

Dear Members of the Judiciary 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 House Bill 238**.



House Bill 238 would ensure that charges that did not result in a conviction are automatically expunged from an individual's record immediately upon disposition for an acquittal, dismissal, or a nolle prosequi. It'll also ensure PBJs and stets are automatically expunged after the completion of probationary conditions or 3-year waiting period. Finally, it ensures all records eligibly for expungement by obliteration are moved to a secured area not accessible by the public.

A criminal record can easily be both the cause and consequence of poverty. Worse yet, a criminal record is acquired upon arrest, whether or not a person is ever convicted of a crime. Anything that occurs after an arrest is documented on an individual's criminal record and, in Maryland, will remain publicly visible until the charges and dispositions are expunged (or shielded). Given that a Marylander automatically acquires a criminal record upon arrest, it is only just for that record to be automatically expunged if a person is not convicted, a responsibility that should be put on the system that charged those individuals and not on the individuals themselves. If not expunged, these records become an obstacle that can stand in the way of housing, employment, and other resources, increasing the risk of falling into poverty. In turn, this can put more financial demands on the state as more services are required for those who are unable to find housing or employment.

As someone who has helped dozens of folks get expungements, I can say the current process is complicated, time-consuming, and difficult for the average person to understand. In every case, the expungements I've helped people attain were for non-convictions. Automatic expungement is an easy solution to an obvious problem.

Being arrested on charges you weren't found guilty of is destabilizing enough, having a record for that charge makes returning to life after that arrest even harder.

It is for these reasons that I am encouraging you to vote **in support of House Bill 238**.

Thank you for your time, service, and consideration.

Sincerely,  
Jonathan Smeton  
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Showing Up for Racial Justice Baltimore