



# POSITION STATEMENT

## TESTIMONY PRESENTED TO THE HOUSE JUDICIARY COMMITTEE

### HOUSE BILL 1335 -- CRIMINAL PROCEDURE - AUTOMATIC EXPUNGEMENT

March 10, 2020

**DONALD C. FRY  
PRESIDENT & CEO  
GREATER BALTIMORE COMMITTEE**

#### **Position: Support**

House Bill 1335 establishes that, after October 1, 2020, the records of individuals charged with certain civil and criminal offenses will be automatically expunged if: (1) the person is acquitted, (2) the charge or warrant is dismissed or invalidated, (3) a probation before judgement is entered, (4) a *nolle prosequi*, other than a *nolle prosequi* with requirement of alcohol or drug treatment is entered, (5) the court indefinitely postpones the trial of the charge making it a “stet” on the docket. The expungement is processed at no cost to the eligible person and eligible persons are permitted to opt out of the automatic expungement if so desired.

According to research from the National Conference of State Legislatures (NCSL), approximately 77 million Americans—or one in three adults—have a criminal record. Individuals with criminal records face substantial legal and policy challenges at multiple levels that are significant barriers to employment. If enacted, House Bill 1335 would significantly reduce the barrier to employment for individuals whose charges result in non-convictions. Criminal records can be difficult to read and understand for employers, so automatically removing those charges that did not result in a conviction will simplify the process for employers and job seekers.

This bill is consistent with findings of the GBC-led report, *Opening Doors to a Second Chance: Removing Barriers and Cultivating Job Opportunities for Returning Citizens and Job Seekers with a Criminal Background*. This report outlines specific initiatives that employers and elected leaders can take to remove barriers to employment and expand job opportunities for men and women returning to society after incarceration. Advocates who formed the coalition believed that lawmakers should encourage more businesses to hire returning citizens through policy change.

Additionally, the GBC’s 2020 Legislative Priorities specifically encourage policymakers to “strengthen expungement provisions to increase opportunities for employment.” Removing barriers to employment for justice-involved citizens can reduce recidivism rates, strengthen our workforce, and provide measurable benefits to society.

**For the reasons stated above, the Greater Baltimore Committee urges a favorable report for House Bill 1335.**

*The Greater Baltimore Committee (GBC) is a non-partisan, independent, regional business advocacy organization comprised of hundreds of businesses -- large, medium and small -- educational institutions, nonprofit organizations and foundations located in Anne Arundel, Baltimore, Carroll, Harford, and Howard counties as well as Baltimore City. The GBC is a 65-year-old, private-sector membership organization with a rich legacy of working with government to find solutions to problems that negatively affect our competitiveness and viability.*

**GREATER BALTIMORE COMMITTEE**

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