

HON. STACY A. MAYER
CIRCUIT COURT
JUDGE
BALTIMORE COUNTY
CHAIR

HON. RICHARD SANDY
CIRCUIT COURT
JUDGE
FREDERICK COUNTY
VICE-CHAIR



KELLEY O'CONNOR
ASSISTANT STATE COURT
ADMINISTRATOR
GOVERNMENT RELATIONS
AND PUBLIC AFFAIRS
P: (410) 260-1560

SUZANNE PELZ, ESQ.
SNR. GOVT. RELATIONS AND
PUBLIC AFFAIRS OFFICER
P: (410)260-1523

MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

MEMORANDUM

TO: House Judiciary Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: House Bill 270
Criminal Procedure – Expungement – Failure to Obey a Court
Order to Report to Confinement
DATE: January 18, 2024
(3/5)
POSITION: Oppose

The Maryland Judiciary opposes House Bill 270. House Bill 270 alters Criminal Procedure § 10-110 to include Criminal Law § 9-405(a)(2) to the list of misdemeanor convictions eligible for expungement.

By making a conviction for second-degree escape subject to expungement, the bill would impact the judge's ability to weigh the facts and circumstances when crafting sentences and decisions regarding bail. This information is also necessary when a judge is determining whether a defendant is a good candidate for Health General 8-507 placements, given the requirement that a placed individual remain at the facility during the term of treatment.

Information about a previous escape, or about a failure to report for a deferred sentence, is critical to determine eligibility for similar consideration in the future. Depriving judges of this information will impair their ability to make informed decisions and affect critical public safety determinations.

cc. Hon. Robin Grammer
Judicial Council

Legislative Committee
Kelley O'Connor