

Dear Senator Will Smith and Members of the Senate
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, Baltimore County, and Howard County. We are also working in collaboration with Out for Justice. I am a resident of District 45. I am testifying in support of [SB0544](#), Criminal Procedure – Non-Convictions Expungement.



In Maryland, 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 via [Maryland Case Search](#) for three years unless the individual waives their right to sue. The appearance of a criminal record in a routine background check can and often will block access to employment, education, housing, and occupational licensing- all of which are necessary to advance in Maryland. [85% of employers perform background checks on all of their job applicants](#) and deny employment to many returning citizens based on a record. There is no valid reason that charges that did not result in a conviction (i.e. non-convictions) should visibly remain on the public record and prevent access to opportunity. Maryland's current law inadvertently replaces the "innocent until proven guilty" standard with an unjust "guilty even if proven innocent" standard.

My former neighborhood community center in Barclay used to hold regular expungement clinics, and they were some of the most popular events we held. I think it's important that people have the opportunity to expunge their records if they have them, but I was really shocked to realize that people still have records for charges which were dismissed or acquitted. There is no reason why someone should have to bear a criminal record for a crime that was dismissed or they were found not guilty of, and it's the type of red tape that keeps community members from being able to take care of themselves and their families. Maryland is often citing the desire to get people back to work: let's get them back to work.

Allow [Immediate Expungement via Storage](#) for all charges that resulted in acquittals, dismissals, and nolle prosequis. Doing so will relieve an unnecessary barrier to employment, education, housing, and public assistance, while still allowing the individual their legal right to sue.

It is for these reasons that I am encouraging you to vote **in support** of [SB0544](#), Criminal Procedure – Non-Convictions Expungement.

Thank you for your time, service, and consideration.

Sincerely,
Rebecca Shillenn
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Showing Up for Racial Justice Baltimore

