



NATASHA DARTIGUE
PUBLIC DEFENDER

KEITH LOTRIDGE
DEPUTY PUBLIC DEFENDER

MELISSA ROTHSTEIN
CHIEF OF EXTERNAL AFFAIRS

ELIZABETH HILLIARD
ACTING DIRECTOR OF GOVERNMENT RELATIONS

POSITION ON PROPOSED LEGISLATION

**BILL: HB 0097 and SB 0037 - Criminal Procedure - Expungement of Records Waiting Periods
(REDEEM ACT of 2023)**

FROM: Maryland Office of the Public Defender

POSITION: Favorable

DATE: January 25, 2023

The Office of the Public Defender supports HB 97 and SB 37. The Office has counseled and advised thousands of members of communities throughout Maryland over the years through our individual representation to our participation in community events. We have filed, argued, advocated, and reformed the expungement law through court proceedings.

The Office has supported change to the entire expungement statute over the years. We are constantly working for our clients to move them forward in their goals of being a full time member of their communities and not to be burdened with the stigma of a criminal record when that record is long past. A criminal record is not just what is on a person's RAP sheet but it must also be considered what is available on Maryland Judiciary Case Search and the information that has been obtained and disseminated by private databases. These private databases are under no regulations that the information they can disclose is current or accurate.

For some clients the past remains in the past, but for many clients it does not. It continues with every job application or job advancement; with every housing application and with every educational application. The time frame to file and be granted an expungement can take years and sometimes decades. Community providers and our Office have learned that the current waiting periods have no meaningful rationale as to why they need to be so long. For many, the potential job, new housing, educational opportunity has long passed before the expungement can even be filed! **These bills will shorten the waiting period for convictions to time frames that will provide meaningful relief for so many Maryland residents.**

The Maryland General Assembly has taken huge steps forward in providing assistance to thousands of Maryland citizens through expanding the eligibility of dispositions and the

automatic expungement of favorable dispositions. Thank you; for you may not realize how many lives you have impacted for the better. This Session, HB 97 and SB 37 will close the additional loopholes that were not addressed in the previous legislation.

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue a favorable report on HB 97 and SB 37.

Submitted by: Government Relations Division of the Maryland Office of the Public Defender.

**Authored by: Mary Denise Davis, Chief Attorney of the Pretrial Unit, Baltimore City
marydenise.davis@maryland.gov, 410-878-8150.**