

Dear Delegate Luke Clippinger and Members of the House Judiciary 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 District 45. I am testifying in support of [HB0746](#), 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.

To me, the whole purpose of our justice system is supposed to be rehabilitation of those who have already been convicted, not to continue to punish them for eternity—and in this case, people who haven't even been convicted are being punished. How can we expect people in our community to be able to return to society if they cannot be hired while they have even small issues on their background checks? This is unreasonable, and it is not justice. There is no reason for people to have to bear this on their record.

Please 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** [HB0746](#), Criminal Procedure – Non-Convictions Expungement.

Thank you for your time, service, and consideration.

Sincerely,
Rebecca Shillenn
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Showing Up for Racial Justice Baltimore