



**Maryland Legislative Sportsmen's Caucus**  
*The Sportsmen's Best Friend*

March 8, 2022

THE HONORABLE LUKE CLIPPINGER  
Chair, House Judiciary Committee  
HONORABLE MEMBERS

**RE: SUPPORT FOR HOUSE BILL 1298 (HUNTING & FISHING OFFENSES -- EXPUNGEMENT)**


The bi-partisan Maryland Legislative Sportsmen's Caucus commends Delegate Ghrist and the co-sponsors for the introducing House Bill HB 1298 which (1) confirms that cases involving hunting and fishing violations under the Natural Resources Article are criminal cases expungeable under the provisions of the Criminal Procedure Article; and (2) provides that persons convicted of such offenses who do not re-offend for a specified period of time, may have the convictions expunged.

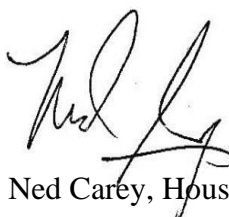
When presented with a petition to expunge cases involving Natural Resources violations, some District Court Judges have mis-interpreted the current wording of Section 10-105 of the Criminal Procedure Article and denied expungement, even in cases in which the person was tried and acquitted of the charge, or the State's Attorney dismissed the case before trial! House Bill 1298 proposes to amend Section 10-105 to expressly state that cases involving alleged violations of Title 4 (Fish & Fisheries) and Title 10 (Wildlife) of the Natural Resources Article (for any regulation promulgated thereunder) are subject to expungement like any other criminal case.

Further, House Bill 1298 would allow individuals with convictions of such offenses a second chance, if they satisfy the sentence imposed and do not re-offend for the specified numbers of years before filing the petition to expunge. It is common knowledge that many persons have been charged with hunting or fishing violations who did not intend to violate the law, but because of ignorance or accident, were issued citations. In many instances, persons charged with such violations simply pay the fine without appearing in court because they do not want to miss work, pay for a lawyer, etc. By doing so, they are pleading guilty to the charge and are automatically convicted. They lose the possibility of an acquittal, trial of the charge being canceled because the charge is placed on the "stet docket", or the Court granting "probation before judgement" – none of which are convictions. House Bill 1298 will provide a means by which such persons can clear their records if they meet the prescribed conditions.

We know the lead sponsor will be introducing amendments which we wholeheartedly support. And, we respectfully ask the Committee to render a favorable report with amendments.

Sincerely,

  
Senator Jack Bailey, Senate Co-Chair

  
Delegate Ned Carey, House Co-Chair