What does a thriving community look like? Every Marylander will likely answer this question differently, but most of us would agree on a few essential ingredients:

- **Opportunity**: In a thriving community, there are plenty of good jobs, children grow up in healthy homes, and the neighborhood school offers a world-class education.

- **Safety**: In a thriving community, people feel secure in their homes. Parents don’t have to worry that their kids will be killed by a stray bullet on their way to school or struck by a distracted driver while crossing the street.

- **Justice**: In a thriving community, we don’t dole out needless suffering, and who you are—your race or ethnicity, or another aspect of your identity—doesn’t determine which doors are open to you and which ones are locked.

Our system of laws is supposed to help achieve that. But the legal system we have today too often relies on coercion and punishment rather than investing in communities and good jobs. And because our criminal legal system has deep roots in white supremacy, this misguided approach disproportionately harms Black and Indigenous Marylanders, as well as Marylanders born outside the United States.
Police Violence and Corruption

Maryland was the site of two of the most prominent instances of police betrayal of public safety and the public trust in the last decade. Police either caused or failed to prevent or treat the spinal injury that killed Freddie Gray in 2015. State and federal investigations of Baltimore’s Gun Trace Task Force uncovered widespread misconduct ranging from drug trafficking, to evidence planting, to extortion.

These incidents are not isolated, and they are not limited to a single jurisdiction. A Prince George’s County police officer was charged in April 2021 with grabbing a handcuffed, Black teenager by the throat. After the officer’s superior allegedly retaliated against two Black officers who reported the assault, the ensuing investigation uncovered evidence that the superior officer had hidden from the IRS $1.3 million in income from a private security business.

While incomplete reporting makes precise numbers unavailable, statistical analysis has found that police officers are responsible for about 1 out of 12 homicides nationwide.

Mass Incarceration

Maryland’s reliance on incarceration is staggeringly high in comparison to historical and global norms:

- At the end of 2019, Maryland state prisons confined 18,900 people. Marylanders were more than twice as likely to be imprisoned in that year as they were in 1970.
- Another 11,100 Marylanders were held in local jails in 2018 (the most recent year for which data are available). About two-thirds of them had not yet stood trial.
- Only two countries worldwide incarcerate larger shares of their populations than Maryland does, according to a 2018 report by the Prison Policy Institute: the U.S. as a whole and El Salvador. Marylanders are four times more likely than residents of the European Union to be behind bars.

Discriminatory policies and practices within the criminal legal system combine with structural economic barriers to put Black and Indigenous Marylanders behind bars at far higher rates than their white counterparts:

- 7 out of every 10 people incarcerated in Maryland prisons are Black. In fact, Black Marylanders are four times more likely than their White counterparts to be incarcerated in state prison.
- Indigenous Marylanders are three times more likely than their white counterparts to be incarcerated in state prison.
- Nationwide, Black and white Americans are equally likely to report using criminalized drugs, but Black Americans are almost five times more likely than their white counterparts to be incarcerated on drug charges.

Poverty to Prison

Strong evidence links financial hardship to a higher risk of being incarcerated:

- Studies have linked criminalized activity to job loss, long-term unemployment, volatile or transient employment, lack of geographic access to jobs, and income inequality. Researchers generally find that low wages are the strongest predictor of engaging in criminalized activity.
Nationwide, less than half of people sentenced to at least one year in prison report any income from a job in the year before incarceration.

Men who grow up in a low-income family are 20 times more likely to be incarcerated than those who grow up in a wealthy family.

Maryland’s legal system includes multiple features that effectively criminalize poverty.

- For example, fines that might merely inconvenience a wealthy individual have a much greater impact for someone who is already struggling to afford the basics—meaning that even a small matter such as a traffic stop can eat into money needed to pay rent or buy groceries.
- If a person cannot afford to pay a fine, punitive policy responses such as driver’s license suspension can then force a person to choose between driving illegally and losing their job.
- Underinvestment in public defense undermines the promise of due process for people who have been accused of a crime and can’t afford a pricey defense attorney. A 2018 analysis by the state found that the Maryland Office of the Public Defender would need an additional 109 positions (12 percent over the actual staffing level) to perform effectively.

A Foundation to Build On

Lawmakers in Maryland have taken positive steps in recent years to address some of the most severe harms caused by our criminal legal system:

- The 2016 Justice Reinvestment Act reduced ineffective mandatory minimum penalties for minor offenses and modernized the way our parole and probation systems deal with technical violations. The law also reinvests the savings to increase access to addiction treatment, mental health care, and re-entry services.

Partly as a result of the Justice Reinvestment Act, Maryland’s prison population has declined significantly in recent years. The share of Marylanders incarcerated in state prisons fell by 21% between 2009 and 2019. The 2019 incarceration rate is 31% lower than the state’s 2002 peak.

- A bill enacted during the 2021 legislative session prohibited life without the possibility of parole as a sentence for people convicted of crimes committed while they were children.
- The legislature passed a package of bills in 2021 to address violence and other misconduct by police. This legislation increases the role of civilians in investigating charges of police misconduct, increases transparency around officers’ disciplinary records, and establishes statewide rules for police use of force, in addition to enacting other reforms.

In your experience, what stands in the way of safe, just, thriving communities in every part of Maryland? What policy choices would you make to overcome those barriers?