



Testimony of Tracy Velázquez
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Thank you, members of the Committee, for allowing me to testify today on the issue of overincarceration, particularly of African Americans, in Maryland. My name is Tracy Velázquez, and my organization, the Justice Policy Institute, has been researching criminal justice issues in Maryland for over a decade. Recent publications include “Baltimore Behind Bars,” a study of the city’s jail; “When Treatment is Punishment,” a look at people held in facilities while incompetent to stand trial; and “The Release Valve,” which discusses Maryland’s parole system. I know you’ve heard from a number of panels already. I want to therefore concentrate on ways to reduce disparities in the system, as well as reduce the number of people who come in contact with the justice system at all or who end up going deeper into the system, with negative impacts for themselves and their communities.

The most important way to reduce disparities is to realign the way we spend money here in Maryland. According to the Bureau of Justice Statistics, of all the states Maryland is seventh in the amount spent per capita on the justice system. The justice system is costing every person in Maryland over \$400 per year – higher than even California, where they are under court order to reduce their prison population. We are sixth in terms of money spent per capita on policing, and **THIRD** when it comes to per capita spending on corrections. We spend almost \$250 per person per year in Maryland in incarceration costs alone.

Maryland needs to change the way it spends money. First, I’ll talk about what investments the state should make to keep people out of the justice system altogether. The first of these is education for our children.

- We know that States whose populations have higher levels of educational attainment also have crime rates lower than the national average.¹
- States with more investments in higher education have better public safety outcomes. According to a JPI analysis, of the 10 states that saw the biggest increases in higher education expenditure, eight saw violent crime rates decline and five saw violent crime decline more than the national average. Of the 10 states that saw the smallest change in

¹ Justice Policy Institute, Education and Public Safety (Washington, DC: Justice Policy Institute, 2007).
www.justicepolicy.org/images/upload/07-08_REP_EducationAndPublicSafety_PS-AC.pdf

higher education expenditure, the violent crime rate rose in five states.² When it comes to higher education, Maryland is among the ten states with the lowest per capita rate of higher education attainment, with a much higher rate of violent crime than national average.

The disparities in terms of educational attainment in Maryland are striking. According to a recent report by the Institute on Research in Higher Education, “*degree attainment and preparation for college* in Maryland are marked by sharp disparities among demographic groups and regions (all figures are for the most recent year available). Only 33% of blacks and 20% of Hispanics between the ages of 25 and 34 hold at least an associate degree, compared with 51% of white Marylanders. Moreover, among Hispanics, the state’s fastest-growing demographic group, degree attainment fell significantly between 1990 and 2005. Only 29.5% of adults in Baltimore (home to nearly 11% of Maryland’s population) hold at least an associate degree.”

Researchers credit these disparities in part to “a legacy of racism... Maryland’s formerly segregated higher education system remains under the supervision of the U.S. Office for Civil Rights, which monitors its compliance with Title VI of the 1964 Civil Rights Act.”

They also note that “poor, black and Hispanic Maryland schoolchildren score lower on standardized tests, drop out of high school more often, go on to attend college less often and fail to complete college more often than do wealthier and white schoolchildren. Yet Maryland lacks a coherent set of policies to ensure that more children are prepared for, attend and complete college.”³

Reducing the educational disparities will help reduce the disparities in the justice system.

Investing in both mental health and substance abuse treatment can also reduce disparities and overincarceration. Drug treatment in the community – rather than through corrections or courts - provides the largest public safety benefit. And many people enter the justice system because of unaddressed mental health problems. About one in ten Marylanders report experience serious psychological stress in the past year,⁴ while almost sixteen percent of adults in Maryland report past month illicit drug use.⁵ 6.5 percent indicated they needed drug treatment but were unable to obtain it. With over half of people in prison nationally having used illicit drugs prior to their arrest, it is critical that we increase the amount we spend on treatment in the community.

Maryland sees significant disparities in terms of both arrests and pretrial imprisonment. African Americans are arrested at over three times the rate of whites in Maryland. In Maryland’s largest jail, the Baltimore Detention Center, 9 in 10 of the people held are African American, even though only 64 percent of the Baltimore population is. About a third are held for drug related charges, while about another third are being held on charges for other nonviolent offenses. We know that being held in jail pretrial increases your chances of being convicted, and also increases

² Justice Policy Institute, Education and Public Safety (Washington, DC: Justice Policy Institute, 2007). www.justicepolicy.org/images/upload/07-08_REP_EducationAndPublicSafety_PS-AC.pdf

³ http://www.gse.upenn.edu/pdf/irhe/Maryland_Key_Points.pdf

⁴ <http://www.oas.samhsa.gov/2k6State/MarylandMH.htm#Tabs>

⁵ <http://www.oas.samhsa.gov/2k6State/Maryland.htm>

the severity of eventual sentencing, due to the inability to maintain community ties and reduction in access to counsel.

Maryland can reduce disparities at the front end of the justice system, by examining how they police, who they arrest and whether they are held in jail while awaiting trial. Maryland is already moving in this direction, by improving public defense at bail hearings and increasing the use of alternatives to criminal arrest for minor offenses. Maryland should also increase its funding for pretrial services, which cost a fraction of that of jail, so that fewer people are held in jail while awaiting trial.

Finally, I wanted to mention the need to improve parole and re-entry services. Because of the disproportionate number of African Americans currently incarcerated, we know that will be a disproportionate number of African Americans who must face the challenges associated with re-entering the community. In addition to reducing the substantial barriers and collateral consequences that face formerly incarcerated people, we must invest more in re-entry services to ensure that they have the services and supports they need to be successful.

Here in Maryland as in the rest of this country, how we spend our money says a lot about our priorities as a society. I hope that Maryland will begin shifting its public resources away from incarceration and the justice system, and towards investments that will improve the wellbeing of ALL people and communities in the state. Thank you.