

**HEALTH CARE FOR THE HOMELESS TESTIMONY  
IN SUPPORT OF  
HB 83 – Criminal Procedure – Automatic Expungement –  
Possession of Marijuana**

**House Judiciary Committee  
January 28, 2020**



**Health Care for the Homeless supports HB 83**, which would require the automatic expungement of charges relating to possession of marijuana.

HB 83 will help 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.<sup>1</sup> As part of our health care services, Health Care for the Homeless provides permanent supportive housing to nearly 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.<sup>2</sup> Therefore, the ability to expand and streamline expungements for non-violent offenses related to marijuana possession will have a significant impact in providing greater and more expedited housing opportunities for our clients.

The Maryland General Assembly has already recognized the utility of being able to expunge records related to the possession of marijuana when they expanded the law to make the possession of marijuana and eligible for expungement<sup>3</sup> if more than 4 years after the disposition date.<sup>4</sup> Given the barriers criminal records pose to a person's ability to procure housing and employment, coupled with the acknowledgement by the General Assembly that reform is needed for how we treat marijuana possession in the criminal justice system, it only makes sense to extend this logic and allow marijuana possession to be automatically expunged from a person's criminal record. As such, 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 Baltimore County. For more information, visit [www.hchmd.org](http://www.hchmd.org).*

<sup>1</sup> 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>.

<sup>2</sup> Housing Authority of Baltimore City, *Admissions & Continued Occupancy Policies FY 2017*, available at <http://static.baltimorehousing.org/pdf/HABCACOPFY2017.pdf>.

<sup>3</sup> MD Code Ann., Crim. Proc., § 10-105(a)(12).

<sup>4</sup> MD Code Ann., Crim. Proc., § 10-105(c)(8).