

NICOLE A. WILLIAMS, ESQ.
Legislative District 22
Prince George's County

Judiciary Committee

Chair, Public Safety Subcommittee

Vice Chair, Democratic Caucus

Chair, Prince George's
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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

March 5, 2024

The Honorable Luke Clippinger
Chair of the House Judiciary Committee
6 Bladen Street, Room 101
Annapolis, Maryland 21401

House Bill 550

Good afternoon, Chair Clippinger, Vice Chair Bartlett, and the members of the House Judiciary Committee. I am Delegate Nicole Williams from District 22 presenting before you House Bill 550, which seeks to allow for the partial expungement of eligible charges within a unit of charges.

Under current Maryland law [Criminal Procedure §10–107](#), criminal charges that arise from the same incident, transaction, or set of facts are considered a ‘unit of charges’. If a person is not entitled to the expungement of one charge or conviction within a unit, the person is not entitled to the expungement of any other charge within the unit, even if that charge is listed as expungable under current law. This prevents charges that would be eligible for expungement from actually being expunged. Even if the charges resulted in acquittals, dismissals, or nolle prosequi (i.e. “not guilty” verdicts), they would still be available via the Criminal Justice Information System (CJIS) and the Central Repository hosted within the Department of Public Safety and Correctional Services. If a potential employer, institution of higher education, department of licensure, or housing provider seeks to do a fingerprint background check, the full record (including non-convictions) within a unit would become available to them.

House Bill 550 seeks to expand the ability to expunge non-convictions by allowing the “partial expungement” of eligible charges within a unit of two or more charges. It outlines a responsible process for the State to follow. It should be highlighted that despite current law, savvy attorneys and judicial officials have already performed partial expungement on occasions, as was reported in the Daily Record, where a [court ‘disappeared’ a docket of charges with multiple sexual offenses](#) for a law enforcement officer just to “combat the unfair nature of the expungement statute.” House Bill 550 would codify a responsible, transparent process that would allow the State’s Attorney the same right to object, and, if the expungement is granted, law

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enforcement officials would still maintain access to the partially expunged charges. The bill maintains the current scope of criminal offenses available for expungement. This simple bill would have a tremendous impact on individuals with criminal histories seeking employment, housing, licensing, and education. Individuals should no longer be penalized for charges for which they have served their time, including parole, probation, and the required waiting period. Moreover, they shouldn't suffer from charges that did not result in a conviction simply because they are grouped with other charges that are ineligible for expungement. For these reasons, I strongly urge a favorable report on House Bill 550.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Nicole Williams', with a long horizontal flourish extending to the right.

Delegate Nicole A. Williams, Esq.