

**HEALTH CARE FOR THE HOMELESS TESTIMONY
IN SUPPORT OF
HB 238 – Criminal Procedure – Automatic Expungement**

**House Judiciary Committee
February 23, 2021**



Health Care for the Homeless supports HB 238, which would, among other things, entitle an individual to the automatic expungement of criminal charges that result in an acquittal, dismissal, probation before judgement for driving under the influence of drugs or alcohol, nolle prosequi, a stet, or the completion of probation for a probation before judgment disposition. This would significantly streamline the expungement process and will have a significant impact on increasing access to employment and housing services.

HB 238 will help end homelessness by reducing barriers to employment and housing. Criminal records, including records of non-convictions, create almost insurmountable barriers to obtaining employment, housing, education, and other critical resources like social safety net programs.¹ At Health Care for the Homeless, our clients have been denied gainful employment even due to having non-convictions on their record, causing them into homelessness or to remain homeless. This was the case with one of our clients, Stephanie.² In 2004, Stephanie was charged with a number of offenses, all of which were dismissed. Stephanie has tried for 15 years to find gainful employment, as a single mother who is homeless. She has been denied employment numerous times directly because of her criminal record. These employers explicitly cited her non-convictions as the reason to deny her employment. Such a criminal background, convictions or not, prevent individuals from financial stability and harm Maryland families. Non-convictions should unquestionably be automatically expunged as a matter of public policy.

Health Care for the Homeless strongly supports HB 238 because it reduces barriers to employment and housing – and so is an important measure that will help reduce the incidence of homelessness. HB 238 rightly recognizes that individuals should not be penalized or stigmatized for charges they received where they have paid their debt to society or for charges where they were never convicted in the first place. We urge a favorable report by the committee. As such, we strongly urge a favorable report by the committee.

Health Care for the Homeless is Maryland's leading provider of integrated health services and supportive housing for individuals and families experiencing homelessness. We work to prevent and end homelessness for vulnerable individuals and families by providing quality, integrated health care and promoting access to affordable housing and sustainable incomes through direct service, advocacy, and community engagement. We deliver integrated medical care, mental health services, state-certified addiction treatment, dental care, social services, and housing support services for over 10,000 Marylanders annually at sites in Baltimore City and Baltimore County. For more information, visit www.hchmd.org.

¹ See American Public Health Association, *Housing and Homelessness as a Public Health Issue* (Nov. 2017), available at <https://apha.org/policies-and-advocacy/public-health-policy-statements/policy-database/2018/01/18/housing-and-homelessness-as-a-public-health-issue>.

² To maintain confidentiality, we did not use the client's real name.