



TESTIMONY IN SUPPORT OF HB694

Honorable Chair Maggie McIntosh and Members
House Appropriations Committee
House Office Building, 6 Bladen Street
Annapolis, MD 21401

The Office of Civil Rights and Wage Enforcement is a Baltimore City agency tasked with upholding federal, state and local civil rights laws. The overarching mission of the Office of Civil Rights is to carry out activities to eliminate discrimination and protect individuals' civil rights. As a part of our mission and dedication to fairness and equality for the people of Baltimore, we wish to express our strong support of HB694.

We believe that the right to an education is a fundamental human right for everyone, regardless of their criminal past. Federal law currently protects those who seek higher education from discrimination on the basis of race, color, age, national origin, ethnicity, disability and sex. It is a natural and informed progression to add past criminal history to this list. Defining individuals by their past mistakes is not only an incredible missed opportunity for recovery and restoration; it is also a violation of their right to seek fulfillment and improvement, economically, socially and spiritually. Protecting those with criminal history from discrimination in higher education supports a belief in basic human dignity, and the idea that people are more than their pasts.

We believe that access to higher education and vocational training can reduce the rates of recidivism for those who were previously incarcerated. It is simple logic that a person with adequate education and job training will be more likely to support themselves. Statistical evidence tells us that crime is more often than not the result of poverty, and poverty can be traced to a lack of access to education and opportunity. By allowing formerly incarcerated individuals to be a part of the higher education system, we not only offer them the opportunity to free themselves and their families from the cycle of poverty, we also effectively reduce the crime rate and the costs of trial and incarceration for the state as a whole. Furthermore, children with parents who have

obtained higher education are more likely to seek higher education themselves, creating a positive generational effect. Allowing people with past criminal history to rejoin their families and gain full participation in society is not only their basic right, it is also has direct, palpable benefits for the community.

Most importantly, we recognize that racial profiling, inadequate resources and biased enforcement actions, as well as mass incarceration and criminal justice policy disproportionately affect African Americans, especially African American males, severely limiting their access to education. National statistics show that Black Americans are more likely to be pulled over without reason, more likely to be arrested for drug use in spite of similar rates of use across all racial lines, more likely to await trial in jail regardless of charges, thus making it more difficult to prepare a defense, more likely to be offered a plea deal that includes incarceration, more likely to need the services of a public defender when accused of a crime leading to an increased likelihood of pleading out even in cases of innocence, more likely to serve the longest sentences regardless of charges, and more likely to have both their voting and probation rights revoked. Given these facts, and the knowledge that convictions and incarceration are so racialized, it is clear that the limiting of access to education based on prior criminal record is a vital civil rights issue. This is especially true for Maryland, where the Justice Department investigation into policing in the City of Baltimore revealed routine civil rights violations and systemic racial bias. Removing one of many barriers to reintegration into education and employment will not erase these issues, but it may begin a process of correcting them.

As Baltimore City's civil rights agency, we recognize our responsibility to work towards creating a space that affords safety, opportunity and equality for everyone. We believe that the adoption and implementation of HB694 is a vital part of this mission. We believe that access to education for all is a step towards a better Baltimore, and a better Maryland.