

HEALTH CARE FOR THE HOMELESS TESTIMONY
IN SUPPORT OF
SB 710 – Criminal Procedure - Expungement of Records -
Modifications

Senate Judicial Proceedings Committee
March 8, 2022



Health Care for the Homeless supports SB 710, which expands the list of offenses eligible for expungement and significantly streamlines the expungement process, which will have a significant impact on increasing access to employment and housing services.

SB 710 helps 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 In a 2011 Health Care for the Homeless study, which surveyed 429 people who had been released from jail or prison within the past 10 years, respondents most frequently cited the inability to find work (57%) and a criminal record (56%) as the barriers preventing them from accessing stable housing.² As a supportive housing services provider, we see the direct impact that a criminal record can have on an individual's ability to obtain housing. SB 710 serves to directly eliminate such barriers to housing.

As part of our health care services, Health Care for the Homeless provides permanent supportive housing to over 400 people. As such, we work closely with local housing authorities and see firsthand how convictions can explicitly prevent someone experiencing homelessness to be housed. For instance, the Housing Authority of Baltimore City (HABC) will deny eligibility for admission for a period of 18 months for a misdemeanor conviction and for a period of three years for a felony conviction beginning on the date of conviction or the release from incarceration, whichever is later.³ Therefore, the ability to expand and streamline expungements for misdemeanors and certain felonies will have a significant impact in providing greater and more expedited housing opportunities for our clients.

Nuisance crimes such as urination in public, soliciting or panhandling, loitering, vagrancy,⁴ etc., are crimes oftentimes related to homelessness or extreme poverty.⁵ Therefore, convictions for such offenses are common barriers to our clients receiving housing and jobs. Streamlining the time period for nuisance crime

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 Health Care for the Homeless, Inc., *Still serving time: struggling with homelessness, incarceration & re-entry in Baltimore* (October 2011), available at <http://www.hchmd.org/research.shtml>.

³ Housing Authority of Baltimore City, *Admissions & Continued Occupancy Policies FY 2017*, available at <http://static.baltimorehousing.org/pdf/HABCACOPFY2017.pdf>.

⁴ See Md. Code Ann., Crim. Proc. §10-105(a)(9).

⁵ *No Safe Place The Criminalization of Homelessness in U.S. Cities*, National Law Center on Homelessness & Poverty (Feb. 2013), available at https://www.nlchp.org/documents/No_Safe_Place 11 See resolution 104H.

convictions so that they may be expunged after the completion of probation or parole is not only practical, but it's the right thing to do for some of our most vulnerable populations.

Adding warrants to the list of offenses eligible for expungement, lowering the time period to wait to petition for expungements for specific offenses and dispositions, and streamlining the expungement process will reduce barriers to employment and housing – and so is an important measure that will help reduce the incidence of homelessness. SB 710 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.

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 in Harford, and Baltimore Counties. For more information, visit www.hchmd.org.