

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

I am a longtime resident of Baltimore City District 46 and am submitting this testimony as a member of Showing Up for Racial Justice - Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity in Baltimore City and the surrounding region. 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.** And [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.

Allowing [Immediate Expungement via Storage](#) for all charges that resulted in acquittals, dismissals, and nolle prosequis 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,
Liz Simon-Higgs
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Showing Up for Racial Justice Baltimore