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POSITION ON PROPOSED LEGISLATION

BILL: House Bills 268, 269, and 270

HB 268 - Criminal Procedure - Expungement of Records - Definitions

**HB 269 - Criminal Procedure - Disclosure of Expunged Records -
Alterations**

**HB 270 - Criminal Procedure - Failing to Obey a Court Order to Report to
Report to Confinement**

FROM: Maryland Office of the Public Defender

POSITION: Favorable

DATE: March 1, 2024

The Office of the Public Defender respectfully requests that the Committee issues a favorable report on all three (3) expungement bills introduced by Delegate Robin Grammer this session.

The Office of the Public Defender has been working with expungement clients for over two decades through our weekly expungement clinics and an annual “Back to the Neighborhood: How to Succeed with a Criminal Record” event. The Office continues to support all expungement bills that will allow our clients to remove the barriers of a criminal record.

House Bill 268 - The Public Defender Office and other advocates have learned that an expunged matter sometimes does not remove the matter completely. Information can remain on private databases. This language may strengthen the definition by deleting the language “ public inspection” from the definition of “expunge” in Criminal Procedure Article § 10-101.

House Bill 269 - If a matter has been expunged, the matter should not be the reason for the denial for a license, permit, registration, or government service nor should it be the reason for the denial to expel or refuse to admit a person to an educational institution. House Bill 269 will expand the list of entities that person’s access will not be denied solely because they refused to disclose the expunged matter.

House Bill 270 - This bill allows an additional crime to be added to the list of eligible offenses under Criminal Procedure Article § 10-110 that may be expunged after the waiting period. The crime of failing to obey a court order to report to a place of confinement as listed in Criminal Law § 9-405 (a)(2) will now be eligible to be expunged.

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue a favorable report on HB 6268, HB 269, and HB 270.

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

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