>

⁴⁴⁷ Minnesota Legislature. *Minnesota Statutes § 480.30 - Judicial Training*. <https://www.revisor.mn.gov/statutes/cite/480.30>

⁴⁴⁸ Judicial Council of California. *California Rules of Court, Rule 10.469 – Judicial Branch Education: Trial Court Judges and Subordinate Judicial Officers*. https://courts.ca.gov/cms/rules/index/ten/rule10_469

⁴⁴⁹ Washington Courts. *General Rule 26 - Standards for Judicial Education*. https://www.courts.wa.gov/court_rules/pdf/GR/GA_GR_26_Standards.pdf