



SB 37 - Criminal Procedure - Expungement of Records - Waiting Periods (REDEEM Act of 2023)

Senate Judicial Proceedings Committee

February 2nd, 2023

SUPPORT

Chairman Smith, Vice-Chair, and members of the committee thank you for the opportunity to support Senate Bill 37. This bill will shorten the waiting periods for expungement under certain circumstances so returning citizens can establish a strong connection to the workforce and reduce recidivism.

The CASH Campaign of Maryland promotes economic advancement for low-to-moderate-income individuals and families in Baltimore and across Maryland. CASH accomplishes its mission through operating a portfolio of direct service programs, building organizational and field capacity, and leading policy and advocacy initiatives to strengthen family economic stability. CASH and its partners across the state achieve this by providing free tax preparation services through the IRS program 'VITA', offering free financial education and coaching, and engaging in policy research and advocacy. **Almost 4,000 of CASH's tax preparation clients earn less than \$10,000 annually. More than half earn less than \$20,000.**

Maryland has drastically longer waiting periods for expungement than most other states. 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 education, employment, housing, public assistance, occupational licensing, and much more.

The REDEEM Act simply shortens the waiting periods after they have completed their entire sentence, parole or probation, drug treatment, and any mandatory supervision with the express intent of removing barriers to employment. Reducing these waiting periods will grant access to Record Expungement Designed to Enhance the Employability for the 1.5 million Marylanders (REDEEM) who are shut out of the workforce due to a criminal record. Job security is one of the biggest barriers that contributes to recidivism for formerly incarcerated individuals. Having low job security limits access to stable housing, healthcare, and basic necessities.

The provisions of The REDEEM Act align with what most other states are doing regardless of their political affiliation. Everyone must work if they expect to support themselves and their families. Maryland law shouldn't be the reason returning citizens are locked out of employment over a decade after they have served their time.

We appreciate your consideration of Senate Bill 37 and encourage a favorable report.

Creating Assets, Savings and Hope