

**SB398 Criminal Procedure – Automated Expungement**  
**HEARING BEFORE THE SENATE JUDICIAL PROCEEDINGS COMMITTEE**  
**2/5/2025**

**POSITION: FAVORABLE**

Shore Legal Access (formerly Mid-Shore Pro Bono) supports SB398. This bill would automatically remove from public view criminal records for certain misdemeanors after seven years have passed or after three years for cases with non-convictions. Automatic expungement would significantly expand access to clearing criminal records, save valuable legal services resources, and increase housing, employment, service, and educational opportunities for all Marylanders. The success and efficacy of Maryland's groundbreaking work to expand access to criminal record expungement would advance significantly through SB398.

Shore Legal Access (SLA) connects people on the Eastern Shore with limited financial means to legal representation and essential community resources. Each year, SLA helps over 3,800 people in our community access the legal system when they would otherwise be shut out. Our small legal team and network of volunteer lawyers provide free legal services for eviction prevention, criminal record expungement, life and estate planning, family law, foreclosure, and consumer debt. These services help families gain financial and housing stability and create safe, secure homes for children.

SLA is a provider of legal representation for criminal record expungement cases in 8 Eastern Shore counties (Caroline, Dorchester, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester). Since Maryland's law changed to expand access to criminal record expungement and decriminalize cannabis, SLA has helped over 330 people on the Eastern Shore to get their records cleared. Our volunteer attorneys provide the necessary research and document preparation required to prepare and file an expungement petition. We know that many more people in our community would benefit from obtaining criminal record



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expungement, but many are unsure about how to go about it. Very few Marylanders take advantage of the petition-based process to clear their records.

SLA's clients include Diane\* a mother of three seeking to clear a charge from many years ago that ended up being dismissed so that she could get her nursing certificate. Wayne\* sought assistance to clear a conviction for writing a bad check less than \$300 that has been on his record for 26 years so that he could secure better employment opportunities. While most people seeking legal assistance with expungements are younger, working folk, nearly 10% are older adults, including Roy\*, who is 82 years old and sought help with clearing a conviction for disturbing the peace over thirty years ago. He simply wanted peace of mind that his record was clear.

Maryland's petition-based system of criminal record expungement requires multiple steps that are not always easy for people to navigate. As a civil legal services provider, we would certainly prefer to use our limited resources for more complicated legal representation.

SB398 would be a game changer for 407,000 Marylanders, the estimated number of people who would benefit from automatic expungement. On the Eastern Shore, we have a disproportionately large number of people involved with the criminal justice system, particularly in Dorchester, Wicomico, Worcester, and Somerset Counties where the rate of incarceration is more than twice the state average. Our communities would benefit from having a stronger workforce and greater economic and social opportunities.

Automated expungement would significantly reduce the burden on people who have earned and deserve to have their records cleared, while also reducing the cost of time and resources required by the current petition-based system. SLA supports SB398 and urges the Committee's favorable recommendation on this bill. If you have any questions regarding our position, please contact Meredith Girard, Executive Director at 410.690.8128 or e-mail [mgirard@shorelegal.org](mailto:mgirard@shorelegal.org).

\*Client's name changed to protect confidentiality

