

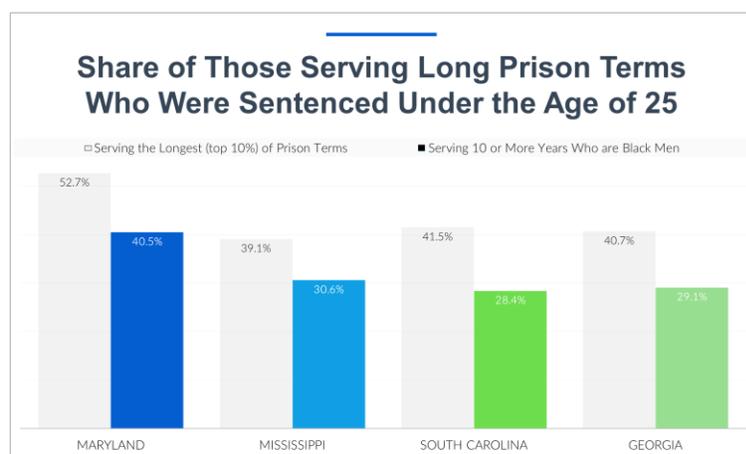
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NEW POLICY BRIEF: Maryland leads the nation in incarcerating young Black men, sentenced to the longest prison terms, at a rate 25% higher than the next nearest state — Mississippi.

State has incarcerated the highest percentage of people who are Black in the country, more than twice the national average.

Washington D.C. (November 6, 2019) - Marylanders want and deserve a justice system administered fairly and without bias; unfortunately, current practice does not deliver on that goal. “Maryland is the worst state in the nation when it comes to incarcerating people who are Black,” said JPI Executive Director Marc Schindler. “These disparities are most pronounced for people serving the longest sentences who were sentenced as emerging adults (18- to 24-year-olds). This is a racial justice crisis that Maryland’s leaders must tackle head on.”



Today, with the release of *Rethinking Approaches to Over Incarceration of Black Young Adults in Maryland*, the Justice Policy Institute (JPI) reminds policy makers that the justice system in Maryland continues to be plagued by the effects of racial injustice. More than 70% of all people in Maryland’s prisons, double the national average, and almost 80% of people serving at least 10 years, are Black. These are the highest rates in the country, easily eclipsing the next closest states – Mississippi, South Carolina and Georgia.

“We must focus on the emerging adult population for an effective, fair and unbiased criminal justice system,” said Delegate Erik L. Barron (D-District 24.) “It’s past time for Maryland to join other jurisdictions exploring innovative reforms related to emerging adults.”

Many of these emerging adults, sentenced to extreme prison sentences, remain imprisoned decades later. Currently, Maryland imprisons 3,000 people over age 50, and nearly 1,000 individuals who are 60 or older. Needlessly incarcerating older individuals is costing the state hundreds of millions of dollars with no positive public safety impact.

Maryland should not be left behind as other states awaken to the need to work with emerging adults in different ways. “Personally, I am very concerned about how the criminal justice system impacts the lives of young adults,” said Maryland Senator Joanne Benson (D-District 24.) “The long-term sentencing and treatment of young adults in the prison system does not lend itself to

meeting their developmental needs. My interest has always favored rehabilitation instead of warehousing.”

Failure to address the needs of emerging adults in the criminal justice system has exacerbated racial inequities, driven a system that incarcerates people for decades beyond any public safety benefit and made us all less safe. “We must develop age-appropriate programming to help them successfully transition into adulthood with a focus on education, vocational programming, and rehabilitative services,” said Gregg Carpenter, co-founder of 2AM Bakery, “all of which will result in better public safety outcomes.”

Announcing the brief’s release, JPI Executive Director Marc Schindler said, “Research shows that emerging adults are much more like teens than older adults, with brain science showing they are still developing into their mid-twenties. There’s a reason we treat youth differently than adults, but there is no good reason that should arbitrarily end at age 18.”

Rethinking Approaches to Over Incarceration of Black Young Adults in Maryland recommends a series of policy changes including:

- *Sentencing Consideration* – allowing a judge to treat age as a mitigating factor for emerging adults can greatly decrease justice involvement.
- *Sentencing Reforms* – allow individuals who have served at least 15 years in prison to petition a court for resentencing in light of their demonstrated rehabilitation while incarcerated.
- *Community investment* – provide resources for effective community based services, supports, and opportunities, including for housing, education, behavioral health, employment, substance abuse treatment, restorative justice options.
- *Probation Reform* – probation departments need to develop age-appropriate interventions to plan for successful outcomes.
- *Jail and Prison-based Programs* – create age-appropriate programming, tailored to the unique challenges of emerging adults, based on the foundations of the juvenile justice system.
- *Policy Change* – raising the age of juvenile jurisdiction, expanding opportunities for record expungement and access to age appropriate rehabilitative programs.

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The Justice Policy Institute is dedicated to ending the incarceration generation by reducing reliance on the justice system and using incarceration only as a last resort.