



Senate Bill 778

Correctional Services – Inmate Welfare Fund – Telephone Financial Assistance

MACo Position: **OPPOSE**

To: Judicial Proceedings Committee

Date: February 27, 2013

From: Leslie Knapp Jr.

The Maryland Association of Counties (MACo) **OPPOSES** SB 778. The bill would require the Department of Public Safety and Correctional Services and local correctional facilities with inmate welfare funds to dedicate a portion of commissions earned on inmate telephone calls for funding telephone calls between an inmate and the inmate's minor child.

SB 778 is well-intentioned and MACo recognizes that the bill attempts to provide some local flexibility by allowing local correctional departments to specify the amount of telephone commissions that will be placed in the inmate welfare fund for the dedicated purpose of funding inmate-to-child calls. However, the bill ultimately applies 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, SB 778 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 be used for 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.

SB 778 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 SB 778.