

SUPPORT SB 544 - expungement - waiting period - nonconvictions



TO: Chair Will Smith and Senate Judicial Proceedings Committee
FROM: Phil Caroom, MAJR Executive Committee
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Maryland Alliance for Justice Reform (MAJR-www.ma4jr.org) supports **SB 544** to offer relief for a problem facing Marylanders seeking honest employment: too often, the State overcharges an offense-- including more serious charges (not eligible for expungement) then later dismisses the charges or approves a plea to lesser, nonviolent charges.

Worsening the situation, the dismissed or excess charges—even though a not-guilty or *nol pros* result—remain online in Maryland’s Judiciary Case Search and create unfair suspicion that may block employment or even job interviews.

Unfortunately, current Maryland law keeps even nonconvictions online via Maryland Judiciary Case Search for at least three years. And, Maryland’s “unit rule” permanently prohibits expungement of eligible charges if any charges within a unit are not eligible for expungement.

Both federal and state studies clearly show that returning citizens who are employed are much less likely to commit new offenses than those who are unemployed. A 2017 Greater Baltimore Committee report summarizes this research, stating:

the single largest determinant of re-arrest and re-conviction is whether or not a person is able to find a job upon release from prison. The probability of re-conviction for someone who is employed within two months of release and earning \$10 or more per hour is only 8 percent, one-third of the probability of an unemployed ex-offender.

While there may be minor tax revenue losses and administrative costs to reinstating this program, legislators should put this in the larger context. Without employment, the ex-offender is approximately twice as likely to return to prison, costing taxpayers over \$40,000 per year on average—much more than **SB 544’s** projected costs.

For all these reasons, expungement measures to assist with employment should be understood as important measures to support reduce taxpayer costs, as well as to promote family stability, public safety and crime-prevention. Maryland Alliance for Justice Reform (MAJR) strongly supports **SB 544** and we urge the Committee to give it a favorable report.

PLEASE NOTE: Phil Caroom offers this testimony for Md. Alliance for Justice Reform and not for the Md. Judiciary.