



Maryland Chiefs of Police Association Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable William C. Smith Jr., Chairman and
Members of the Judicial Proceedings Committee

FROM: Darren Popkin, Executive Director, MCPA-MSA Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee
Natasha Mehu, Representative, MCPA-MSA Joint Legislative Committee

DATE: February 9, 2024

RE: **SB 454 - Criminal Procedure – Expungement – Completion of Sentence**

POSITION: OPPOSE

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **OPPOSE SB 454**. This bill creates a new definition for the completion of a sentence of parole or probation for purposes of expungement.

Under SB 454, completion of a sentence is defined as "...when a sentence has expired including any period of probation, parole, or mandatory supervision" for purposes of expungement. Under current law there is a small, but meaningful distinction, that for purposes of an expungement there must be "satisfactory" completion of a sentence before someone may apply for an expungement.

The word "satisfactory" is important because without it there could be scenarios in which someone is able to petition for expungement while a violation of probation is pending and before a judge can revoke that probation. Said person could violate probation or parole multiple times and still get an expungement because of that gap between satisfactory completion and determining there is a violation. Requiring that a sentence be "satisfactorily" completed in order to have a conviction expunged provides incentive for individuals to comply with probation, parole, and conditions of the sentence.

For these reasons, MCPA and MSA **OPPOSE SB 454** and urge an **UNFAVORABLE** Committee report.