



BEARING WITNESS:

BALTIMORE CITY'S RESIDENTS GIVE VOICE TO WHAT'S NEEDED TO FIX THE CRIMINAL JUSTICE SYSTEM

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EXECUTIVE Summary

Bearing Witness is the culmination of interviews with people from Baltimore City about their experiences with the criminal justice system. Compared to the rest of Maryland, Baltimore City faces a concentrated impact of the criminal justice system. Approximately 61 percent of newly-incarcerated people in Maryland's prisons were from Baltimore City in fiscal year 2008.

Five themes emerge from the narratives and include: the unique needs of women; the impact of parole and probation policies; the need for a public health approach to drug addiction; the cost investing in prisons over other social institutions; and the potential that restorative justice has for healing communities. Of particular note:

Meeting the Unique Needs of Women

When women are imprisoned, they are not the only ones punished. According to a Maryland Commission for Women (MCW) Status Report, in 1998, 80 percent of women in Maryland prisons were mothers, with the average age of their children being eight years old.¹ Lack of contact with their mothers can have damaging effects on children. Children commonly experience sadness, anger, confusion, grief or depression due to the separation from their parents.² Children whose mothers are or were imprisoned are more likely to have low self-esteem, impaired achievement motivation, and poor peer relations, with up to 30 percent developing mental health problems.³

“I lost everything when I got arrested – my home, my car, I had to go back to depend on my mother – I had nothing. Because of my conviction, I had to leave nursing school where I was nearly finished with my degree. Now I’ve graduated with a degree in psychology and health education. But it took me two years to find a job. You know the statistics were bad for me: young black teenage mother with a criminal record, going to drop out of school, be on welfare, not going to make it to college. Now my daughter can go to school and say ‘my mommy’s working on her graduate degree.’ But it didn’t have to happen like this.”

—Rasheeda Alford

To improve Baltimore's response to the needs of women in the community, interviewees suggested services to strengthen families, more mental health services, and an adjustment of enforcement strategies to take into account the reasons women might be engaged in certain illegal behaviors.

Closing the Revolving Door: Reforming Parole and Probation

Parole and probation guidelines are often onerous and inconsistent with rational expectations of behavior, setting up individuals for failure. One condition of parole and probation—maintaining employment—may be difficult for someone who is unskilled or undereducated, especially when they have a criminal record, and especially in a struggling economy. As the system is currently organized, one in five people released on parole in Maryland will return to prison, and over half of these are for technical violations such as missing appointments with parole officers, not paying fines or failing drug tests.⁴

“I’m talking to my parole officer from work and he says I need to leave work and go see him. I punch in at 8am and leave at 4pm. Conditions of my parole are to remain employed and have employment at all times on parole. To leave a job is termination or grounds for suspension. My parole condition says I must work 40 hours a week. If I’m only clocking 37.5 hours, I’m in violation. Every time I go see my parole officer I wait four hours! If I don’t show up you can violate me and my job can terminate me at any given time for leaving work. It’s about communication. They’re barking orders but not helping.”

—Michael Deminds

In order to better ensure that people who get out of prison stay out of prison, community members suggested encouraging parole and probation to provide more services and support by developing a system of alternative sanctions, reducing caseloads, and reducing or eliminating fees associated with parole and probation. Community members also suggested creating incentives for parole and probation officers that encourage support for people on parole or probation.

A Public Health Approach to Drug Use and Addiction

Maryland's decades-long “War on Drugs” has resulted in more people in prison for drug offenses at an ever-increasing cost to the state. Between 1998 and 2007, the number of people in Maryland prisons for drug offenses increased 20 percent.⁵ However, research shows that increased imprisonment does not necessarily make communities in Maryland or Baltimore safer.⁶ Instead, evidence suggests that community-based treatment not only improves life outcomes for individuals, but also preserves public safety.⁷

“All my charges pertained to drugs and alcohol, my addiction. I’ve got no violent crime on my records. When I finally got caught, I told the probation officer, ‘I’m not a criminal, I’m an addict and I need some help! I don’t believe me going to prison is going to solve my problem. If I go to prison, when I come out I will have even more reason to get high and never get help for my addictions.’ With tears literally running down my face I begged, ‘Please, can you help me get into some kind of treatment program?’ ”

—Marlo Hargrove

Shifting the entire response to drug addiction away from incarceration and toward treatment is critical to Maryland’s reducing the number of people in prison and improving life outcomes for the people who are addicted to drugs. Specifically, the people interviewed for this report recommended that treatment be available in the community and on demand, parents should be able to take care of their children while they recover, and mental health services should be included.

Seize the Opportunity for Change: Investing in Solutions

Every dollar spent on prison is a dollar not dedicated to education, employment training, housing and other social institutions that have been shown to preserve public safety. The Maryland Department of Public Safety & Correctional Services (DPSCS) had a \$1.20 billion budget in 2008.⁸ Incarceration not only comes with direct expenses, it also carries high cost in terms of removing from the community people who could be valuable contributors.

“We’re losing youth, we’re losing adults, one-by-one, two-by-two and three-by-three. In order for that to change we have to make sure that we hold on to the ones we still have. I wish I could build a place where kids can escape and feel safe and comfortable. Where the door is always open.”

—Mikhail Holt

To expand opportunities and invest in solutions in Baltimore, the people who participated in this project recommended social and financial supports for education and employment, including training for green jobs, investing in programs and initiatives for youth (especially related to sports and mentoring), and starting a campaign to build the morale of the community to empower the citizens of Baltimore.

Embrace Restorative Justice: Focus on Healing Harm Caused by Violence

Restorative justice and community conferencing empowers people, particularly victims, to resolve issues themselves and make their own decisions about desired outcomes. The research indicates that restorative justice costs less than a traditional criminal justice process, provides a better sense of healing and justice for victims, and benefits public safety. Maryland has a community conferencing program that has already served approximately 7,000 people.

“Even in the beginning of the trial, they should offer to bring the families of the victims and the defendants together to talk. Don’t let people go to trial hating each other, or thinking that this person hates you. Give the mothers or the families an opportunity to speak – in a neutral space. That needs to happen from the beginning. I would like for [the defendant] to feel free to speak his mind and I would like him to explain to me every detail, how he felt, his motives. It’s only been two years for me, and I can’t even imagine when it will be over, it may never be over.”

—Ginger Beale

To increase restorative justice in Maryland, the people interviewed for this project suggest educating the community about restorative justice and promoting it as a way to address conflict, training more people in restorative justice techniques, and encouraging more agencies to adopt restorative justice because of the multiple benefits it has for victims, accountability for offenses committed, community stability, and financial cost.