

Dear Senator Will Smith and Members of the Senate Judicial Proceedings Committee,

I am a resident of District 46, and a City of Baltimore resident and workforce development professional. 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.

I have worked with the city's workforce development agency for several years. I know how much of a barrier to employment exposure to the criminal justice system can be, which can form a vicious cycle leading people to crime in order to survive. We need to break these cycles and make it easier to move forward with your life after contact with the justice system. In addition to shorter expungements of criminal convictions, this bill allowing expungement of arrest records where there was absolutely no misconduct proven would be a step in that direction. This bill only affect those who the State has not proven have done anything wrong, and so immediate expungement is the only just solution and the only solution that supports the workforce of this state.

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,
John Ford
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