

Dear Members of the Judicial Proceedings Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. We are also working in collaboration with Out for Justice. I am a resident of MD District 43. I am **testifying in support of Senate Bill 874**.



Senate Bill 874 is an important companion House Bill 1336 (2020), the recently overridden “Unit Rule” legislation. It establishes a Workgroup to Study Partial Expungement to prepare a plan and legislative recommendations for allowing expungements of additional criminal charges. By January 2022, the Workgroup would present its findings to the General Assembly. Importantly, Senate Bill 874 requires one workgroup member to come from the Job Opportunities Task Force (JOTF), a local organization focused on improving employment options, skills, and incomes for low-wage Marylanders. JOTF has advocated for years to repeal the unit rule and deeply understands the consequences of a criminal record on employment opportunities.

Earlier this session, the General Assembly recognized the harmful effects of the ‘Unit Rule’ and boldly overrode Governor Hogan’s veto. Unfortunately, due to the Governor’s veto, the original Partial Expungement Workgroup established by the 2020 legislation would not have sufficient time to carry out its mission. As the debates and testimony have shown, expungement is a complex issue that impacts many facets of our society. A complicated issue such as expungement deserves sufficient resources, including time for studying the issue and making recommendations!

Devoting resources to expungement policy is important because criminal records impact Marylanders’ abilities to earn a living, secure housing, and meet basic needs. The National Employment Law Project estimates that 1 in 3 Americans (70 million people) have an arrest record that would appear in a routine employment criminal background check. Due to biases in arrests and convictions, people of color are disproportionately impacted and more likely to have a criminal record.

If Senate Bill 874 is not passed, the original Partial Expungement Workgroup will not have adequate time to complete its work. This would waste an opportunity to study an important issue and ignore the original intent of the 2020 legislation, which was to provide adequate time for research and investigation into additional expungements.

As a Maryland resident who is deeply concerned about racism and structural inequalities, I want our state to allocate sufficient time for a workgroup to study an important issue such as expungement. I have assisted dozens of folks in getting expungements before and I can say with certainty it is a complex process requiring a lot of resources and expertise to do right. Any improvements and changes to this system must be done with the right people in the right timeframe.

It is for these reasons that I am encouraging you to vote **in support of Senate Bill 874**. Thank you for your time, service, and consideration.

Sincerely,
Jonathan Smeton
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Showing Up for Racial Justice Baltimore