



BILL NO.: House Bill 1147

TITLE: Correctional Services – Inmate Welfare Fund – Telephone Financial Assistance

POSITION: **OPPOSE**

DATE: February 28, 2012

COMMITTEE: Judiciary

CONTACT: Leslie Knapp Jr.

The Maryland Association of Counties (MACo) **OPPOSES** House Bill 1147. The bill would create local operational and administrative challenges and establish a precedent for removing local flexibility on the uses of inmate welfare funds.

HB 1147 requires that a portion of the profits derived from telephone commissions that accrue to a local correctional facility's inmate welfare fund be used for phone calls that take place between an inmate and the minor child of an inmate. The use of the funds for these calls shall be distributed based on the financial need of the inmate.

The bill is well intentioned but attempts to apply a "one-size-fits-all" methodology to what has traditionally been a locally managed program. In all counties that have inmate welfare funds, the funds exist to benefit the general inmate population. However, the funds are managed differently by each county. As the bill's fiscal note states, HB 1147 would present some operational and administrative difficulties for most correctional facilities.

Furthermore, counties currently define the uses and benefits of an inmate welfare fund, in accordance with the needs and requirements of their local inmate populations. Requiring a portion of the fund go to a specific and narrow purpose sets a precedent for future restrictions or additional mandated uses of the fund, ultimately eroding the ability of a local government to tailor the fund to suit its own needs.

HB 1147 is a well-intentioned bill that would disrupt existing local oversight of inmate welfare funds and set a precedent for future restrictions on the uses of the funds. Accordingly, MACo recommends the Committee issue an **UNFAVORABLE** report on HB 1147.