



LEGISLATIVE BLACK CAUCUS OF MARYLAND, INC.

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March 4, 2025

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Chair Luke Clippinger

Judiciary Committee

100 Taylor House Office Building

Annapolis, Maryland 21401

Dear Chair Clippinger and Members of the Committee,

The Legislative Black Caucus of Maryland offers its strong and favorable support for House Bill 545 (HB545) – Criminal Procedure – Automated Expungement. This bill establishes procedures for the automated expungement of eligible criminal cases, particularly those involving charges such as possession of cannabis and certain misdemeanors. HB545 is an essential step forward in advancing justice, especially for Black Marylanders, who are disproportionately impacted by criminal records that create barriers to employment, housing, and civic participation. **This bill is a 2025 legislative priority for the Black Caucus.**

The Legislative Black Caucus of Maryland believes that expungement is a critical tool in promoting fairness and equity within our criminal justice system. Black Marylanders have long been burdened by the collateral consequences of having a criminal record, which often leads to discrimination and limited opportunities. According to a 2021 report by the National Employment Law Project, nearly one in three Black adults in the U.S. has a criminal record, compared to one in five adults overall. This stark disparity exacerbates racial inequality and limits opportunities for economic mobility and reintegration into society. House Bill 545 seeks to address this imbalance by automatically expunging eligible criminal cases, ensuring that Black Marylanders have the opportunity to fully participate in society without the persistent stigma of a criminal record.

HB545 would streamline the expungement process by allowing for automatic expungement of cases where all charges are eligible, including certain cannabis-related offenses and non-violent misdemeanors, after the required waiting periods. This bill aligns with the principles of restorative justice by removing barriers that have long hindered individuals, particularly African Americans, from rebuilding their lives after their involvement in the criminal justice system. By removing these records from public view, HB545 helps Black individuals regain access to employment, housing, and educational opportunities that have long been denied due to prior arrests or convictions.

In Maryland, a 2020 study by the Maryland Justice Project found that African Americans are disproportionately arrested for minor offenses, such as cannabis

possession, even though rates of drug use are similar across racial groups. House Bill 545 directly addresses the over-policing and over-incarceration of Black individuals for minor offenses by offering an automatic and efficient process to clear their records, particularly in the case of cannabis-related charges that are now legal. The automatic expungement of these records will help reverse the lasting effects of past criminal justice policies that disproportionately impacted Black communities.

HB545's provisions for automated expungement will create a more equitable and just system by allowing individuals to have their criminal records expunged without the need for a costly and time-consuming petition process. This is especially important for Black Marylanders who often face systemic barriers in accessing the expungement process due to socioeconomic factors. The bill also creates a more efficient system by having the Department of Public Safety and Correctional Services and the Judiciary handle the expungements automatically, saving time and resources.

For Black communities in Maryland especially, the impact of HB545 is far-reaching. By providing automatic expungement, the bill reduces the lasting impact of criminal records on African American individuals, who have historically faced the greatest barriers to reintegration into society. The passage of this bill would represent a significant step toward a more just and equitable criminal justice system that removes unnecessary barriers for Black Marylanders and provides a path to healing and opportunity.

For these reasons, the Legislative Black Caucus of Maryland strongly supports House Bill 545.

Legislative Black Caucus of Maryland