

**HEALTH CARE FOR THE HOMELESS
TESTIMONY IN SUPPORT OF SB 11
Criminal Procedure – Partial Expungement**

**Senate Judicial Proceedings Committee
February 1, 2024**



Health Care for the Homeless strongly supports SB 11, which would repeal the punitive ‘unit rule’ provision for non-conviction charges by allowing individuals to request the ‘partial expungement’ of eligible charges within a unit.

SB 11 helps 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.¹ As this bill’s Racial Equity Impact Note (REIN) states, “having a criminal history can adversely affect employment prospects which can further influence an individual’s level of income, housing opportunities, and access to quality health care.” Further, the Note states that “[e]mployment is key to stable housing and homeownership and a variety of State and national data show that higher incomes can lead to the stability and consistency necessary to accumulate the various upfront resources needed to buy a home.” Our experience at Health Care for the Homeless corroborates this analysis. In a 2011 Health Care for the Homeless study, which surveyed 429 people who had been released from jail or prison within the past 10 years, respondents most frequently cited the inability to find work (57%) and a criminal record (56%) as the barriers preventing them from accessing stable housing.² As a supportive housing services provider, we see the direct impact that a criminal record can have on an individual’s ability to obtain housing. SB 11 serves to directly eliminate such barriers to housing.

Many individuals have lengthy records with charges that would be eligible for expungement if not for the unit rule. This bill ensures that individuals are not permanently burdened by lengthy records – many times for charges that they did not commit. This challenge falls disproportionately on Black and brown communities, the poor, and the homeless.³

Additionally, the racial impact of a criminal record cannot be overstated. As this bill’s REIN also states, “National and State data consistently show that racial minorities experience disproportionate levels of adversity in the areas of life affected by a criminal record. National studies have found that there is a significant negative effect of having a criminal record on employment outcomes that appears

¹ 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>.

² Health Care for the Homeless, Inc., *Still serving time: struggling with homelessness, incarceration & re-entry in Baltimore* (October 2011), available at <http://www.hchmd.org/research.shtml>.

³ See The White House, *Economic Perspectives on Incarceration and the Criminal Justice System* (April 2016), available at https://www.whitehouse.gov/sites/default/files/page/files/20160423_cea_incarceration_criminal_justice.pdf.

substantially larger for Black individuals.” We see this racial inequity play out in the clients that we serve and it is part of our mission and vision to correct this injustice.

SB 11 rightly recognizes that individuals should not be penalized or stigmatized for charges that should be expunged but are unable to be removed from a person’s record simply because the charges – including non-convictions-- allegedly arose from the same incident.

Health Care for the Homeless strongly supports SB 11 because it reduces barriers to employment and housing – and so is an important measure that will help reduce the incidence of homelessness. 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 deliver medical care, mental health services, state-certified addiction treatment, dental care, social services, housing support services, and housing for over 10,000 Marylanders annually at sites in Baltimore City and Baltimore County.

Our Vision: Everyone is healthy and has a safe home in a just and respectful community.

Our Mission: We work to end homelessness through racially equitable health care, housing and advocacy in partnership with those of us who have experienced it.

For more information, visit www.hchmd.org.