ACLU Maryland

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HB 628 Correctional Services - Inmates - Labor

FAVORABLE

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The ACLU of Maryland supports HB 628, which would broaden the existing reporting elements in the Commissioner of Correction Annual Report and the Division of Correction Financial and Operational Report to include information relating to inmate employment, wages, labor conditions, and cost of living.

For years, prisoners across the state have been working for Maryland Correctional Enterprises, generating millions in revenues—$61.4 million in FY2016. That year, $2.5 million was transferred to the general fund resulting in a net profit of $600,000. Despite the enormity of the revenues generated by MCE, some inmates earn as little as $1.25 per day, others earning $8.75 per day.[1]

The low wages being paid to prisoners is particularly egregious in light of the inflated price of commodities and phone rates behind bars. A 2015 FCC ruling resulted in a substantial decrease in call rates—a 15-minute call was reduced from $4.50 to $1.65.[2] Nonetheless, consider the daily earnings of someone earning $1.25 per day—a full day's work would not be enough to afford a 15-minute phone call with a loved one.

The state's profit of $600,000 per year also raises serious conflict of interest concerns—the state has potential financial gain from underpaid labor by a captive workforce.

Finally, the racial inequity at play in this context is undeniable—African Americans make up about 70% of the prison population, more than double their representation in the general population. The use of underpaid labor of a majority Black population rings painfully reminiscent of slavery.

In light of these concerns, HB 628 is a step in the right direction—more information is needed to understand the trends and practices concerning prison labor throughout our state.

For the foregoing reasons, we urge a favorable report on HB 628.

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[1] HB 628 Correctional Services - Inmates – Labor, Fiscal and Policy Note (2018).
[2] Alison Knezevich, Baltimore Sun, Federal ruling to lower phone rates for Maryland inmates and families (October 23, 2015).