

Dear Members of the Senate Judicial Proceedings Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with Out for Justice and the Job Opportunities Task Force. I am a resident of district 46 and **I am testifying in support of Senate Bill 37.**



A criminal record can easily be both the cause and consequence of poverty. The appearance of a criminal record in a routine background check can, and often does, block access to employment, education, housing and occupational licensing – all of which are necessary to advance in Maryland. We want people who have committed crimes to “straighten their lives out,” yet we seriously impair their ability to do so in an effort to keep convictions public information. The main purpose of this is so that if they commit another crime, their record reflects that history; but by making sure every potential employer, landlord, educational institution, and random stranger who is interested can see those prior convictions, we make it more likely that the person will fall back into criminal activity as a way of getting by when other avenues are closed to them.

Unfortunately, Maryland has drastically longer waiting periods for expungement than most other states in the nation. Maryland Code Ann., Criminal Procedure §10–110 states that an individual must wait 10 years before they are eligible to expunge most nonviolent misdemeanor convictions from their record, 15 years for a common-law battery or 2nd-degree assault conviction, and 15 years for a non-violent felony. The waiting period kicks in after they have completed their entire sentence, parole or probation, drug treatment, and any mandatory supervision. In most instances, the waiting periods are far longer than the actual sentence, leaving individuals released from incarceration with barriers to supporting themselves and their families. According to last year's report from Collateral Consequences Resource Center (CCRC)¹, 42 other states have shorter waiting periods for misdemeanor expungement, including Texas, Alabama, Mississippi, and Utah. With regard to non-violent felonies, Maryland ranks 35th in the nation on expungement waiting periods, far behind Colorado, Arkansas, North Dakota, and Oklahoma. Maryland Code Ann., Criminal Law §14–101 lays out which crimes are considered “crimes of violence” and makes it clear that none of them are eligible for expungement.

HB 97 would lower the waiting period for non-domestically-related misdemeanors to three years past completion of the sentence, and five years for expungeable felonies. It does not change what crimes are eligible; it only ensures that people who want to move past the mistakes and bad decisions that got them to criminal court are able to do so.

It is for these reasons that I am encouraging you to vote **in support of Senate Bill 37.**

Thank you for your time, service, and consideration.

Sincerely,
Lindsay Keipper
2425 Fleet St., Baltimore
Showing Up for Racial Justice Baltimore

¹ <https://ccresourcecenter.org/wp-content/uploads/2022/02/Waiting-Periods-Draft.2.22.21-2.pdf>