

HB545 Criminal Procedure – Automated Expungement

HEARING BEFORE THE HOUSE JUDICIARY COMMITTEE

3/4/2025

POSITION: FAVORABLE

Shore Legal Access (formerly Mid-Shore Pro Bono) supports HB545. 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 HB545.

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 hundreds of 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



BOARD OF DIRECTORS

Timothy Abeska, Esq.
Tanisha Armstrong
Arlette Bright, Esq.
Holland Brownley, Esq.
Rebecca Burner
Jennifer Goolie, Esq.
Hillary Lindeman
Angel Perez
Dr. Clinton Pettus
Anthony Rodriguez, Esq.
Sean Seldon
Michael Starling
Ruth Thomas
Doncella Wilson

EXECUTIVE DIRECTOR

Meredith L. Girard, Esq.

MAIN OFFICE | EASTON

499 Idlewild Avenue
Suite 102
Easton, MD 21601

SALISBURY OFFICE

4601-B E. Naylor Mill Road
Salisbury, MD 21804

p 410.690.8128

f 443.385.0210

shorelegal.org

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.

Maryland's petition-based system of criminal record expungement requires multiple steps that are not easy for people to navigate without legal representation. Only 2% of people with eligible records seek relief. As a civil legal services provider, we would certainly prefer to use our limited resources for more complicated legal representation and protection of people's rights.

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.

HB545 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 HB545 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.

*Client's name changed to protect confidentiality

