

JOTF JOB OPPORTUNITIES TASK FORCE

Advocating better skills, jobs, and incomes

Testimony in Support of House Bill 867

Criminal Procedure - Expungement and Shielding - Probation Before Judgment for Driving While Impaired or Under the Influence

TO: Hon. Luke Clippinger, Chair, and Members of the House Judiciary Committee

FROM: Job Opportunities Task Force

DATE: March 5, 2024

The Job Opportunities Task Force (JOTF) is an independent, nonprofit organization that develops and advocates policies and programs to increase the skills, job opportunities, and incomes of low-wage workers and job seekers in Maryland. **JOTF supports House Bill 867, which would allow individuals to file for expungement and shielding of records for driving while impaired or under the influence if they received a probation before judgment.**

Probation before judgment is widely used by judges in Maryland to give first-time and nonviolent offenders the benefit of probation without the burden of a criminal conviction on their record. Often, PBJ recipients are young people who go on to live highly successful lives that are beneficial to society because they were allowed that second chance.

Operating a vehicle while impaired is clearly a serious offense that has the capacity to hurt both the driver and anyone else on the road. Supporting this bill, however, is not the same as allowing bad actors to avoid consequences. For many individuals, just being arrested is a harrowing enough experience that it creates a permanent shift in their behavior and they would never even consider in engaging in that type of behavior again. We trust judges to be able to recognize the truly contrite individuals who will no longer be a danger to others, hence why PBJs exist in the first place. But for DUI and DWI offenses, even these individuals who have been deemed as worthy of a second chance by a judge do not truly receive a second chance in full, as they are still subject to the consequences of a criminal record. Having a criminal record negatively affects Marylanders job opportunities, housing employment, educational opportunities, public benefits, and stable housing. JOTF believes that a second chance should be just that, a second chance; not a half measure that still imposes the same consequences. House Bill 867 will allow contrite individuals to have a true second chance without the burdens of a criminal record.

For these reasons, JOTF supports House Bill 867 and urges a favorable report.

For more information, contact:

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