



POSITION STATEMENT

TESTIMONY PRESENTED TO THE HOUSE JUDICIARY COMMITTEE

HOUSE BILL 238 -- CRIMINAL PROCEDURE - AUTOMATIC EXPUNGEMENT
Delegate Wells

February 23, 2021

DONALD C. FRY
PRESIDENT & CEO
GREATER BALTIMORE COMMITTEE

Position: Support

The Greater Baltimore Committee (GBC) supports House Bill 238 which provides that, after October 1, 2021, the records of individuals charged with certain civil and criminal offenses will be automatically expunged if: (1) the person is acquitted, (2) the charge or warrant is dismissed or invalidated, (3) a probation before judgement is entered, (4) a *nolle prosequi*, other than a *nolle prosequi* with requirement of alcohol or drug treatment is entered, or (5) the court indefinitely postpones the trial of the charge by entering a “stet” on the docket. The expungement is processed at no cost to the eligible person and eligible persons are permitted to opt out of the automatic expungement if so desired.

According to research from the National Conference of State Legislatures (NCSL), approximately 77 million Americans—or one in three adults—have a criminal record. Individuals with criminal records face substantial legal and policy challenges that are significant barriers to employment. If enacted, House Bill 238 would significantly reduce a barrier to employment for individuals whose charges do not result in convictions. Criminal records can be difficult to read and understand for employers, so automatically removing those charges that did not result in a conviction will simplify the process for employers and benefit job seekers.

This bill is consistent with findings contained in the Greater Baltimore Committee-led report, *Opening Doors to a Second Chance: Removing Barriers and Cultivating Job Opportunities for Returning Citizens and Job Seekers with a Criminal Background*. This report outlines specific initiatives that employers and elected leaders can take to remove barriers to employment and expand job opportunities for justice-involved citizens.

Additionally, the GBC’s 2021 Legislative Priorities specifically encourage policymakers to “strengthen expungement provisions to increase opportunities for employment.” Removing barriers to employment for justice-involved citizens can help reduce recidivism rates, strengthen our workforce, and provide measurable benefits to society.

For the reasons stated above, the Greater Baltimore Committee urges a favorable report for House Bill 238.

The Greater Baltimore Committee (GBC) is a non-partisan, independent, regional business advocacy organization comprised of hundreds of businesses -- large, medium and small -- educational institutions, nonprofit organizations and foundations located in Anne Arundel, Baltimore, Carroll, Harford, and Howard counties as well as Baltimore City. The GBC is a 66-year-old, private-sector membership organization with a rich legacy of working with government to find solutions to problems that negatively affect our competitiveness and viability.

GREATER BALTIMORE COMMITTEE

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