

**MARYLAND JUDICIAL CONFERENCE**  
**GOVERNMENT RELATIONS AND PUBLIC AFFAIRS**

Hon. Joseph M. Getty  
Chief Judge

187 Harry S. Truman Parkway  
Annapolis, MD 21401

**MEMORANDUM**

**TO:** House Judiciary Committee  
**FROM:** Legislative Committee  
Suzanne D. Pelz, Esq.  
410-260-1523  
**RE:** House Bill 957  
Criminal Procedure – Expungement – Felony Convictions  
**DATE:** February 16, 2022  
(2/22)  
**POSITION:** Oppose

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The Maryland Judiciary opposes House Bill 957. This legislation authorizes a person to file a petition listing relevant facts for expungement of a police record, court record, or other record maintained by the State or a political subdivision of the State if the person is convicted of: §3-202 of the Criminal Law Article, if the crime did not involve domestic violence and the person has no other convictions; §3-403 of the Criminal Law Article; or §3-405 of the Criminal Law Article.

The Judiciary recognizes that setting the scope of expungable offenses is a legislative prerogative, but the decision impacts the Judiciary’s function insofar as possible expungement of more offenses—especially crimes of violence—deprives judges of relevant information that could be used to fashion proper sentences should a defendant incur a subsequent conviction. Without access to a defendant’s history of any prior violent offenses, courts may not be able to strike the optimal balance between punishment, deterrence and rehabilitation in future sentencing decisions, and public safety may be put at an increased risk as a result.

cc. Hon. Nicole Williams  
Judicial Council  
Legislative Committee  
Kelley O’Connor