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Congress of the United States
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The Honorable Larry Hogan
Governor of Maryland
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Annapolis, MD 21401

Dear Governor Hogan:

I am writing to express my strong support for state-level efforts to reduce any negative and unnecessary collateral consequences associated with criminal records in Maryland.

I was disappointed earlier this year when I learned that you vetoed legislation (HB 980) passed by the General Assembly of Maryland that would have allowed formerly-incarcerated Maryland citizens to vote as soon as they return to our communities. In order for those who have done their time to truly become contributing members of our society, we must secure their right to be active participants in our democracy. However, I have been encouraged to learn that you have convened a multi-agency working group to examine and recommend changes to regulations and laws that result in unnecessary collateral consequences for individuals with criminal records. I commend you for this effort, and look forward to monitoring its progress.

All too often, a criminal record is like a life sentence. For formerly-incarcerated individuals trying to rebuild their lives, a criminal record can be a barrier to accessing employment, housing, professional licensure, transportation, and the ballot box. These collateral consequences can make it harder for those with criminal records to become contributing members of their communities, ultimately increasing their risk of recidivism.

As the Vera Institute of Justice concluded in a report from December 2014: "Research shows that recidivism is reduced and communities are made safer not by rendering the millions of people with criminal records second class citizens, but by supporting their transition and reintegration into the community."¹

In November, President Barack Obama made a similar announcement about examining rules at the federal level that could be changed to help level the playing field for the formerly incarcerated seeking employment:

The problem we're trying to solve here is giving people a foundation through which they can then become productive citizens . . . The goal is to prevent crime. The goal is to make sure that folks are fairly punished when they break the

¹ Vera Institute of Justice, *Relief in Sight? States Rethink the Collateral Consequences of Criminal Conviction, 2009-2014*, at page 43 (December 2014) (online at: <http://www.vera.org/sites/default/files/resources/downloads/states-rethink-collateral-consequences-report-v3.pdf>).

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law. But the ultimate goal is to make sure that folks are law-abiding, self-sufficient, good citizens. And everything we do should be designed towards that goal. And if we're doing a good job there, then crime will go down and it will stay down.²

In addition to urging President Obama to carry out this work, I have introduced the Fair Chance Act (H.R. 3470), which would bring fair chance hiring policies to the federal level by preventing the federal government and prime federal contractors from asking about applicants' criminal histories until the end of the hiring process.

I have also supported bills that work to break down barriers facing those with criminal records, including the Second Chance Reauthorization Act (H.R. 3406), which provides grants to organizations doing reentry work in their communities; the Democracy Restoration Act (H.R. 1459), which would prohibit states from taking away federal voting rights due to criminal histories; and the REDEEM Act (H.R. 1672), which would provide a process for the sealing or expungement of some criminal records and loosen restrictions on benefits for ex-drug offenders.

According to the American Bar Association's National Inventory of the Collateral Consequences of Conviction, Maryland has at least 1,000 provisions that create "legal sanctions and restrictions imposed upon people because of their criminal record."³ I encourage the group to leave no stone unturned in determining where and how these policies can be safely modified so that those with criminal records can fully contribute to their communities. Maryland can no longer afford to tolerate unnecessary obstacles for so many of its citizens seeking to move beyond their pasts.

I am proud that Maryland has been a leader as one of the 19 states across the country that have taken steps to remove barriers to employment for qualified workers with criminal records.⁴ I look forward to learning about the working group's efforts and its recommendations for the State of Maryland, and I plan to monitor its progress closely.

Thank you again for your attention to this very important initiative.

Sincerely,



Elijah E. Cummings
Member of Congress

² The White House Office of the Press Secretary, Remarks by the President on Criminal Justice Reform, Rutgers University Center for Law and Justice Building, Newark, New Jersey (November 2, 2015).

³ American Bar Association, *National Inventory of the Collateral Consequences of Conviction* (online at: <http://www.abacollateralconsequences.org/>) (accessed Dec. 21, 2015).

⁴ National Employment Law Project, *Ensuring People with Convictions Have a Fair Chance to Work* (online at: <http://www.nelp.org/campaign/ensuring-fair-chance-to-work/>) (accessed December 21, 2015).