

JOTF JOB OPPORTUNITIES TASK FORCE

Advocating better skills, jobs, and incomes

SUPPORT SB397/HB89: DIMINUTION CREDITS IN CORRECTIONAL EDUCATION

Access to correctional educational and vocational opportunities reduces recidivism and creates pathways to employment

THE CHALLENGE

- The average reading level of the 19,332 incarcerated citizens in the Maryland prison system is between 5th and 8th grade. Less than half of this population has a high school diploma when they enter the correctional system.
- Maryland's mandatory education law in corrections requires the incarcerated to enroll in educational or workforce skills classes if they lack a high school diploma, have at least 18 months remaining on their sentence, and is not exempt due to medical, developmental, or learning disabilities. Incarcerated persons must participate for a minimum of 120 days.
- According to the 2018 Correctional Education Council report, there are between 300 and 600 youth under the age of 21 incarcerated in adult prisons. All incarcerated persons under the age of 21 without a high school diploma are placed in class within 30 days of their arrival. In FY 2017 only 55 students under the age of 21 attained their GED while enrolled in Correctional Education classes.
- Studies have shown that recidivism rates for incarcerated persons with a high school diploma/GED or college degree are 7.9% less than the overall imprisoned population.
- Obtaining a high school diploma, college degree, or occupational skills training while incarcerated, is associated with higher rates of employment after release.

CURRENT POLICY

- When an individual is sentenced to prison in Maryland, they are entitled to earn diminution of confinement credits (i.e. diminution credits) that reduce the length of incarceration.
- Currently, incarcerated persons may earn up to 30 days per month in diminution credits if they participate in required educational and vocational programs. Persons convicted of certain sexual offenses, violent crimes, or high-volume drug offenses, are ineligible, and can instead earn a maximum of 20 days a month, according to specific guidelines based on offense type.
- An individual is ineligible to receive diminution credits if they are (1) serving a sentence for first or second-degree rape or sexual offense against a victim under age 16; (2) serving a repeat sentence for a third-degree sexual offense against a victim under age 16; (3) imprisoned for a lifetime sexual offender supervision violation.
- Additionally, an individual whose mandatory supervision release has been revoked may not be awarded any new diminution credits. If they violate the rules of discipline, any "good conduct" or "special project" credits may be revoked.

THE SOLUTION: INCREASE DIMINUTION CREDITS FOR CREDENTIALING

- The proposed legislation would establish an additional diminution credit bonus of 60 days to be awarded to those who earn their high school diploma/GED and/or successfully complete a literacy or occupational skills program, post-secondary educational certificate or degree, or 2- or 4-year college degree.
- For those serving time for a crime of violence defined under § 14–101 of the Criminal Law Article, the diminution credit bonus is 40 days.
- In passing this legislation, Maryland will join 13 other states in offering diminution credit bonuses for educational achievement.

For more information, please contact:

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