



SB 17 - Criminal Procedure - Expungement of Records - Good Cause
Senate Judicial Proceedings Committee
February 2nd, 2023
SUPPORT

Chairman Smith, Vice-Chair, and members of the committee thank you for the opportunity to support Senate Bill 17. This bill gives the courts flexibility to grant expungements to returning citizens if the courts deem it appropriate.

The CASH Campaign of Maryland promotes economic advancement for low-to-moderate-income individuals and families in Baltimore and across Maryland. CASH accomplishes its mission through operating a portfolio of direct service programs, building organizational and field capacity, and leading policy and advocacy initiatives to strengthen family economic stability. CASH and its partners across the state achieve this by providing free tax preparation services through the IRS program 'VITA', offering free financial education and coaching, and engaging in policy research and advocacy. **Almost 4,000 of CASH's tax preparation clients earn less than \$10,000 annually. More than half earn less than \$20,000.**

According to the Bureau of Justice Statistics (BJS), one in three US adults has a criminal record that will surface in a routine background check. In Maryland, [it is estimated that 1.5 million residents, nearly 25% of the state's population](#), have a visible criminal record. Mass incarceration and hyper-criminalization serve as major drivers of poverty; having a criminal record can present obstacles to employment, housing, public assistance, education, family reunification, building good credit, and more.

As each individual case is as different, it is reasonable that state law grant courts the power to use their discretion to allow for expungements in certain cases. Since criminal convictions cause massive barriers to employment, housing, public assistance, et. al, and current expungement laws (e.g. unit rule, subsequent convictions, waiting periods post-conviction, etc.) severely restrict courts from using their discretion in granting expungements for eligible convictions, it is also reasonable that state law should grant courts the power to expunge convictions on a showing of good cause.

We ask that you vote to add the "Good Cause" Expungement Provision in Criminal Procedure §10–105(c9) to Criminal Procedure §10–110 allowing the courts, who levy charges/convictions against the individual, to expunge those charges as they see fit.

We appreciate your consideration of Senate Bill 17 and encourage a favorable report.

Creating Assets, Savings and Hope