

March 5, 2020

The Honorable William Smith Jr
Chairman, Senate Judicial Proceedings Committee
2 E, Miller Senate Office Building
Annapolis, MD 21401



Senate Bill 811 - Criminal Procedure – Automatic Expungement – FAVORABLE

Dear Chair Smith and Senate Judicial Proceedings Committee members,

Baltimore Harm Reduction Coalition (BHRC), an advocacy organization that mobilizes community members for the health, dignity, and safety of people targeted by the war on drugs and anti- sex worker policies, supports Senate Bill 811 (Criminal Procedure – Automatic Expungement)

This bill will require Maryland courts to initiate expungement of charges that have been dismissed without the filing of a petition or payment of a fee by the person who is subject of the records.

When law enforcement inappropriately charges a person with a crime that the courts deem inaccurate or unnecessary, the justice system has failed. And it is simply unjust that a person must still maintain a “record” with that false charge listed unless they fill out a form and pay a fee. The burden of clearing the record for this person should fall back onto the justice system that failed in the first place.

This policy change is long overdue especially considering Black and impoverished Marylanders have been over-policed and unjustly brought into the correctional system for decades. **The burdensome administrative process to expunge one’s record effectively saddles many Marylanders with a criminal record,** despite changes in Maryland law to reduce or eliminate certain criminal charges. People who have had traumatic interactions with the judicial system are even less likely to approach a court to complete this process, creating more inequity in who the system serves to protect. **Automatic expungement is a fairer process and is one step to address the injustice of the application of criminal penalties.**

BHRC respectfully requests the Committee give this measure a **favorable report**. Thank you for your consideration.

For more information about BHRC or this position, please contact Tricia Christensen at Tricia@BaltimoreHarmReduction.org.