



HB0316 - Conditions of Pretrial Release - Home Detention Monitoring
Presented to the Honorable Luke Clippinger and Members of House Judiciary Committee
January 26, 2021 1:30 p.m.

POSITION: SUPPORT

NARAL Pro-Choice Maryland urges the Judiciary Committee to issue **a favorable report on HB0316 - Conditions of Pretrial Release - Home Detention Monitoring**, sponsored by Delegate Stephanie Smith.

Our organization is an advocate for reproductive health, rights, and justice. Anything that could pose a barrier to achieving that freedom and justice of pregnant and parenting individuals is something that our organization is dedicated to fighting in every facet of our society. This includes the very prevalent income inequalities present in the criminal justice system that prevent Marylanders from accessing the reproductive care they need.

HB0316 attempts to eliminate the economic barriers that exist in the pretrial release system. As the law stands now, there are no exceptions for low-income persons in regards to the fees that come with a pretrial release, clearly prioritizing those with wealth privileges. In doing so, those living below the federal poverty line are restricted access to a pretrial release they may desperately need. Meanwhile, two thirds of those on probation nationwide make less than \$20,000 a year and 38% are well below the poverty line.¹ Those who choose to accept a pretrial release may face significant financial burden for months while potentially sacrificing essential services in order to pay the fees; if they're unable, they may be forced to relinquish their pretrial release. This becomes even more problematic when there are no regulations for what private companies can charge an individual.

This is especially important for pregnant individuals who may require special healthcare access or accommodations during the span of their pregnancy. These individuals should not be forced to take on burdensome financial expenses in order to retain their pretrial release when they are already saving for expectant children or paying for other healthcare related needs. Pregnant individuals or those facing other reproductive challenges deserve to be in a safe and familiar environment for the requirements of their health needs without cost being a factor. This truth remains particularly pertinent during a devastating pandemic that has infected—and killed—thousands of people in prisons and jails across the county, and is the reason groups like Reproductive Justice Inside have been working to get pregnant folks out of prisons and jails.

This bill will erase these income barriers and make it so that qualifying individuals with demonstrated need for financial assistance will be exempt from hefty pretrial release fees and be able to prioritize their healthcare needs despite their economic status. For these reasons, NARAL Pro-Choice Maryland **urges a favorable committee report on HB0316**. Thank you for your time and consideration.

¹ https://www.prisonpolicy.org/blog/2019/04/09/probation_income/