



TESTIMONY IN SUPPORT OF HB 122

Criminal Procedure – Expungement of Records – Expansion

House Judiciary Committee

February 1, 2022

Submitted by Julia Gross and Kali Schumitz, Co-Chairs

Member Agencies:

211 Maryland

Advocates for Children and Youth

Baltimore Jewish Council

Behavioral Health System Baltimore

CASH Campaign of Maryland

Catholic Charities

Energy Advocates

Episcopal Diocese of Maryland

Family League of Baltimore

Fuel Fund of Maryland

Health Care for the Homeless

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Maryland Catholic Conference

Maryland Center on Economic Policy

Maryland Community Action
Partnership

Maryland Family Network

Maryland Food Bank

Maryland Hunger Solutions

Paul's Place

Public Justice Center

St. Vincent de Paul of Baltimore

Welfare Advocates

Marylanders Against Poverty

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Marylanders Against Poverty (MAP) strongly supports HB 122, which aims to expand access to expungements for those not found guilty of a charge.

In the state of Maryland, a person acquires a criminal record upon any arrest, regardless of whether or not that individual is ever convicted of a crime. That arrest and subsequent criminal record remains publicly searchable until charges and dispositions are expunged, causing barriers to employment, housing, education, public assistance, and occupational licensing.

Because of these consequences, criminal records can both cause and exacerbate existing struggles for low-income individuals struggling with poverty.

In 2021, the Maryland General Assembly passed important legislation to automatically expunge certain non-convictions (acquittals, dismissals, and nolle pros), which positively impacted over 77,000 Marylanders.

Unfortunately, a subset of non-convictions, including probation before judgement and stets, were not included. Often individuals with non-conviction charges, PBJs, or stets are unaware that they even have a criminal record that is viewable by the public, making them more likely to suffer from the negative impacts of having a criminal record.

For this reason, automatic expungement for all non-convictions is necessary to ensure that individuals not convicted of a crime are not unjustly barred from gainful employment.

MAP appreciates your consideration and urges the committee to issue a favorable report for HB 122.

Marylanders Against Poverty (MAP) is a coalition of service providers, faith communities, and advocacy organizations advancing statewide public policies and programs necessary to alleviate the burdens faced by Marylanders living in or near poverty, and to address the underlying systemic causes of poverty.