

**TESTIMONY IN SUPPORT OF SB 499:
Correctional Services – Division of Parole and Probation – Supervision Fee**

TO: Hon. Brian Frosh, Chair, and members of the Judicial Proceedings Committee
FROM: Melissa Broome, Senior Policy Advocate
DATE: March 2, 2010

The Job Opportunities Task Force (JOTF) is an independent, nonprofit organization that promotes improved economic opportunities for low-income workers, particularly job-seekers with criminal records. We support SB 499 as a means to encourage the successful reentry of individuals returning to society from prison.

In Maryland, persons on parole are billed \$40 per month for their supervision. The fee is largely uncollectible, with only 17 percent being obtained by the end of parole. The imposition of the fee is out of line with Maryland's commitment toward policies that protect the public by promoting the successful reentry of parolees.

When the Maryland Legislature authorized the fee in 1991, it knew that many parolees would be unable to afford the fee, and therefore created categorical exemptions. Supervisees may be exempt due to an inability to secure employment, school or job training enrollment, disability, responsibility for dependents, or other extenuating circumstances.

Under the current system, the Parole Commission, a body that has little ongoing contact with parolees, has the sole authority to grant fee exemptions. The Parole Commission routinely imposes the fee, without conducting evaluations of whether parolees should be granted exemptions. As a result of this process, Maryland rarely grants exemptions even though most parolees are likely eligible. In FY 2007, only 7% - or 538 of the 7,524 individuals on parole – were exempt.

When exemptions are not granted, the fees accrue as debt owed by persons on parole. At the end of the parole term, the paper debt is transferred to the state's Central Collection Unit, which continues the process of attempting to collect the fee – often marring credit reports – and adds a one-time 17 percent surcharge onto the underlying debt. Consequently, the majority of parolees incur substantial debt from a fee from which they would be exempt if the process worked as intended.

SB 499 would address this problem by transferring authority to grant exemptions from the Parole Commission to the Division of Parole and Probation, whose agents meet regularly with parolees and are better positioned than the Parole Commission to evaluate an individual's ability to afford the fee. Agents at the Division of Parole and Probation are already charged with handling the collection of the monthly fee. Many parolees do not meet with their parole agent because they are unable to pay the fee.

SB 499 would also ensure that the obligation to pay the fee does not commence until a Division of Parole and Probation agent has conducted an upfront evaluation of whether the individual qualifies for exemption. SB 499 does not abolish the fee, which means that those who are able to pay will continue to do so, and the effect on the general fund will be minimal.

Although the parole fee raises a small amount of revenue for the state's general fund – \$334,752 in FY 20087 – the fiscal benefit is outweighed by the risk that the fee contributes to recidivism, and thereby results in higher incarceration costs. The average cost to incarcerate someone for one year is almost \$32,000. If the supervision fee has a role in just 11 parolees returning to prison for a year, the costs to the state would surpass the \$334,752 raised by the fee. For all of these reasons, we respectfully urge a favorable report of SB 499.