



RACIAL EQUITY IMPACT NOTE

DEPARTMENT OF LEGISLATIVE SERVICES
MARYLAND ▪ GENERAL ▪ ASSEMBLY

2026 Session
HB0113

Criminal Procedure - Expungement of Records - Resisting Arrest and Making a False Statement to a Law Enforcement Officer

Bill Summary

This bill expands § 10-110 of the Criminal Procedure Article to authorize a person to file a petition for expungement of a conviction under § 9-408 (resisting or interfering with arrest), § 9-501 (making a false statement to a law enforcement officer), and § 9-502 (making a false statement when under arrest).

Racial Equity Impact Statement

Those eligible for expungement of the specified convictions would benefit to the extent that expungement may help reduce the effects of collateral consequences of a criminal record. A detailed impact analysis cannot be performed without additional data on expungement petitions. The overall impact, however, is likely minimal due to the relatively small number of individuals convicted for these offenses.

Analysis

The bill allows an individual to file a petition for expungement of a conviction for the offenses of resisting or interfering with arrest, making a false statement to a law enforcement officer, or making a false statement when under arrest.

Expungements Generally

With some exceptions, to begin the process of expungement, a petitioner must file a petition for expungement with the court under § 10-105 or § 10-110 of the Criminal Procedure Article, which

establishes eligibility for the expungement of records pertaining to a criminal charge or conviction. In general, § 10-110 applies to expungements of convictions, and § 10-105 applies to the expungement of criminal charges that resulted in a disposition other than a conviction.

Section 10-110 of the Criminal Procedure Article authorizes an individual convicted of any of a list of approximately 100 specified offenses, or an attempt, a conspiracy, or a solicitation of any of these offenses, to file a petition for expungement of the conviction, subject to specified procedures and requirements.

Collateral Consequences of a Criminal Record

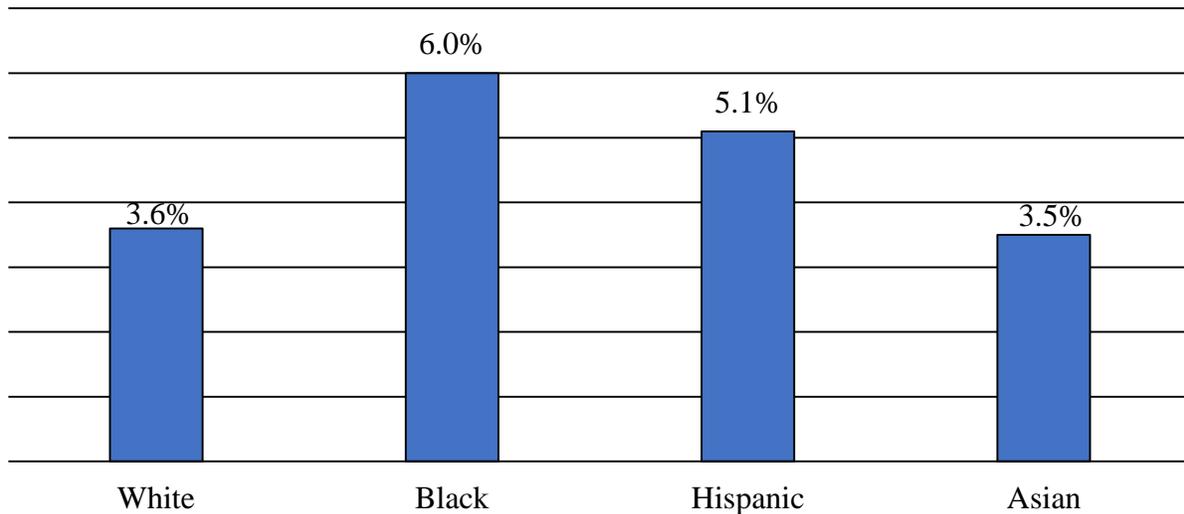
Expungement is intended to help mitigate the adverse consequences of having a criminal record, which can last beyond imprisonment, fines, and the legal process and can include the denial of civil opportunities and benefits available to a person due to their record. Specifically, having a criminal history can adversely affect employment prospects which can further influence an individual's level of income, housing opportunities, and access to quality health care.

Employment 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. Monetary savings for down payments and good credit scores are necessary to achieve initial homeownership and are largely driven by an individual's employment status and level of income. Employment also often dictates one's access to health care. Certain jobs do not offer health insurance benefits and access to jobs with such benefits may be restricted by an attachment to a criminal record. A criminal record can therefore impose significant barriers to upward socioeconomic mobility.

Impacts of the Bill

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 substantially larger for Black individuals. The Department of Public Safety and Correctional Services reports that for fiscal 2025, Black individuals made up 71% of Maryland's prison population contrasted with their 30% share of the State's overall population. **Exhibit 1** shows that in 2024, the unemployment rate in Maryland by race and ethnicity was highest among Black job seekers in the State.

Exhibit 1
Unemployment Rate in Maryland by Race and Ethnicity
2024



Source: U.S. Bureau of Labor Statistics

Despite the lack of available data regarding those convicted of resisting arrest and making false statements to law enforcement, the bill is expected to yield positive outcomes for those who are eligible to expunge their criminal records.

Conclusion

Allowing for the filing of expungement petitions as specified under the bill could alleviate some of the negative consequences of having a criminal record for those convicted of resisting or interfering with arrest or making a false statement. According to the Judiciary, there were 292 convictions in the State’s trial courts for the applicable offenses in fiscal 2024 and 281 convictions for the applicable offenses in fiscal 2025. The relatively small number of individuals charged and convicted of these violations suggest that the bill’s impact would be minimal overall. Black offenders may see the most impact, to the extent they apply for and receive expungements for these offenses, based on their overall overrepresentation in the State’s criminal justice system.

Information Sources: U.S. Bureau of Labor Statistics; Department of Public Safety and Correctional Services; Administrative Office of the Courts; Department of Legislative Services

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Appendix – Maryland Demographics

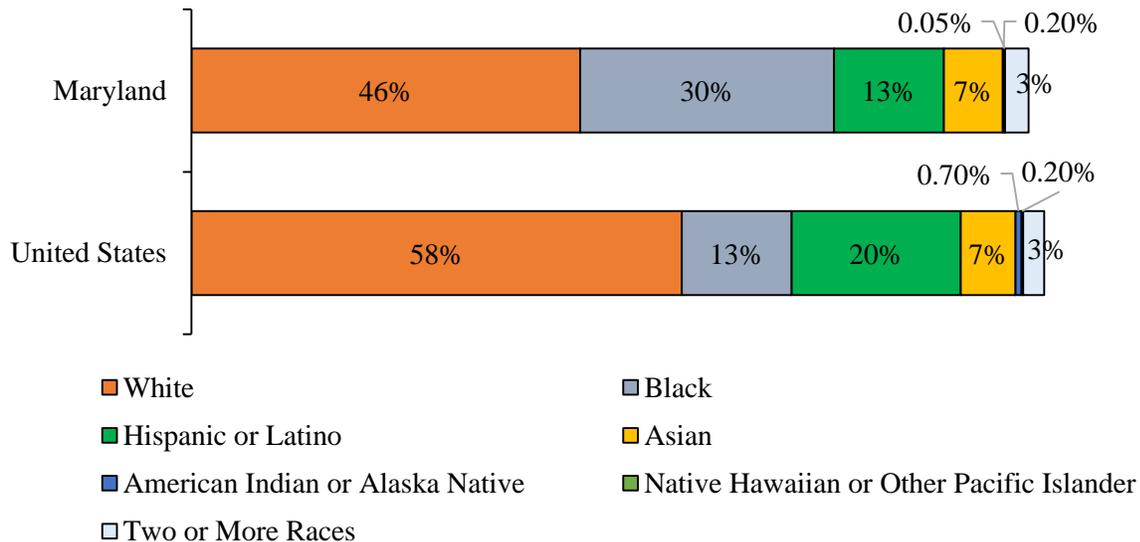
Race and Ethnicity of the Maryland Population

Maryland’s 2020 census population is 6,177,244, a 7% increase from the 2010 census count and approximately 2% higher than the 2019 census population estimates. Maryland remains one of the most racially and ethnically diverse states in the nation and is ranked as the fourth most diverse state by the U.S. Census Bureau’s [Diversity Index](#). While no single racial or ethnic group constitutes a majority, racial minorities as a group constitute a majority of the State’s population. This diversity underpins the analytical framework used in racial equity impact notes (REIN), which seek to identify potential disparities that may be exacerbated or created by proposed criminal justice legislation.

Methodology Update

Beginning in 2025, REIN will use annual population estimates from the U.S. Census Bureau’s Population Estimates Program (PEP) as the basis for disparity and disproportionality calculations. This methodological update reflects best practices in demographic analysis, as PEP data incorporate births, deaths, and migration to provide the most current population counts between censuses. Although the estimates are more temporally responsive, they do not materially change the proportionate racial and ethnic breakdown observed in the 2020 census. Instead, they conservatively reflect population changes since 2020 while preserving the overall demographic composition of the State.

**U.S. and Maryland Population by Race and Ethnicity
2024 Population Estimates**



Note: Percentages do not total 100% due to rounding.

Source: U.S. Census Bureau