



TESTIMONY IN SUPPORT OF SENATE BILL 454

Criminal Procedure - Expungement - Completion of Sentence

TO: Hon. William C. Smith, Jr., Chair, and Members of the Senate Judicial Proceedings Committee

FROM: Jesse Kelley, Senior Policy Strategist

The Clean Slate Initiative (CSI) works with state legislatures to pass and implement laws that automatically clear eligible records for people who have completed their sentence and remained crime-free. Our vision is that people will no longer be defined by their records and will have the opportunity to contribute to their community, have a fair opportunity to work, get an education, and achieve their full potential.

Clean Slate is a bipartisan policy model that may use technology to automate arrest and conviction record clearance if a person stays crime-free for a period of time. It's a proven and successful model to implement common-sense policies that create transformational changes in people's lives.

Clean Slate is rooted in the belief that if you work hard, you should be able to get ahead and provide for your family. Everyone deserves a shot at redemption. People who have made mistakes, paid their debt to society, and now want to make a better life for themselves and those who depend on them deserve a chance to do so.

As of February 2024, twelve (12) states have passed Clean Slate policies that provide for automatic record clearance, including Maryland's neighbors in Delaware, Pennsylvania, and Virginia. In no instance is the right of expungement or record clearance in these states predicated upon flawless performance during probation.

SB 454 clarifies the General Assembly's intentions for expungement eligibility, removing the lingering doubt inserted into the process by the interpretation of case law. SB 454 reaffirms the understanding that people make mistakes, and that the road to redemption can have its share of bumps along the way. Finally, SB 454 returns Maryland to the mainstream of expungement and record clearance best practices across the nation.

The legislative correction envisioned in SB 454 is so essential to the success of a Clean Slate policy in Maryland that the language is also incorporated into the draft legislation proposed in the Clean Slate Act of 2024 - the subject of a future hearing date.

For the foregoing reasons, we urge a favorable report.