

HEALTH CARE FOR THE HOMELESS TESTIMONY
IN SUPPORT OF
SB 138 – Criminal Procedure – Expungement of Records –
Expansion

Senate Judicial Proceedings Committee
February 1, 2022



Health Care for the Homeless supports SB 138, which would add probation before judgment and stet to the list of dispositions eligible for expungement after three (3) years. These are practical and commonsense expansions to the existing dispositions of acquittal, dismissal, not guilty and nolle prosequi. This bill would streamline the expungement process and will have a significant impact on increasing access to employment and housing services.

SB 138 will help end homelessness by reducing barriers to employment and housing. Criminal records, including records of non-convictions, create almost insurmountable barriers to obtaining employment, housing, education, and other critical resources like social safety net programs.¹ At Health Care for the Homeless, our clients have been denied gainful employment even due to having non-convictions on their record, causing them into homelessness or to remain homeless. This was the case with one of our clients, Stephanie.² In 2004, Stephanie was charged with a number of offenses, all of which were dismissed. Stephanie has tried for 15 years to find gainful employment, as a single mother who is homeless. She has been denied employment numerous times directly because of her criminal record. These employers explicitly cited her non-convictions as the reason to deny her employment. Such a criminal background, convictions or not, prevent individuals from financial stability and harm Maryland families. Non-convictions should unquestionably be expunged as a matter of public policy.

Health Care for the Homeless strongly supports SB 138 because it reduces barriers to employment and housing – and so is an important measure that will help reduce the incidence of homelessness. SB 138 rightly recognizes that individuals should not be penalized or stigmatized for charges they received where they have paid their debt to society or for charges where they were never convicted in the first place. We urge a favorable report by the committee.

Health Care for the Homeless is Maryland’s leading provider of integrated health services and supportive housing for individuals and families experiencing homelessness. We work to prevent and end homelessness for vulnerable individuals and families by providing quality, integrated health care and promoting access to affordable housing and sustainable incomes through direct service, advocacy, and community engagement. We deliver integrated medical care, mental health services, state-certified addiction treatment, dental care, social services, and housing support services for over 10,000 Marylanders annually at sites in Baltimore City and Baltimore County. For more information, visit www.hchmd.org.

¹ See American Public Health Association, *Housing and Homelessness as a Public Health Issue* (Nov. 2017), available at <https://apha.org/policies-and-advocacy/public-health-policy-statements/policy-database/2018/01/18/housing-and-homelessness-as-a-public-health-issue>.

² To maintain confidentiality, we did not use the client’s real name.