



Senate Bill 858

Procurement and Correctional Facilities – Employment Opportunities for Formerly Incarcerated Individuals

MACo Position: **OPPOSE**

To: Judicial Proceedings and Education, Health,
and Environmental Affairs Committees

Date: February 26, 2020

From: Natasha Mehu

The Maryland Association of Counties (MACo) **OPPOSES** SB 858. While well intentioned, the bill places concerning and complicated requirements on the local jail procurement process that may hamper rather than help the process for employing formerly incarcerated individuals.

Local jails provide many services and programs to help incarcerated individuals reenter into communities. This includes programs providing job training, education, employer incentives, and partnerships for workforce development and apprenticeships. These valuable programs are geared toward preparing and helping incarcerated individuals obtain and maintain jobs post-incarceration.

SB 858 would require procurement contracts for local jail goods and services to include a clause related to the hiring of formerly incarcerated individuals. Additionally, the local jail procurement must give preference to bidders based on the number of employees who are formerly incarcerated. It also includes requirements for certain state agencies to facilitate the hiring process through an online portal as well as reporting and notification requirements.

Counties are concerned that the bill would place onerous burdens on the procurement process resulting in a decrease in contractor bids, a less competitive and longer bidding process, and higher overall procurement costs – without bolstering the number of previously incarcerated individuals or properly preparing them for the workforce. Additionally, some formerly incarcerated individuals may not pass the necessary background checks for on-site jobs, making it difficult for employers and procurement officials to comply with the bill.

The bill would require implementing unnecessary and counterproductive administrative hurdles to the local jail employment procurement process that would not help increase employment opportunities for formerly incarcerated individuals as intended. For these reasons, MACo urges an **UNFAVORABLE** report on SB 858.