

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 Maryland District 40, and live in the Medfield neighborhood of Baltimore. **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 opportunities. Maryland's current law inadvertently replaces the "innocent until proven guilty" standard with an unjust "guilty even if proven innocent" standard.

There is absolutely no reason that interactions with police that don't result in a conviction should be visible on a record or case search. As it stands, these incidents that may very well be the result of chance or circumstantial evidence, end up being a barrier to applying for a lease or getting hired, preventing Marylanders from supporting themselves and their families, and potentially pushing them into dire circumstances.

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,
Christina Nemphos
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Showing Up for Racial Justice Baltimore