



MARYLAND LEGAL AID

Advancing
**Human Rights and
Justice for All**

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March 7, 2022

Senator William C. Smith, Jr.
Chairman, Judiciary Proceedings Committee
2 East, Miller Senate Office Building
Annapolis, Maryland 21401

RE: Testimony Supporting Senate Bill 710 – Criminal Procedure – Expungement
of Records – Modifications

Dear Chairman Smith and Members of the Committee:

Thank you for the opportunity to provide testimony in support of this important bill. Maryland Legal Aid (MLA) is a non-profit law firm that provides free legal services to Maryland's low-income and vulnerable residents. MLA handles civil legal cases involving a wide range of issues, including family law, housing, public benefits, consumer law (e.g., bankruptcy and debt collection), and criminal record expungements to remove barriers to obtaining child custody and housing, a driver's license, and employment. MLA supports Senate Bill 710 and asks that this Committee give it a favorable report with sponsor amendments.

This letter serves as notice that Charlotte Ahearn, Esq. will testify on behalf of MLA in support of Senate Bill 710 at Senator Obie Patterson's request. MLA's Community Lawyering Initiative brings legal services directly into marginalized communities to ensure that the most vulnerable citizens have access to advocacy within the justice system. The Community Lawyering Initiative assists individuals and families with many legal issues, including criminal record expungement. Since 2016, MLA has represented over 10,000 Marylanders with criminal record expungements and filed over 50,000 petitions for expungement. This work has provided constituents more significant access to housing, employment, and other opportunities for themselves and their families.

Senate Bill 710 will benefit thousands of Marylanders, especially those in communities subject to over-policing and other manifestations of systemic oppression. It dramatically expands access to justice and employment opportunities for low-income Marylanders. First, including fugitive warrants as expungable offenses will directly and positively impact many MLA clients. A fugitive warrant is issued when a defendant is arrested in Maryland for a case originating in another jurisdiction. Once the individual is apprehended, the warrant is dismissed; however, these cases are never expungable under current

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Maryland law. The item remains on a person's criminal record, even if the underlying case in the controlling jurisdiction is dismissed or the individual is found not guilty. The stigma attached to a criminal record listing of "fugitive from justice warrant" is a tremendous obstacle for Maryland citizens.

Another aspect of this bill, expanding expungements to misdemeanor convictions and non-violent felonies under certain circumstances, will offer individuals a fresh start. Many Maryland residents have convictions on their records that are decades old. Without the ability to expunge these cases, MLA clients face countless collateral consequences and punitive results, continuing the lifetime sentence of the inability to seek work or housing. Senate Bill 710 encourages and empowers individuals with minimal or no employment prospects to re-enter society and participate meaningfully in the workforce. It will reduce recidivism and limit the collateral consequences of the criminal justice system.

Senate Bill 710 disrupts the many cycles of systemic oppression, allowing your constituents the opportunity to better themselves, their families, and their communities. It provides a second chance and increases opportunities while protecting public safety.

Thank you for providing MLA the opportunity to comment on this vital piece of legislation. Maryland Legal Aid strongly supports Senate Bill 710 and asks that this Committee give it a favorable report with sponsor amendments.

Respectfully Submitted,

/s/ Charlotte Ahearn
Charlotte Ahearn, Esq.
Community Lawyering Initiative
Maryland Legal Aid