

2025-03-4 HB 545 - Support in Concept.pdf

Uploaded by: Adam Spangler

Position: FAV

CAROLYN A. QUATTROCKI
Chief Deputy Attorney General

LEONARD J. HOWIE III
Deputy Attorney General

CARRIE J. WILLIAMS
Deputy Attorney General

SHARON S. MERRIWEATHER
Deputy Attorney General

ZENITA WICKHAM HURLEY
Chief, Equity, Policy, and Engagement



PETER V. BERNS
General Counsel

CHRISTIAN E. BARRERA
Chief Operating Officer

STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL

ANTHONY G. BROWN
Attorney General

March 4, 2025

TO: The Honorable Luke Clippinger
Chair, Judiciary Committee

FROM: Adam Spangler
Legislative Aide, Legislative Affairs, Office of the Attorney General

RE: House Bill 545 – Criminal Procedure - Automated Expungement–
Support in Concept

The Office of the Attorney General (OAG) supports the intent of **House Bill 545**, introduced by Delegate David Moon, which aims to improve access to sealing criminal records. This legislation clarifies that expungement simply means hiding records from public view and does not mean physically obliterating records or redacting physical or electronic documents, media, or recordings. Second, the bill changes the expungement regime from a situation where the defendant files for expungement to a situation where the court automatically expunges offenses. These automatic expungements would happen: 1) after 3 years for probation for, inter alia, probations before judgment and public nuisance crimes or 2) after 7 years for a misdemeanor that is neither second degree assault nor marked as domestically related.

Criminal records can create significant barriers to employment, housing, education, public assistance, family reunification, and the opportunity to build good credit. For many individuals with a justice-involved background, having a record can result in lifelong restrictions, preventing them from accessing resources necessary for achieving stable futures for themselves and their families.

Record expungement is an effective solution for removing barriers to opportunities for justice-involved individuals and their families. While there are current petition-based record clearance measures in Maryland law, these options often leave many eligible individuals behind. Many people are unaware that they qualify for record-clearing, while others find it challenging to navigate the expensive and complicated process of filing a record-clearing petition in court. This

often requires hiring a lawyer and taking time off work to appear in court, leading to thousands of dollars in legal bills and court costs. Additionally, the courts face the burden of processing each petition individually, which strains valuable judicial resources.

House Bill 545 will implement a system that automatically seals eligible records with technology and will ensure that everyone who qualifies for record-clearing gets the fresh start they've earned—regardless of whether they can afford a lawyer and expensive court fees and without navigating a complex court process.

The OAG supports the intent of this legislation and urges the Committee to issue a favorable report on **House Bill 545**.

cc: Members of the Judiciary Committee

CAP MD GA Written Testimony in Support of HB 545.p

Uploaded by: Akua Amaning

Position: FAV



Transmitted electronically via MyMGA portal

Maryland General Assembly
House Judiciary Committee

Written Testimony in support of House Bill 545

An Act Concerning Automatic Expungement of Criminal Records

March 4th, 2024

My name is Akua Amaning, and I am the Director for Criminal Justice Reform at the Center for American Progress. It is my pleasure to submit written testimony in support of House Bill 545, a measure that would allow for automatic expungement of certain conviction records and would open doors to opportunity for hundreds of thousands of Maryland residents currently held back by conviction records. I urge the legislature to pass this important measure.

Today, roughly [1.3 million Marylanders](#) carry a conviction record. [No record is too old or too inconsequential](#) to serve as a barrier to employment, housing, education, public assistance, family reunification and the ability to build good credit. For too many justice-involved people, a record can leave them with lifelong restrictive barriers which preclude them from accessing resources needed to promote stable futures for themselves and their families.

Every constituent of Maryland should have a fair opportunity to earn a living, support their family and contribute to their community. While felony convictions carry perhaps the greatest stigma, any criminal record can present insurmountable hurdles to gainful employment. Nearly [9 in 10 employers](#) use background checks to make hiring decisions, which often can mean the difference between a job offer and a rejection. As a result, the unemployment rate among

formerly incarcerated people is over [27 percent](#) – higher than the U.S. unemployment rate during the Great Depression.

Safe and stable housing can also be out of reach for individuals with criminal records, with an estimated [4 in 5 landlords](#) conducting background checks on prospective renters. Formerly incarcerated people are [10 times more likely](#) to experience homelessness than the general population.

These barriers to opportunity can have ripple effects for generations. According to analysis by the Center for American Progress, [nearly half of all American children](#) have at least one parent with a criminal record. When parents are shut out of the labor and housing markets, it can significantly undermine family stability and economic security. A child's long-term outcomes are closely tied to childhood circumstances, and thus the barriers associated with parental criminal records can prevent kids from realizing their full potential into adulthood.

People deserve a second chance and a real chance to overcome their mistakes. Record expungement is a powerful solution to breaking down barriers to opportunity for justice-involved individuals and their families. A [major study](#) from researchers at the University of Michigan found that within a year of expungement, people who were successfully able to clear their records saw their wages increase by more than 20 percent. Record expungement also benefits public safety. The same study also found evidence that record clearing can reduce recidivism rates: Michiganders who received expungements were less likely to commit a crime than the general population.

At the national level polling suggests that most Americans—across the political spectrum—are in favor of automatic record expungement measures. [Seventy percent](#) of Americans support automated record expungement policies—including 66 percent of Republicans and 75 percent of Democrats. And [states across the country](#) (as diverse as Pennsylvania, Michigan, Delaware, Utah, Texas, and New York to name a few) have already taken steps to implement their own automatic record expungement measures, with great success. For example, [Pennsylvania's](#) automated record expungement measure has helped to clear over 45 million records since its implementation in 2019. With this over 1.2 million Pennsylvanians have been given a meaningful second chance to build towards a successful future for themselves, their families, and their communities.

While petition-based record clearance measures exist under current Maryland law, these remedies often leave most eligible people behind. Many people are unaware that they are entitled to record-clearing. Others struggle to navigate the expensive and complicated process of filing a record-clearing petition in court, which for most requires hiring a lawyer and taking time off from work to appear in court, often racking up thousands of dollars in legal bills and court costs. Meanwhile, the courts must process each petition one by one, straining valuable judicial resources. Consequently, record-clearing is out of reach for all but the most well-resourced

Americans. These same challenges are evidenced by [research from The Paper Prisons Initiative of Santa Clara University](#), which found that under Maryland's existing record clearance measures, only two percent of eligible people successfully have their conviction records cleared.

Maryland's automated record expungement legislation (HB 545) will require the implementation of a system that automatically seals eligible records through the use of technology and will ensure that everyone who qualifies for record-clearing gets the clean slate they deserve—regardless of whether they can afford a lawyer and expensive court fees and without navigating a complex court process. HB 545 is also beneficial for economic growth. Through this legislation, more Marylanders have access to workforce opportunities and businesses can access a broader candidate pool of qualified workers. These opportunities not only benefit those who are directly impacted, but ultimately help stimulate local businesses, communities, and the state's overall economy.

On behalf of the Center for American Progress, I urge the Maryland Senate and Assembly to swiftly pass and sign HB 545 into law. With these measures, Maryland has the ability to uplift justice-impacted individuals and their families while building safer and healthier communities for generations to come.

Thank you for the opportunity to submit this written testimony for the record.

Akua Amaning

Director, Criminal Justice Reform

Center for American Progress

aamaning@americanprogress.org

HB0545 - Automated Expungement.docx.pdf

Uploaded by: Alicia Pereschuk

Position: FAV

Dear **Members of the Judiciary Committee,**

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with Out for Justice. I am a resident of District 43. **I am testifying in support of HB0545 - Criminal Procedure – Automated Expungement.**



Showing Up for Racial Justice

Eligibility for criminal record expungement has expanded since the Maryland General Assembly passed the Justice Reinvestment and REDEEM Acts. However, an overwhelming majority of individuals who could have their charges expunged never petition the courts to do so. They may be unaware they are eligible for expungement or unable to navigate the process in an overburdened court system. The result is that only a tiny percentage of Marylanders whose convictions are eligible for expungement—less than 10%—actually get their records expunged within 5 years of becoming eligible.¹

This has lasting effects. Charges that people could have had expunged may instead remain on their records permanently, which can dramatically impact their lives for the worse. Potential consequences of having a criminal record include being unable to rent an apartment, obtain employment or work credentials, gain admission to college or to programs that help pay for college, keep custody of one's children, access some government services, or vote in elections.² These avoidable consequences limit people's lives and ability to participate meaningfully in society and contribute to their communities.

HB0545 would protect people from the stigma of unexpunged convictions by automating parts of the expungement process. It would require the courts to remove from public view (including the judiciary case search website) all offenses that are eligible for expungement, without the necessity of the person whose case it is filing a request for expungement. This ensures that a "clean slate" is available not just in theory, but in practice for any Marylanders who are eligible.

It is for these reasons that I am encouraging you to vote **in support of HB0545 - Criminal Procedure – Automated Expungement.**

Thank you for your time, service, and consideration.

Sincerely,
Alicia Pereschuk
319 Homeland Southway
Baltimore MD 21212
Showing Up for Racial Justice Baltimore

¹

C. Chien, "America's Paper Prisons: The Second Chance Gap." *Mich. L. Rev.*, 119(3).
<https://doi.org/10.36644/mlr.119.3.america> Cited in The Clean Slate Initiative Resource Guide for Maryland Journalists,
<https://www.cleanslateinitiative.org/maryland>

²

The People's Law Library of Maryland, "Expungement and Changing Your Criminal Record,"
<https://www.peoples-law.org/expungement-and-changing-your-criminal-record>; Maryland Alliance for Justice Reform,
"Expungement" <https://www.ma4jr.org/expungement/>

AV_HB545_FAV.pdf

Uploaded by: Antoine Vaughn

Position: FAV

Dear Chair Clippinger and the Judiciary Committee,

My name is Antoine and I am a resident of District 7. I am writing in support of HB 545, Automated Expungement. This bill automatically hides all expungable misdemeanors from public view in electronic court records. I believe criminal record expungements are important because it allows individuals to clear their criminal records of convictions, arrests, or other adverse outcomes, giving them a second chance to rebuild their lives. By expunging their records, individuals can regain eligibility for employment, housing, education, and other opportunities that may have been limited or denied due to their criminal history.

I believe individuals may not pursue expungement due to various barriers, including lack of awareness, complex and costly legal processes, and eligibility restrictions. For that reason I believe the expungement and sealing process should be as automatic as possible to make sure that everyone who can benefit from the law does. I urge a favorable report.

Sincerely,
Antoine Vaughn

Employ Prince George's - HB 545 Testimony - FAV.pd

Uploaded by: Ardy Kamali

Position: FAV



EMPLOY PRINCE GEORGE'S
1801 McCormick Drive, Suite 400,
Largo, Maryland 20774
www.employpg.org
(301) 618-8400
Walter L. Simmons, President

| | |
|----------------------|--|
| Bill Number: | House Bill 545 |
| Title: | Criminal Procedure – Automated Expungement |
| Committee: | Judiciary |
| Hearing Date: | March 4, 2025 |
| Position: | FAVORABLE |

Employ Prince George's, Inc. ("EPG") is a nonprofit organization that serves as the principal workforce development entity for Prince George's County and is responsible for regulating policy development and the administration of workforce activities related to services and programs funded by the federal Workforce Innovation & Opportunity Act (WIOA).

The passage of House Bill 545 is a critical step in ensuring that Marylanders with eligible criminal records are not permanently barred from employment, housing, and educational opportunities due to the burdensome and complex expungement process. By automating expungement for certain nonviolent offenses, this bill will help remove unnecessary barriers to employment for thousands of job seekers across the state.

As an organization that engages directly with job seekers, employers, and workforce partners, we see firsthand how past criminal records—often for offenses long in the past—serve as a major obstacle to stable employment. Despite their qualifications and readiness to work, many individuals face rejection solely due to the presence of an expungeable but still visible record. This systemic barrier disproportionately affects communities of color and individuals from economically disadvantaged backgrounds, exacerbating cycles of poverty and unemployment.

EPG has taken proactive measures to address this issue by hosting expungement fairs, providing vital resources to individuals seeking a fresh start. However, these events require significant time and resources that could be better allocated to workforce development programs, such as job training, career counseling, and employer partnerships. Automating expungement would allow EPG and other workforce organizations to focus on their core mission – helping individuals secure meaningful employment and achieve economic self-sufficiency.

Beyond the individual impact, this legislation will benefit employers and Maryland's economy as a whole. Businesses across sectors are struggling to fill vacancies and secure skilled labor. Expanding the workforce by allowing more individuals to participate without unnecessary legal barriers will strengthen our state's economic competitiveness. Moreover, reducing recidivism through employment has been proven to increase public safety and decrease reliance on social services, saving taxpayer money in the long run.

This legislation is a common-sense policy that will create pathways to economic opportunity for countless Marylanders while strengthening our workforce and communities. For these reasons, EPG respectfully urges a favorable report on House Bill 545.

HB0545 - Automated Expungement_BH.pdf

Uploaded by: Barbara Hauck

Position: FAV

Dear **Members of the Judiciary Committee,**

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with Out for Justice. I am a voter, homeowner, and active community member. **I am testifying in support of HB0545 - Criminal Procedure – Automated Expungement.**



Showing Up for Racial Justice

Eligibility for criminal record expungement has expanded since the Maryland General Assembly passed the Justice Reinvestment and REDEEM Acts. However, an overwhelming majority of individuals who could have their charges expunged never petition the courts to do so. They may be unaware they are eligible for expungement or unable to navigate the process in an overburdened court system. The result is that only a tiny percentage of Marylanders whose convictions are eligible for expungement—less than 10%—actually get their records expunged within 5 years of becoming eligible.¹

This has lasting effects. Charges that people could have had expunged may instead remain on their records permanently, which can dramatically impact their lives for the worse. Potential consequences of having a criminal record include being unable to rent an apartment, obtain employment or work credentials, gain admission to college or to programs that help pay for college, keep custody of one's children, access some government services, or vote in elections.² These avoidable consequences limit people's lives and ability to participate meaningfully in society and contribute to their communities.

HB0545 would protect people from the stigma of unexpunged convictions by automating parts of the expungement process. It would require the courts to remove from public view (including the judiciary case search website) all offenses that are eligible for expungement, without the necessity of the person whose case it is filing a request for expungement. This ensures that a "clean slate" is available not just in theory, but in practice for any Marylanders who are eligible.

It is for these reasons that I am encouraging you to vote **in support of HB0545 - Criminal Procedure – Automated Expungement.**

Thank you for your time, service, and consideration.

Sincerely,

Barbara Hauck

3420 Harford Road

Baltimore, MD 21218

Showing Up for Racial Justice Baltimore

1

¹ C. Chien, "America's Paper Prisons: The Second Chance Gap." *Mich. L. Rev.*, 119(3).
<https://doi.org/10.36644/mlr.119.3.america> Cited in The Clean Slate Initiative Resource Guide for Maryland Journalists,
<https://www.cleanslateinitiative.org/maryland>

2

² The People's Law Library of Maryland, "Expungement and Changing Your Criminal Record," <https://www.peoples-law.org/expungement-and-changing-your-criminal-record>; Maryland Alliance for Justice Reform, "Expungement"
<https://www.ma4jr.org/expungement/>

HB0545 Criminal Procedure - Automatic Expungement_

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR HB0545

Criminal Procedure - Automatic Expungement

Bill Sponsor: Delegate Moon

Committee: Judiciary

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of HB0545 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists and our Coalition supports well over 30,000 members.

As Maryland, and other states wrestle with the fact that so many residents have been incarcerated for simple possession of marijuana, we must find a quick method for removing the stain that those convictions have had on the lives of so many people. This bill would mandate that all records related to misdemeanor convictions for possession as the only charge be immediately expunged after July 2027 if at least 3 years has passed since the disposition of the case. For charges related to domestic violence or assault in the second degree, at least seven years must have passed since the disposition of the case.

We believe that this is not only necessary, but past due for so many people.

We support this bill and recommend a **FAVORABLE** report in committee.

HB0545 - Automated Expungement.docx.pdf

Uploaded by: Christina Nemphos

Position: FAV

Dear **Members of the Judiciary Committee,**

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with Out for Justice. I am a resident of **District 40 and live in the Medfield neighborhood of Baltimore. I am testifying in support of HB0545 - Criminal Procedure – Automated Expungement.**



Showing Up for Racial Justice

Eligibility for criminal record expungement has expanded since the Maryland General Assembly passed the Justice Reinvestment and REDEEM Acts. However, an overwhelming majority of individuals who could have their charges expunged never petition the courts to do so. They may be unaware they are eligible for expungement or unable to navigate the process in an overburdened court system. The result is that only a tiny percentage of Marylanders whose convictions are eligible for expungement—less than 10%—actually get their records expunged within 5 years of becoming eligible.¹

This has lasting effects. Charges that people could have had expunged may instead remain on their records permanently, which can dramatically impact their lives for the worse. Potential consequences of having a criminal record include being unable to rent an apartment, obtain employment or work credentials, gain admission to college or to programs that help pay for college, keep custody of one's children, access some government services, or vote in elections.² These avoidable consequences limit people's lives and ability to participate meaningfully in society and contribute to their communities.

HB0545 would protect people from the stigma of unexpunged convictions by automating parts of the expungement process. It would require the courts to remove from public view (including the judiciary case search website) all offenses that are eligible for expungement, without the necessity of the person whose case it is filing a request for expungement. This ensures that a "clean slate" is available not just in theory, but in practice for any Marylanders who are eligible.

If expungement is available to an individual, there is no reason to erect barriers to access it! It should be automated as much as possible, and not be dependent on eligible folks to navigate the legal system, seek out advice, sift through legal websites or documents, or file paperwork. This will make the process easier on both individuals and the legal system.

It is for these reasons that I am encouraging you to vote **in support of HB0545 - Criminal Procedure – Automated Expungement**. Thank you for your time, service, and consideration.

Sincerely,
Christina L Bell
1301 W 42nd St., Baltimore, Md 21211
Showing Up for Racial Justice Baltimore

¹C. Chien, "America's Paper Prisons: The Second Chance Gap." *Mich. L. Rev.*, 119(3). <https://doi.org/10.36644/mlr.119.3.america> Cited in The Clean Slate Initiative Resource Guide for Maryland Journalists, <https://www.cleanslateinitiative.org/maryland>

² The People's Law Library of Maryland, "Expungement and Changing Your Criminal Record," <https://www.peoples-law.org/expungement-and-changing-your-criminal-record>; Maryland Alliance for Justice Reform, "Expungement" <https://www.ma4jr.org/expungement/>

SB0398_HB545_FAV_OFJ.pdf

Uploaded by: Christopher Dews

Position: FAV



TESTIMONY IN SUPPORT OF SENATE BILL 398 / HOUSE BILL 545

Criminal Procedure - Automated Expungement

TO: Hon. Luke Clippinger, Chair, and Members of the Senate Judicial Proceedings Committee

DATE: March 4th, 2025

FROM: Christopher Dews, Policy Consultant

Out for Justice, Inc. (OFJ) is an organization comprised of individuals directly and indirectly impacted by the criminal legal system. We advocate for reforming policies and practices that adversely affect successful reintegration into society. OFJ supports Senate Bill 398 / House Bill 545, which would automate the expungement process for eligible misdemeanors in Maryland.

A criminal record can be both the cause and consequence of poverty and has detrimental effects on the employment, housing, education, and licensing prospects for the [estimated 25% of working-age Marylanders with a record](#) (pg.33). Every year, approximately 15,000 Marylanders are released from state prisons and struggle to secure a job, find a place to live and reenter society. Demographically, [71% of Maryland's prison population is black](#) (pg.20), the highest in the nation, leaving African-American Marylanders disproportionately impacted by lack of access to education, housing, and employment due to a criminal record. [One out of three](#) Marylanders returning from incarceration returns to Baltimore City, where OFJ's member base is the strongest. Our district contains one of the highest concentrations of returning citizens in the state, making criminal record expungements a critical access point for re-entry.

The Maryland General Assembly has passed a variety of expungement access reforms, including 2016's [Justice Reinvestment Act](#), which allowed many misdemeanors and a few felonies to be eligible for expungement, and 2023's [REDEEM Act](#), which cut the criminal record expungement waiting periods in half. These bills, in combination, were incredibly beneficial for our members, allowing millions to access employment, housing, licensing, and more. However, [MVLS data show that only 2% of people with convictions eligible for expungement pursued an expungement](#). We estimate this is due to backlogs within the courts or the individual simply not knowing they are eligible. Our partners at the Office of the Public Defender, Maryland Legal Aid, Maryland Volunteer Lawyers Service, Baltimore Action Legal Team, and others have done exceptional work hosting expungement clinics to assist our members. Still, the automated process listed in Senate Bill 398 / House Bill 545 would save time and energy for all parties involved.



If this bill were to pass, over 400,000 Maryland adults could have their records cleared overnight. It does not alter the manual petition process listed in Criminal Procedure §10–110 or §10–105 but expands on the existing automated expungement process for cannabis in §10–112. OFJ fully supports efforts to remove barriers to employment, education, housing, and more for Marylanders with records. For these reasons, we respectfully urge a favorable report.

Written Testimony_ HB 0545 Automated Expungement.p

Uploaded by: Crystal Francis

Position: FAV

MARYLAND ALLIANCE FOR JUSTICE REFORM

Working to end unnecessary incarceration and build strong, safe communities



351 Dubois Rd, Annapolis, MD 21401

Written Testimony in Support of: HB 0545 Automated Expungement

Dear Chair and Members of the Judiciary Committee,

I write to you today on behalf of the Maryland Alliance for Justice Reform, a nonprofit, nonpartisan, grassroots advocacy organization that believes in second chances and in the fundamental fairness of our justice system, submitting this testimony in strong support of HB 0545, which would establish procedures for the automated expungement of certain criminal records by the Department of Public Safety and Correctional Services and the Judiciary. This bill builds on the progress Maryland has made in criminal justice reform by ensuring that individuals with eligible records, particularly those involving cannabis possession, receive the relief they deserve without unnecessary procedural hurdles. The consequences of a criminal record, even for minor offenses, can be lifelong, affecting employment, housing, education, and financial opportunities. While Maryland has taken steps to decriminalize and legalize cannabis possession, the collateral consequences of prior convictions continue to harm individuals, families, and communities.

Expungement provides a pathway for individuals to move forward without the stigma of a past conviction, allowing them to fully participate in society and contribute to the economy. Automating the expungement process is a necessary step to make this relief accessible. The current petition-based system places an undue burden on individuals, many of whom may not be aware of their eligibility or have the financial means to navigate the process. By making expungement automatic, HB 0545 ensures that justice is not reserved only for those with the time and resources to pursue it but is instead applied equitably across all affected individuals. Other states have successfully implemented automated expungement systems, demonstrating that this policy is both feasible and effective, helping to reduce the administrative burden of the expungement process, helping states become more efficient. Maryland should follow suit by embracing a fair, efficient, and equitable approach that aligns with our commitment to criminal justice reform. For these reasons, we respectfully urge a favorable report on HB 0545. Thank you for your time and consideration.

Sincerely,

Crystal Francis, Ph.D., Vice President
Maryland Alliance for Justice Reform
Backdoor@ma4jr.org
(443) 692-7228

The Maryland Alliance for Justice Reform (MAJR) is a nonpartisan, all-volunteer organization of nearly 2000 Marylanders who advocate for sensible evidence-based legislative and policy changes in Maryland's correctional practices. MAJR thanks you for the opportunity to provide input on this legislation and urges a favorable report.

HB0545 - Automated Expungement.pdf

Uploaded by: Daryl Yoder

Position: FAV

Dear **Members of the Judiciary Committee,**

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with Out for Justice. I am a resident of District 44A and a longtime volunteer with Out for Justice. **I am testifying in support of HB0545 - Criminal Procedure – Automated Expungement.**



Showing Up for Racial Justice

Eligibility for criminal record expungement has expanded since the Maryland General Assembly passed the Justice Reinvestment and REDEEM Acts. However, an overwhelming majority of individuals who could have their charges expunged never petition the courts to do so. They may be unaware they are eligible for expungement or unable to navigate the process in an overburdened court system. The result is that only a tiny percentage of Marylanders whose convictions are eligible for expungement—less than 10%—actually get their records expunged within 5 years of becoming eligible.¹

This has lasting effects. Charges that people could have had expunged may instead remain on their records permanently, which can dramatically impact their lives for the worse. Potential consequences of having a criminal record include being unable to rent an apartment, obtain employment or work credentials, gain admission to college or to programs that help pay for college, keep custody of one's children, access some government services, or vote in elections.² These avoidable consequences limit people's lives and ability to participate meaningfully in society and contribute to their communities.

HB0545 would protect people from the stigma of unexpunged convictions by automating parts of the expungement process. It would require the courts to remove from public view (including the judiciary case search website) all offenses that are eligible for expungement, without the necessity of the person whose case it is filing a request for expungement. This ensures that a "clean slate" is available not just in theory, but in practice for any Marylanders who are eligible.

It is for these reasons that I am encouraging you to vote **in support of HB0545 - Criminal Procedure – Automated Expungement.**

Thank you for your time, service, and consideration.

Sincerely,
Daryl Yoder
309 Glenmore Ave., Catonsville, MD 21228
Showing Up for Racial Justice Baltimore

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C. Chien, "America's Paper Prisons: The Second Chance Gap." *Mich. L. Rev.*, 119(3).
<https://doi.org/10.36644/mlr.119.3.america> Cited in The Clean Slate Initiative Resource Guide for Maryland Journalists,
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The People's Law Library of Maryland, "Expungement and Changing Your Criminal Record," <https://www.peoples-law.org/expungement-and-changing-your-criminal-record>; Maryland Alliance for Justice Reform, "Expungement" <https://www.ma4jr.org/expungement/>

HB0545 - Automated Expungement.pdf

Uploaded by: Erica Palmisano

Position: FAV

Dear **Members of the Judiciary Committee,**

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with Out for Justice. I am a resident of 12A. **I am testifying in support of HB0545 — Criminal Procedure — Automated Expungement.**



Showing Up for Racial Justice

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It is for these reasons that I am encouraging you to vote **in support of HB0545 — Criminal Procedure — Automated Expungement.**

Thank you for your time, service, and consideration.

Sincerely,
Erica Palmisano
5580 Vantage Point Rd, Apt 5, Columbia, MD 21044
Showing Up for Racial Justice Baltimore

¹ C. Chien, "America's Paper Prisons: The Second Chance Gap." *Mich. L. Rev.*, 119(3). <https://doi.org/10.36644/mlr.119.3.america>
Cited in The Clean Slate Initiative Resource Guide for Maryland Journalists, <https://www.cleanslateinitiative.org/maryland>

² The People's Law Library of Maryland, "Expungement and Changing Your Criminal Record," <https://www.peoples-law.org/expungement-and-changing-your-criminal-record>; Maryland Alliance for Justice Reform, "Expungement" <https://www.ma4jr.org/expungement/>

HB 545_MDCC_Criminal Procedure-Automated Expungeme

Uploaded by: Grason Wiggins

Position: FAV



House Bill 545

Position: Favorable

Committee: Judiciary

Date: March 4, 2025

Founded in 1968, the Maryland Chamber of Commerce is the leading voice for business in Maryland. We are a statewide coalition of more than 7,000 members and federated partners working to develop and promote strong public policy that ensures sustained economic health and growth for Maryland businesses, employees, and families.

HB 545 would improve access to criminal record sealing, a common-sense measure that will grow our workforce and strengthen our businesses. This legislation would automate the sealing of certain criminal records if a person remains crime-free. It applies only to misdemeanors, with the exception of domestic violence and any second-degree assault convictions.

[A recent report from the U.S. Chamber of Commerce](#) confirms what we already knew to be true: Maryland's businesses are facing a hiring crisis. With only 33 available workers for every 100 open jobs, our labor market is ranked as one of the worst in the country. Employers urgently need new talent that is ready and able to work. By automatically clearing old criminal records for individuals who remain crime-free, SB 398 will give employers access to a diverse and underutilized workforce almost immediately.

Over 400,000 Marylanders are currently eligible to have their old criminal records fully cleared, but are held back by a process that is expensive, time-consuming, and difficult to navigate. SB 398 would alleviate those burdens, ending a restriction currently limiting our labor force. This new, expansive workforce would have tremendous benefits for our employers that go beyond the labor shortage, allowing our state's businesses to grow and succeed. Employers who hire justice-impacted workers [report](#) that their quality of work and contributions are on par with or better than other employees, and turnover rates are notably lower.

Additionally, the U.S. Chamber of Commerce [released a report](#) in 2021 that estimated that excluding formerly incarcerated job seekers from the work force has cost the United States at least \$78 billion in lost gross domestic product. The ability to hire and retain qualified, hard-working individuals will help sustain healthy and prosperous businesses throughout Maryland.

The Maryland Chamber believes in the importance of second chance employment, both for developing our state's workforce and for uplifting our communities. In recent years, through our Maryland Chamber Foundation, the Maryland Chamber of Commerce has been actively engaged in seeking ways to address the challenges faced by the ex-offender community as these individuals prepare for and seek employment post-incarceration. We believe all Marylanders should be able to actively serve their communities.

For these reasons, the Maryland Chamber of Commerce respectfully requests a **Favorable Report** on HB 545.

HB 545 Clean Slate CCJR FAV.pdf

Uploaded by: Heather Warnken

Position: FAV



TESTIMONY IN SUPPORT OF HOUSE BILL 545

Criminal Procedure - Automated Expungement – The Clean Slate Act

TO: Members of the House Judiciary Committee

FROM: Center for Criminal Justice Reform, University of Baltimore School of Law

DATE: February 28, 2025

The University of Baltimore School of Law’s Center for Criminal Justice Reform (“the Center”) is dedicated to supporting community-driven efforts to improve public safety and address the harm and inequities caused by the criminal legal system.

House Bill 545, the Clean Slate Act, will automate the sealing process and shield from public view eligible misdemeanor records after seven years have passed and will shield non-conviction and arrest records after three years have passed. House Bill 545 will ensure people are no longer defined by their criminal records, have the opportunity to contribute to their communities, and get a fair chance to work, seek an education, and achieve their full potential.

The Center urges a favorable report on House Bill 545 for three reasons. First, House Bill 545 will afford actual automatic sealing relief to the significant portion of the expungement-eligible population that does not currently obtain relief for a broad variety of reasons. Second, House Bill 545 will reduce the collateral consequences associated with having a criminal record and provide much-needed support to Maryland’s economy as a result. Third, House Bill 545 does not pose a public safety risk and instead will promote public safety.

I. Automated record-sealing is necessary because of the documented low uptake rates for petition-based expungement processes.

The research shows that relying solely on petition-based expungement mechanisms results in an uptake gap whereby a large portion of people eligible for expungement do not receive relief. Low uptake rates prevent the broad public policy benefits of expungement from being fully realized. One national analysis concerning the expungement of conviction records found estimated uptake rates across states ranged from 0.2% to 11%.¹ That study found that there were 300,000 to 2 million people in each of the states examined with convictions that were eligible for expungement who did not receive those expungements.² Another study focused on Michigan concluded that only 6.5% of eligible individuals received expungements in that state within the

¹ Colleen Chien, *America's Paper Prisons: The Second Chance Gap*, 119 Mich. L. Rev. 519, 556-58 (2020).

² *Id.*

first five years of being eligible.³ Such low uptake rates are particularly troubling given that the majority of people who receive expungements do so in the first five years after becoming eligible. Accordingly, the study in Michigan projected a *lifetime* expungement uptake rate of less than 12% of those who were not sentenced to a period of incarceration and an even lower lifetime expungement uptake rate for those who were sentenced to incarceration.⁴

Removing the administrative burden from those eligible for expungement will reduce the expungement uptake gap. Automating record-sealing through House Bill 545 can avoid the need for applicant awareness and wherewithal to determine eligibility and apply for relief, mitigating the daunting barriers associated with navigating the bureaucratic and judicial processes. At the same time, House Bill 545 will mitigate harms and promote public safety as discussed further below.

II. Expanding record-sealing through House Bill 545 will reduce collateral consequences associated with having a criminal record.

A criminal record can be both the cause and consequence of poverty and has detrimental effects on the employment, housing, and educational prospects for the estimated 25% of working-age Marylanders with a criminal record.⁵ Every year, approximately 4,000 Marylanders are released from state prisons and struggle to secure a job, find a place to live and reenter society. Currently, an estimated 1 million adults in Maryland have a criminal record, or 1 out of every 4 ½ people, and 407,000 of those adults could receive complete record sealing from this legislation.⁶

The impact of an arrest or conviction record on individuals, families and communities is staggering, including the extensive list of collateral consequences that can follow a justice-involved individual for years, well after a case or period of incarceration concludes. These impacts span numerous areas central to a person's ability to survive and thrive, impeding access to stable housing, education, healthcare, voting, occupational licensing, rights related to the parent-child relationship and more.⁷ More than 92% of employers perform background checks for⁸ and deny employment to many returning citizens based on a criminal record. Unsurprisingly, expungement recipients exhibit much better employment.⁹ Thus, automating the sealing of

³ J.J. Prescott & Sonja B. Starr, *Expungement of Criminal Convictions: An Empirical Study*, 133 HARV. L. REV. 2460, 2466 (2020).

⁴ *Id.* at 2493.

⁵ Bureau of Justice Statistics, U.S. Department of Justice, Survey of State Criminal History Information Systems, 2012, 26 https://drive.google.com/file/d/1hUGVpwII6Z_GN4KOK6gV1eNkiyYbjbJI/view.

⁶ CSI State Data Fact Sheet: Maryland; The Clean Slate Initiative; <https://www.cleanslateinitiative.org/state-data-factsheet-maryland>.

⁷ Chien, *supra* note 1, 554 (“Because a criminal record can substantially limit a person’s opportunity to obtain employment, housing, public benefits, and student loans; to qualify for certain professions; and to gain entrance into higher education, having a record has been called ‘a civil death.’”)

⁸ Society for Human Resource Management, Conducting Background Investigations and Reference Checks, [https://www.shrm.org/topics-tools/tools/toolkits/conducting-background-investigations-reference-checks#:~:text=A%20survey%20by%20SHRM%20found,cycle%20\(see%20chart%20below\).](https://www.shrm.org/topics-tools/tools/toolkits/conducting-background-investigations-reference-checks#:~:text=A%20survey%20by%20SHRM%20found,cycle%20(see%20chart%20below).)

⁹ Prescott & Starr, *supra* note 3, at 2528.

criminal record is vital for the economic viability of returning citizens *after* they have served their full sentence and completed mandatory supervision.

Each year, Maryland loses an estimated 1.5 billion in taxable income due to barriers created by clearable convictions.¹⁰ This number does not account for the economic loss suffered by those with non-conviction records. At a time of dire budget deficit and fiscal strain, this legislation would be a powerful step in the right direction for the state's economy as well as those too often excluded from it.

III. The mitigation of collateral consequences does not pose a public safety risk and instead will likely result in public health and safety benefits.

Expanding actual relief for individuals who are already eligible does not pose a public safety risk. An empirical analysis of Michigan's expungement practices found that recipients of expungement posed a lower crime risk than the general population of Michigan as a whole, suggesting there is a strong correlation between expungement and lower recidivism.¹¹ There is no empirical evidence that expungement undermines public safety.¹² Therefore, purported safety risks from House Bill 545's opponents are misplaced.

Beyond the absence of a public safety risk, House Bill 545 is likely to promote public safety. There is ample research that demonstrates the criminogenic effects associated with the collateral consequences of having a criminal record.¹³ It follows that alleviating the burden of these collateral consequences would reduce illegal behavior among expungement recipients.

By automating components of the record-sealing process, House Bill 545 addresses gaps and challenges in the current expungement landscape. The Center fully supports this important bill as part of a broader set of efforts to remove barriers to employment, education, housing, and more for Marylanders with criminal records who have paid their debt to society. For these reasons, we respectfully urge a favorable report on House Bill 545.

¹⁰ Chien, Colleen, Alyssa Aguilar, Navid Shaghaghi, Varun Guharathi, Rohit Rathish, Matthew Stubenberg, Christopher Sweeney. "[The Maryland Second Chance Expungement Gap](#)", Paper Prisons Initiative. Note: estimates are based on a 5% sample of individuals with criminal histories between 2000-2020 drawn from Maryland Electronic Courts (MDEC) as well as district and circuit courts.

¹¹ *Id.* at 2512–14.

¹² Sonja B. Starr, "Expungement Reform in Arizona: The Empirical Case for a Clean Slate," 52 Arizona State Law Journal 1059, 1076 (2020).

¹³ J.J. Prescott & Sonja B. Starr, The Power of a Clean Slate, <https://www.cato.org/regulation/summer-2020/power-clean-slate>.

HB0545 - Automated Expungement.pdf

Uploaded by: Holly Powell

Position: FAV

Dear **Members of the Judiciary Committee**,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with Out for Justice. I am a resident of **District 46**. **I am testifying in support of HB0545 - Criminal Procedure – Automated Expungement.**



Showing Up for Racial Justice

Eligibility for criminal record expungement has expanded since the Maryland General Assembly passed the Justice Reinvestment and REDEEM Acts. However, an overwhelming majority of individuals who could have their charges expunged never petition the courts to do so. They may be unaware they are eligible for expungement or unable to navigate the process in an overburdened court system. The result is that only a tiny percentage of Marylanders whose convictions are eligible for expungement—less than 10%—actually get their records expunged within 5 years of becoming eligible.¹

This has lasting effects. Charges that people could have had expunged may instead remain on their records permanently, which can dramatically impact their lives for the worse. Potential consequences of having a criminal record include being unable to rent an apartment, obtain employment or work credentials, gain admission to college or to programs that help pay for college, keep custody of one's children, access some government services, or vote in elections.² These avoidable consequences limit people's lives and ability to participate meaningfully in society and contribute to their communities.

HB0545 would protect people from the stigma of unexpunged convictions by automating parts of the expungement process. It would require the courts to remove from public view (including the judiciary case search website) all offenses that are eligible for expungement, without the necessity of the person whose case it is filing a request for expungement. This ensures that a "clean slate" is available not just in theory, but in practice for any Marylanders who are eligible.

It is for these reasons that I am encouraging you to vote **in support of HB0545 - Criminal Procedure – Automated Expungement.**

Thank you for your time, service, and consideration.

Sincerely,
Holly Powell
2308 Cambridge Street
Baltimore, Maryland 21224
Showing Up for Racial Justice Baltimore

1

C. Chien, "America's Paper Prisons: The Second Chance Gap." *Mich. L. Rev.*, 119(3). <https://doi.org/10.36644/mlr.119.3.america> Cited in The Clean Slate Initiative Resource Guide for Maryland Journalists, <https://www.cleanslateinitiative.org/maryland>

2

The People's Law Library of Maryland, "Expungement and Changing Your Criminal Record," <https://www.peoples-law.org/expungement-and-changing-your-criminal-record>; Maryland Alliance for Justice Reform, "Expungement" <https://www.ma4jr.org/expungement/>

Automated Expungement 28FEB 2025.pdf

Uploaded by: Jan Kleinman

Position: FAV

Dear **Members of the Judiciary Committee,**

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with Out for Justice. I am a resident of District 46. As a volunteer mentor to a young adult, I have seen how challenging it can be to navigate paperwork and bureaucracy with state offices. When one has young children and works full-time at low paying jobs, one rarely has business hours available to make phone calls, visits offices or make photocopies. Plus, for people with minimal high school education, such bureaucratic procedures seem daunting. **I am testifying in support of HB0545 - Criminal Procedure – Automated Expungement.**



Showing Up for Racial Justice

Eligibility for criminal record expungement has expanded since the Maryland General Assembly passed the Justice Reinvestment and REDEEM Acts. However, an overwhelming majority of individuals who could have their charges expunged never petition the courts to do so. They may be unaware they are eligible for expungement or unable to navigate the process in an overburdened court system. The result is that only a tiny percentage of Marylanders whose convictions are eligible for expungement—less than 10%—actually get their records expunged within 5 years of becoming eligible.¹

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HB0545 would protect people from the stigma of unexpunged convictions by automating parts of the expungement process. It would require the courts to remove from public view (including the judiciary case search website) all offenses that are eligible for expungement, without the necessity of the returning citizen filing a request for expungement. This ensures that a "clean slate" is available not just in theory, but in practice for any Marylanders who are eligible.

It is for these reasons that I am encouraging you to vote **in support of HB0545 - Criminal Procedure – Automated Expungement.**

Thank you for your time, service, and consideration.

1

C. Chien, "America's Paper Prisons: The Second Chance Gap." *Mich. L. Rev.*, 119(3).
<https://doi.org/10.36644/mlr.119.3.america> Cited in The Clean Slate Initiative Resource Guide for Maryland Journalists,
<https://www.cleanslateinitiative.org/maryland>

2

The People's Law Library of Maryland, "Expungement and Changing Your Criminal Record," <https://www.peoples-law.org/expungement-and-changing-your-criminal-record>; Maryland Alliance for Justice Reform, "Expungement" <https://www.ma4jr.org/expungement/>

Sincerely,
Jan Kleinman
250 President ST Unit 508
Baltimore, MD 21202
Showing Up for Racial Justice Baltimore

GBC Testimony HB 545 Clean Slate 3-4-25.pdf

Uploaded by: Jennifer Vey

Position: FAV



**Written Testimony to the Judiciary Committee
HB.545 – Criminal Procedure - Automated Expungement**

**Sponsors:
Delegates Moon, Bartlett, Crutchfield, Kaufman, and Williams**

March 4, 2025

Dear Members of the Judiciary Committee,

On behalf of the Greater Baltimore Committee, I write to you in support of HB.545, referred to as “Clean Slate Maryland.” By automating the process of clearing eligible misdemeanor records, this bill can provide second chances for thousands of Marylanders, improve our economy, and strengthen communities across our state.

As the leading voice for the private sector in the Baltimore region, GBC is actively engaged in collective efforts to grow a dynamic and inclusive regional economy. Clean Slate is vital to this work. As labor shortages persist, we need to reduce barriers that needlessly keep hardworking Marylanders out of the workforce. Yet even decades-old criminal records can prevent residents from finding meaningful employment. With approximately 400,000 individuals across the state currently eligible to have their records cleared, Clean Slate would dramatically expand the number of workers and support businesses from Baltimore to Bethesda. This in turn would allow employers across the state to tap into a more expansive talent pool of qualified potential employees.

The impact on the economy can hardly be overstated. The United States loses about [\\$87 billion in GDP](#) each year due to the underemployment of people with criminal records. A study in Michigan found that the automated process for record clearing increased wages [by 22% within the first year](#), putting more money into the pockets of consumers and creating a stronger economy for Maryland.

GBC is actively working towards creating a more prosperous and inclusive future for Baltimore. That means giving our neighbors the opportunities they need and deserve. We urge the Committee to pass this important legislation.

Sincerely,

A handwritten signature in black ink that reads "Jennifer S. Vey". The signature is fluid and cursive, with the first name "Jennifer" and last name "Vey" clearly legible.

Jennifer S. Vey
Executive Vice President & Chief Strategy Officer

GREATER BALTIMORE COMMITTEE

111 South Calvert Street • Suite 1700 • Baltimore, Maryland • 21202-6180

(410) 727-2820 • www.gbc.org

HB0545 - Automated Expungement.pdf

Uploaded by: John Ford

Position: FAV

Dear **Members of the Judiciary Committee**,

This testimony is being submitted along with Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. I am also writing in collaboration with Out for Justice. I am a resident of District 46. I am a workforce development professional deeply invested in getting everyone in the City of Baltimore the opportunity for a great job. **I am testifying in support of HB0545 - Criminal Procedure – Automated Expungement.**

Eligibility for criminal record expungement has expanded since the Maryland General Assembly passed the Justice Reinvestment and REDEEM Acts. However, an overwhelming majority of individuals who could have their charges expunged never petition the courts to do so. They may be unaware they are eligible for expungement or unable to navigate the process in an overburdened court system. The result is that only a tiny percentage of Marylanders whose convictions are eligible for expungement—less than 10%—actually get their records expunged within 5 years of becoming eligible.¹

This has lasting effects. Charges that people could have been expunged may instead remain on their records permanently, which can dramatically impact their lives for the worse. Potential consequences of having a criminal record include being unable to rent an apartment, obtain employment or work credentials, gain admission to college or to programs that help pay for college, keep custody of one's children, access some government services, or vote in elections.² These avoidable consequences limit people's lives and ability to participate meaningfully in society and contribute to their communities.

HB0545 would protect people from the stigma of unexpunged convictions by automating parts of the expungement process. It would require the courts to remove from public view (including the judiciary case search website) all offenses that are eligible for expungement, without the necessity of the person whose case it is filing a request for expungement. This ensures that a "clean slate" is available not just in theory, but in practice for any Marylanders who are eligible.

It is for these reasons that I am encouraging you to vote **in support of HB0545 - Criminal Procedure – Automated Expungement.**

Thank you for your time, service, and consideration.

Sincerely,

John Preston Ford
529 S East Ave, Baltimore, MD 21224

¹C. Chien, "America's Paper Prisons: The Second Chance Gap." *Mich. L. Rev.*, 119(3). <https://doi.org/10.36644/mlr.119.3.america>
Cited in The Clean Slate Initiative Resource Guide for Maryland Journalists, <https://www.cleanslateinitiative.org/maryland>

²The People's Law Library of Maryland, "Expungement and Changing Your Criminal Record," <https://www.peoples-law.org/expungement-and-changing-your-criminal-record>; Maryland Alliance for Justice Reform, "Expungement" <https://www.ma4jr.org/expungement/>

HB 545.pdf

Uploaded by: John Johnson

Position: FAV

Template for Automatic Sealing:

Dear Chair Clippinger and the Judiciary Committee,

My name is John Johnson and I am a resident of District 44A. I am writing in support of HB 545, Automated Expungement. This bill automatically hides all expungable misdemeanors from public view in electronic court records.

I believe criminal record expungements are important

because IT ALLOWS DOORS TO OPEN THAT CAN BRING A POSITIVE OUTLOOK TO AN INDIVIDUAL'S FUTURE.

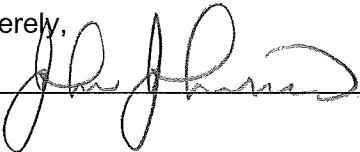
I believe individuals do not pursue expungements

because THEY DO NOT KNOW THAT THERE ARE OPTIONS THAT EXIST.

_____. For that reason I believe the expungement and sealing process should be as automatic as possible to make sure that everyone who can benefit from the law does.

I urge a favorable report.

Sincerely,



Testimony- Support- HB 545- Criminal Procedure - A

Uploaded by: Karen Clark

Position: FAV



Unitarian Universalist Legislative Ministry of Maryland

Testimony in Support of HB 545- Criminal Procedure - Automated Expungement

TO: Delegate Luke Clippinger, Chair and Members of the Judiciary Committee
FROM: Karen “Candy” Clark, Criminal Justice Lead Advocate
Unitarian Universalist Legislative Ministry of Maryland
DATE: March 4, 2025

The state-wide Unitarian Universalist Legislative Ministry of Maryland strongly asks your support for **HB 545- Criminal Procedure- Automated Expungement**. This bill is a dream come true for many people who have made some regretful mistakes, which have haunted them most of their adult lives! For me, my early experience with expungement was about 10 years ago, when I first began doing volunteer advocacy work.

My first expungement event was in a large church near Baltimore on a stormy day. Participants had to catch a bus ride from the city to get to the site. Then they would wait in line in a cold, wet alcove until they could have a seat and talk with a volunteer lawyer who helped with all the paperwork—about 20 lawyers were there that day. Sometimes the clients were missing a document and they had to leave and come back another time. If the fee wasn't paid by a volunteer advocacy group, then they would have to pay the lawyers' fee out of their own pocket.

I was assigned to monitor the bus pick up site where I talked with the participants as they came and went. While many had big smiles, others—who had carried this shameful scar in their heart too long—were sobbing grateful tears.

Free at last!

This bill will remove any cannabis charges from their records. This way their records will align with the recent drug bills that Maryland's Legislature has passed. In addition, court records must be removed from public view. Getting this system established will take a few years, therefore the beginning date for the Judiciary Department to start reviewing cases is anticipated to be August 1, 2027. Once a month, the department will review all the cases that are newly eligible for expungement because they have reached 7 years from the offense.

The Unitarian Universalist Legislative Ministry of Maryland has chosen to support **HB 545** because it aligns with our [values](#) of justice and equity, and our goal to engage and treat all people with dignity and respect. We strongly hope you will do likewise.

Respectfully,
Candy Clark
Criminal Justice Lead

UULM-MD c/o UU Church of Annapolis 333 Dubois Road Annapolis, MD 21401 410-266-8044,

www.uulmmd.org info@uulmmd.org www.facebook.com/uulmmd www.Twitter.com/uulmmd

Testimony in Support of HB0545_Blaha_SURJ.pdf

Uploaded by: Katherine Blaha

Position: FAV

Friday, February 28, 2025



Showing Up for Racial Justice

Dear Members of the Judiciary Committee,

I am submitting this testimony as a member of Showing Up for Racial Justice Baltimore, a group of individuals working to mobilize white people in a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are working in collaboration with Out for Justice, which advocates for the reform of policies and practices that adversely affect incarcerated people's successful reintegration into society. I am a resident of Baltimore City and District 41. I am testifying in **support of HB0545 - Criminal Procedure - Automated Expungement.**

Eligibility for criminal record expungement has expanded since the Maryland General Assembly passed the Justice Reinvestment and REDEEM Acts. However, an overwhelming majority of individuals who could have their charges expunged never petition the courts to do so, as they are either unaware they are eligible for expungement or unable to navigate the confusing and burdensome process through the court system. Only a tiny percentage of Marylanders whose convictions are eligible for expungement—less than 10%—actually get their records expunged within 5 years of becoming eligible.

This has lasting negative effects. Charges that people could have had expunged may instead remain on their records permanently, which can dramatically and harmfully impact their lives. Having a criminal record can render a person unable to rent an apartment, obtain employment or work credentials, gain admission to college or to programs that help pay for college, keep custody of one's children, access some government services, or vote in elections. These avoidable and undue consequences limit people's lives and ability to participate meaningfully in society and contribute to their communities, as well as to remain out of the justice system.

HB0545 would protect people from the stigma of unexpunged convictions by automating parts of the expungement process. It would require the courts to remove from public view (including the judiciary case search website) all offenses that are eligible for expungement,

without the necessity of the person whose case it is filing a request for expungement. This ensures that a “clean slate” is available not just in theory, but in practice for any Marylanders who are eligible.

It is for these reasons that I am encouraging you to vote **in support of HB0545 - Criminal Procedure – Automated Expungement.**

Thank you for your time, service, and consideration.

Sincerely,
Dr. Katherine Blaha
5706 Cross Country Blvd
Baltimore, MD 21209
Showing Up for Racial Justice (SURJ) Baltimore

Lilian's Southern Catering - CS MD Written Testimo

Uploaded by: Kenya Jenkins

Position: FAV

Written Testimony in support of Clean Slate HB.545/SB.398

March 4, 2025

Dear Members of the Judiciary Committee,

As the CEO and Founder of Lilian's Southern Box Catering Company, I write to you in support of Clean Slate (HB.545/SB.398). By automating the record clearing process for eligible individuals, these bills would provide critical relief to over [400,000 Marylanders](#) with a record, many of whom are currently struggling to obtain stable employment, food security, housing, education, and more.

The necessity of such relief cannot be understated. [1 in every 4.6 adults in Maryland](#) have some form of a criminal record -- that means that 22% of our adult population is struggling to obtain meaningful employment. Studies have found that having a criminal record reduces the likelihood of a callback or job offer [by nearly 50 percent](#). Conversely, when people have their records cleared, their wages increase [by over 22% within one year](#). The solution is clear: automating our state's record clearing process would allow hundreds of thousands of Marylanders to return to work and to meaningfully contribute to their local communities and economies.

As a Maryland business owner and former public health professional, I've seen the impacts that having a criminal record can have firsthand. Throughout the entirety of my career to date, I've worked with vulnerable populations struggling with social determinants of health, employment, housing, and food insecurity. For many of the individuals I worked with, having a record — even a decades-old record — posed significant and nearly insurmountable challenges to them and their families. And while our state's current system does provide an expungement process, I heard time and time again that without the help of free expungement clinics with legal experts, it is almost impossible to navigate. In fact, studies estimate that on average, about [90% of eligible individuals](#) never go through the existing record clearing processes because of the costs, complexities and other barriers.

There's a reason why [84%](#) of small business owners support automated record clearing -- like me, these business owners understand that Clean Slate policies are good for our communities, businesses, and local economies. As Maryland continues to experience [severe labor shortages](#), local employers need to be able to access high quality talent to keep businesses running. In fact, [studies indicate](#) that second-chance hires have a lower turnover rate than other employees and their quality of work is on par, if not higher, than their peers.

It is also critical to note the racial disparities within criminal records in our state. 27% of Black adults have some form of a record, while Black people only represent 12.4% of the population. In comparison, 22% of white adults have a record while representing 48.3% of the total population. Studies show that the negative effect of a criminal conviction on employment is substantially larger for Blacks than for whites, [estimating that the magnitude of the criminal record penalty suffered by Black applicants \(60 percent\) is roughly double the size of the penalty for whites with a record \(30](#)

[percent](#)). Today, the Maryland legislature has a chance to uphold the values of equality and equity and help mitigate these dire disparities by passing Clean Slate.

Clean Slate policies also have a profound impact on women and their children, breaking cycles of economic hardship, reducing recidivism and creating pathways to stability. Studies show that [unemployment rates are higher for justice-impacted women than for justice-impacted men](#). Further, because women workers are concentrated in industries that perform more criminal background checks—retail and caregiving—formerly incarcerated women [may have still greater challenges in finding employment](#).

I have worked with justice-impacted women across child welfare, housing, employment, and behavioral health and have empowered such women to start their own businesses because of the challenges with obtaining employment. Even with my educational and professional background, there was a time when I faced similar hardships. This lived experience provided me a unique perspective to help these women navigate such challenges and further informs my support of Clean Slate. These policies provide increased access to business funding and resources, access to professional licensure, and opens opportunities for securing partnerships and contracts. By removing barriers associated with criminal records, these policies empower women to start and grow businesses, create jobs and build generational wealth in our state.

Instead of needlessly restricting hundreds of thousands of our neighbors from entering the labor market, we have the chance to create real opportunities for them to improve their lives, support their families, and strengthen our growing economy. They deserve a second chance, and it's up to us to give it to them. As a business leader and a Marylander, I applaud the sponsors of these bills for their efforts to make Maryland an even better place to live and work. I urge the Committee to pass Clean Slate.

Kenya Jenkins

CEO and Founder of Lilian's Southern Box Catering

HB0545 - Automated Expungement.pdf

Uploaded by: Lindsay Keipper

Position: FAV

Dear **Members of the Judiciary Committee**,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with Out for Justice. I am a resident of **District 46**, and I am testifying **in support of HB0545 - Criminal Procedure – Automated Expungement**.



Showing Up for Racial Justice

Eligibility for criminal record expungement has expanded since the Maryland General Assembly passed the Justice Reinvestment and REDEEM Acts. However, an overwhelming majority of individuals who could have their charges expunged never petition the courts to do so. They may be unaware they are eligible for expungement or unable to navigate the process in an overburdened court system. The result is that only a tiny percentage of Marylanders whose convictions are eligible for expungement—less than 10%—actually get their records expunged within 5 years of becoming eligible.¹

This has lasting effects. Charges that people could have had expunged may instead remain on their records permanently, which can dramatically impact their lives for the worse. Potential consequences of having a criminal record include being unable to rent an apartment, obtain employment or work credentials, gain admission to college or to programs that help pay for college, keep custody of one's children, access some government services, or vote in elections.² These avoidable consequences limit people's lives and ability to participate meaningfully in society and contribute to their communities.

HB0545 would protect people from the stigma of unexpunged convictions by automating parts of the expungement process. It would require the courts to remove from public view (including the judiciary case search website) all offenses that are eligible for expungement, without the necessity of the person whose case it is filing a request for expungement. This ensures that a "clean slate" is available not just in theory, but in practice for any Marylanders who are eligible.

It is for these reasons that I am encouraging you to vote **in support of HB0545 - Criminal Procedure – Automated Expungement**.

Thank you for your time, service, and consideration.

Sincerely,

Lindsay Keipper

2425 Fleet St., Baltimore

Showing Up for Racial Justice Baltimore

¹ C. Chien, "America's Paper Prisons: The Second Chance Gap." *Mich. L. Rev.*, 119(3). <https://doi.org/10.36644/mlr.119.3.america>
Cited in The Clean Slate Initiative Resource Guide for Maryland Journalists, <https://www.cleanslateinitiative.org/maryland>

² The People's Law Library of Maryland, "Expungement and Changing Your Criminal Record," <https://www.peoples-law.org/expungement-and-changing-your-criminal-record>; Maryland Alliance for Justice Reform, "Expungement" <https://www.ma4jr.org/expungement/>

CLS Support for HB0545 - MD Clean Slate Act.pdf

Uploaded by: Lisa Sarro

Position: FAV



Jessica A. Quincosa, Esq.
Executive Director

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and Advocacy**

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Ivy Finkenshtadt, Esq.
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Amy B. Siegel, Esq.
Supervising Attorneys

Attorneys
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Vanessa Agbar, Esq.
Golnaz Alemousavi, Esq.
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HB0545

Criminal Procedure – Automated Expungement

**Judiciary Committee Hearing
March 4, 2025**

Position: FAVORABLE

To the Honorable Members of the Judiciary Committee:

[Community Legal Services](#) (CLS) is a nonprofit legal services provider dedicated to ensuring equitable access to justice and due process of law for Maryland's most under-represented populations. We strive to provide high quality legal representation and counsel that supports and strengthens the economic, social, health, and housing stability of our clients. We strongly support passage of HB0545.

CLS attorneys and volunteers have conducted hundreds of expungements in the past 18 months as part of the state's efforts to expand the expungement of cannabis-related offenses that were no longer crimes. We have handled more than 700 expungement matters through more than a dozen clinics since 2023 when the law changed. We have 30 volunteers who are trained in expungement law and procedure, and many of them have participated in our events. We have seen many, many positive impacts for the clients we have helped. However, we know there are thousands more Marylanders with charges that can be expunged. By automatically expunging eligible records for people who have completed their sentence and remained crime-free, this bill would help the Marylanders who don't make their way to our clinics or to other legal services providers who could help them.

Under HB0545, the Department of Public Safety and Correctional Services and the Judiciary would be required to identify and automatically expunge records of non-convictions and arrests after three years, as well as eligible misdemeanor convictions after seven years. This automatic process would be ongoing, ensuring continued record relief for eligible individuals.

Why This Legislation Matters:

- 1. Evidence-Based Policy:** Research shows that individuals who remain crime-free for five to seven years are no more likely to reoffend than those without a record. This supports HB0545 as a sensible, data-driven approach to criminal justice reform.

2. **Reducing Barriers to Opportunity:** An estimated 22% of Maryland's adult population has a criminal record. These records create significant barriers to employment, housing, and education. More than 40,000 state and federal restrictions limit opportunities for people with records, leading to negative economic and social outcomes not just for the individuals, but for the entire State.
3. **Addressing Underutilization of Existing Expungement Laws:** While 40% of individuals with criminal records in Maryland are currently eligible for petition-based record sealing, less than 2% have successfully obtained relief due to the complexity of the process and lack of awareness. Automating the process ensures that all eligible individuals benefit.
4. **Proven Success in Other States:** Since 2018, 12 other states have enacted automated record-sealing laws, leading to significant improvements in employment, housing, education, and overall well-being. Data from Michigan, Pennsylvania, and Utah show that 42% of individuals receiving expungements experience job-related improvements, while 35% report better personal and family relationships.

By implementing HB0545, Maryland can join other states in providing a second chance to individuals who have paid their debt to society and remained law-abiding. This bill will not only improve lives; it will also strengthen Maryland families, communities, and the overall economy.

For these reasons, we respectfully urge the committee to issue a favorable report on HB0545.

Please feel free to reach out to Jessica Quincosa, Executive Director, or Lisa Sarro, Director of Litigation & Advocacy, with any questions at quincosa@clspgc.org, and sarro@clspgc.org, respectively.

Firestone Lori HB 0545 letter Feb2025.pdf

Uploaded by: Lori Firestone

Position: FAV

Dear **Members of the Judiciary Committee**,

I am submitting this testimony as a member of Showing Up for Racial Justice Baltimore. I am a resident of **District 45 (Cory McCray, Jackie Addison, Caylin Young and Stephanie Smith)**. I am testifying in **support of HB0545 - Criminal Procedure – Automated Expungement**.



Eligibility for criminal record expungement has expanded since the Maryland General Assembly passed the Justice Reinvestment and REDEEM Acts. However, an overwhelming majority of individuals who could have their charges expunged never petition the courts to do so. They may be unaware they are eligible for expungement or unable to navigate the process in an overburdened court system. The result is that only a tiny percentage of Marylanders whose convictions are eligible for expungement—less than 10%—actually get their records expunged within 5 years of becoming eligible.¹

As a social worker and therapist, I have seen first-hand the lasting effects. I believe in the power of second chances. Having charges on a permanent record can impact being unable to rent an apartment, obtain employment or work credentials, gain admission to college or to programs that help pay for college, keep custody of one's children, access some government services, or vote in elections.² These avoidable consequences limit people's lives and ability to participate meaningfully in society and contribute to their communities.

HB0545 would protect people from the stigma of unexpunged convictions by automating parts of the expungement process. It would require the courts to remove from public view (including the judiciary case search website) all offenses that are eligible for expungement, without the necessity of the person whose case it is filing a request for expungement. This ensures that a "clean slate" is available not just in theory, but in practice for any Marylanders who are eligible.

It is for these reasons that I am encouraging you to vote **in support of HB0545 - Criminal Procedure – Automated Expungement**.

Thank you for your time, service, and consideration.

Lori E. Firestone

Lori Firestone
2202 Pelham Avenue
Baltimore, MD 21213
Showing Up for Racial Justice Baltimore

1

C. Chien, "America's Paper Prisons: The Second Chance Gap." *Mich. L. Rev.*, 119(3).
<https://doi.org/10.36644/mlr.119.3.america> Cited in The Clean Slate Initiative Resource Guide for Maryland Journalists,
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2

The People's Law Library of Maryland, "Expungement and Changing Your Criminal Record," <https://www.peoples-law.org/expungement-and-changing-your-criminal-record>; Maryland Alliance for Justice Reform, "Expungement" <https://www.ma4jr.org/expungement/>

HB 545 - Criminal Procedure - Automated Expungemen

Uploaded by: Mark Woodard

Position: FAV



Advocating better skills, jobs, and incomes

Testimony for House Bill 545

Criminal Procedure - Automated Expungement

TO: Hon. Luke Clippinger, Chair, and Members of the House Judiciary Committee

FROM: Job Opportunities Task Force

DATE: March 4, 2024

POSITION: Support

The Job Opportunities Task Force (JOTF) is an independent, nonprofit organization that develops and advocates policies and programs to increase the skills, job opportunities, and incomes of low-wage workers and job seekers in Maryland. **JOTF supports House Bill 545.**

House Bill 545 intends to expunge most misdemeanor convictions after three years and do so automatically through the Department of Public safety and Correctional Services and the Judiciary. Two offenses, one for domestic violence and the other for second degree assault would only be eligible for automatic expungement after seven years.

There are many ramifications for a person with a criminal record even for minor offenses. Clearly these effects are most prevalent in employment situations and have often either prevented a person from being hired or in some cases being fired after being hired. Far too often low skilled and low-income persons have had some prior criminal record that prevents them from employment and the ability to move forward with their lives in a productive manner.

Not only is this a problem for them in moving forward with their individual lives, but takes employees out of the workforce, and removes tax-payers from the tax base thereby harming the economy and state revenues.

House Bill 545 is an important and necessary step towards criminal justice reform that also contributes to our state's workforce and tax base. **For these reasons, JOTF supports House Bill 545 and urges a favorable report.**

For more information, contact:

Mark Woodard /Public Policy Advocate / Mark@jotf.org

HB0545 Clean Slate favorable.pdf

Uploaded by: Melissa Rothstein

Position: FAV



NATASHA DARTIGUE
PUBLIC DEFENDER

KEITH LOTRIDGE
DEPUTY PUBLIC DEFENDER

HANNIBAL KEMERER
CHIEF OF STAFF

ELIZABETH HILLIARD
ACTING DIRECTOR OF GOVERNMENT RELATIONS

POSITION ON PROPOSED LEGISLATION

BILL: HB0545 Criminal Procedure – Automatic Expungement

FROM: Maryland Office of the Public Defender

POSITION: Favorable

DATE: 2/28/2025

The Maryland Office of the Public Defender (OPD) respectfully requests that the Committee issue a favorable report on House Bill 545. Expungement of a criminal record restores access to work, housing, and other basic needs after someone has served their time without a new conviction after the designated waiting period. The complexities of determining whether a conviction is eligible and the process for filing a petition result in many individuals not pursuing this remedy and remaining hampered by their prior criminal record. House Bill 545 will streamline the process to provide automatic removal of eligible cases from the Central Repository and electronic court records.

House Bill 545 does not expand the list of eligible convictions nor alter the criteria for eligibility. Rather, it streamlines the process for removing access to this information by employers, housing providers, licensing agencies, and others who may restrict opportunities based on a criminal conviction. It does so after a lengthy period of time (beyond when expungement is first available) to remove any heightened risk of recidivism.

The eligible convictions do not stem from violent or serious offenses. Rather, they are misdemeanors that disproportionately impact people with a psychiatric concern, a substance use disorder, and/or abject poverty. Automatically expunging their records can be particularly impactful to promote stability for these exceptionally vulnerable individuals. As Black and Brown individuals are disproportionately brought into the criminal legal system and face disparities throughout the process, automatic expungement is an important racial justice measure.

While promoting the removal of barriers caused by misdemeanor convictions, HB 545 seeks to balance the concerns of non-citizens, for whom destruction of these records could have significant immigration consequences. The bill does not require obliteration, although it is unclear whether the option of obliterating remains. OPD would recommend adding a provision to allow a non-citizen defendant or their attorney to obtain their own expunged records upon written request to the clerk, without requiring a judge's good cause finding.

The Clean Slate bill has the ability to help many impacted individuals. It's an important piece of legislation that will streamline the process and encourage opportunities that promote a productive law-abiding lifestyle.

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue a favorable report on House Bill 545.

Submitted by: Maryland Office of the Public Defender, Government Relations Division.

**Authored by: Melissa Rothstein, Chief of External Affairs,
melissa.rothstein@maryland.gov, 410-767-9853.**

HB545_ShoreLegalAccess_FAVORABLE.pdf

Uploaded by: Meredith Girard

Position: FAV

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



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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



MD House Judiciary_Clean Slate_JPMC Statement for

Uploaded by: Nan Gibson

Position: FAV

Statement for the Record
JPMorganChase *PolicyCenter*
House Judiciary Committee
Maryland General Assembly
March 4, 2025

Chairman Clippinger, Vice Chair Bartlett, and Members of the Committee, thank you for the opportunity to provide a statement in support of Maryland Clean Slate automatic record clearing, [HB 545](#) / [SB 398](#).

One in three Americans – roughly 80 million people – face barriers to employment due to an arrest or conviction record. They represent a [Waiting Workforce](#). JPMorganChase is committed to giving people across the country a [second chance](#). In 2023, JPMorganChase hired more than 3,000 people with criminal records – nearly 10 percent of new hires in the US – whose history had no bearing on the requirements of the job they were seeking. To achieve this type of impact, we made changes in our own hiring and recruitment practices (e.g., we ‘banned the box’), and we are actively encouraging other companies to do the same.

As a founding member of the [Second Chance Business Coalition](#), JPMorgan Chase is working with more than 50 large companies across multiple industries that are committed to developing best practices and tools for employers to deploy second chance hiring and advancement strategies within their firms. Most of these companies are household names and have a presence in virtually every community across the country.

We believe business has a role to play in helping more people share in the benefits of economic growth. But to achieve systemic change, we need improved public policy, including common sense measures like Clean Slate automatic record clearing for eligible offenses.

In Maryland, it is estimated that more than 400,000 people are eligible to have their records cleared, but very few pursue the complex, time consuming and costly process. This means that even after fulfilling their justice system obligations, people with criminal records often continue to be blocked from fully participating in the economy and their community. To provide relief in the communities we serve, JPMorganChase’s Legal Pro Bono team partners with community-based legal services nonprofit organizations and law firm partners to host expungement clinics with the aim of helping eligible individuals prepare the documents needed for the criminal record expungement or sealing process.

JPMorganChase has a presence in all 50 states, and we’re always looking to attract top talent and break down barriers to employment. For example, last fall we celebrated the one year anniversary of the firm’s Baltimore-based virtual call center by announcing it doubled the employee headcount to 81 specialists and leaders in 12 months. We aim to expand this team to 125 employees, further solidifying our commitment to expand the availability of customer service careers to communities where talent exists but opportunities have been limited without a traditional call center site. Our new team members

JPMORGAN CHASE & CO.

are among the more than 575 employees in Maryland serving more than 1.3 million consumer and business customers—and growing – across the state.

By reducing barriers to employment for those with criminal records, Clean Slate legislation can play an important role in getting more talent into the labor market. States such as Pennsylvania, Utah, Michigan, Delaware, Connecticut, New Jersey, Virginia, Colorado, Louisiana, and New York have passed Clean Slate measures to automate the process of clearing or sealing eligible criminal records and open access to career pathways. Pennsylvania has already cleared eligible records for about 1.2 million people and Utah has cleared roughly 500,000 eligible records.

When someone cannot get their foot in the door to compete for a job, it hurts businesses and communities by limiting access to economic opportunity. We urge the legislature to pass Clean Slate legislation to help bolster the state's economy by more fully tapping the talents of thousands of people who are currently unemployed or underemployed because of their past record.

We appreciate the Committee's consideration of Clean Slate legislation and urge a favorable report.

Contact:

JPMorganChase PolicyCenter

Nan.M.Gibson@jpmchase.com / 202-320-4545

JPMorganChase *PolicyCenter*
875 15th Street, NW
Washington, D.C. 20005

NCADD-MD - 2025 HB 545 FAV - Automatic Expungement

Uploaded by: Nancy Rosen-Cohen

Position: FAV



House Judiciary Committee

March 4, 2025

House Bill 545

**Criminal Procedure - Automated Expungement
Support**

NCADD-Maryland supports House Bill 545. NCADD-Maryland has long advocated for policies that help people involved with the criminal justice system avoid some of the unintended collateral damage caused by our drug policies. When people who struggle with substance use disorders get treatment and start the recovery process, criminal records are often huge barriers to success. Obtaining employment and housing is difficult, and sometimes impossible. Without a place to live or a reliable income, some people are much more likely to re-offend and/or return to alcohol and drug use.

House Bill 545 will automatically expunge eligible convictions from people's records. With the advances in technology in the Judiciary, it seems unreasonable to require people who meet the requirements for expungement to have to file petitions and potentially appear in court to obtain something they have a right to and that can be easily accomplished by the State.

These kinds of policy changes are a necessary component to significantly improving our communities. When people have served their time, they should have the opportunities and supports needed to ensure they are able maintain productive lives and livelihoods with their families. Removing some of the barriers to success will also help people with substance use disorders maintain their recovery.

We urge your support of House Bill 545.

HB0545 - Automated Expungement.pdf

Uploaded by: Rebecca Shillenn

Position: FAV

Dear **Members of the Judiciary Committee,**

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with Out for Justice. I am a resident of **District 45. I am testifying in support of HB0545 - Criminal Procedure – Automated Expungement.**



Showing Up for Racial Justice

Eligibility for criminal record expungement has expanded since the Maryland General Assembly passed the Justice Reinvestment and REDEEM Acts. However, an overwhelming majority of individuals who could have their charges expunged never petition the courts to do so. They may be unaware they are eligible for expungement or unable to navigate the process in an overburdened court system. The result is that only a tiny percentage of Marylanders whose convictions are eligible for expungement—less than 10%—actually get their records expunged within 5 years of becoming eligible.¹

This has lasting effects. Charges that people could have had expunged may instead remain on their records permanently, which can dramatically impact their lives for the worse. Potential consequences of having a criminal record include being unable to rent an apartment, obtain employment or work credentials, gain admission to college or to programs that help pay for college, keep custody of one's children, access some government services, or vote in elections.² These avoidable consequences limit people's lives and ability to participate meaningfully in society and contribute to their communities.

HB0545 would protect people from the stigma of unexpunged convictions by automating parts of the expungement process. It would require the courts to remove from public view (including the judiciary case search website) all offenses that are eligible for expungement, without the necessity of the person whose case it is filing a request for expungement. This ensures that a "clean slate" is available not just in theory, but in practice for any Marylanders who are eligible.

It is for these reasons that I am encouraging you to vote **in support of HB0545 - Criminal Procedure – Automated Expungement.**

Thank you for your time, service, and consideration.

Sincerely,

Rebecca Shillenn

5401 Elsrode Avenue Baltimore

Showing Up for Racial Justice Baltimore

1

C. Chien, "America's Paper Prisons: The Second Chance Gap." *Mich. L. Rev.*, 119(3).
<https://doi.org/10.36644/mlr.119.3.america> Cited in The Clean Slate Initiative Resource Guide for Maryland Journalists,
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The People's Law Library of Maryland, "Expungement and Changing Your Criminal Record," <https://www.peoples-law.org/expungement-and-changing-your-criminal-record>; Maryland Alliance for Justice Reform, "Expungement" <https://www.ma4jr.org/expungement/>

FINAL 2025 MD HB 545 Testimony - Sarah Anderson.pd

Uploaded by: Sarah Anderson

Position: FAV



1411 K Street N.W.
Suite 900
Washington, D.C. 20005
Solutions.
202-525-5717
www.rstreet.org

Free Markets. Real

Testimony from:

Sarah Anderson, Associate Director, Criminal Justice & Civil Liberties, R Street Institute

Testimony in Support of HB 545: “Criminal Procedure – Automated Expungement (Maryland Clean Slate Act)”

March 4, 2025

House Judiciary Committee

Chairman Clippinger and members of the committee,

My name is Sarah Anderson, and I am the associate director of criminal justice and civil liberties policy at the R Street Institute, a nonprofit, nonpartisan public policy research organization. We engage in policy analysis and outreach promoting free markets, and limited, effective government in a variety of policy areas, including criminal justice and civil liberties issues. We have a particularly vested interest in creating a system that holds offenders accountable to their actions, yet still allows for successful rehabilitation and an opportunity to truly leave life’s mistakes behind when earned. This is why we have a strong interest today in House Bill 545, also known as the “Maryland Clean Slate Act.”

Under this proposed legislation certain criminal records would be automatically expunged after a designated amount of time has passed, depending on the offense, and provided the individual has satisfied all of the requirements of their case.¹ It is important to note that the bill does not require the physical destruction of the records, rather it shields them from public view. Expunged records remain available to certain government entities when necessary.

Specifically, the legislation would require the judiciary to identify and shield from public view the records of individuals who have non-convictions and/or arrests after three years have passed, as well as the records of individuals who have eligible misdemeanors after seven years have passed. Thereafter, the judiciary would be required to identify new eligible cases each month and notify the Department of Public Safety and Correctional Services, which would then shield these new eligible records within thirty days of the notification. This creates a perpetual automatic expungement process.

¹ Maryland General Assembly, 2025 Legislative Session, House Bill 545, Last Accessed February 10, 2025. <https://mgaleg.maryland.gov/2025RS/bills/hb/hb0545F.pdf>

Research proves that individuals who remain crime free for five to seven years without further offenses, are no more likely to reoffend than those without a criminal record, making this legislation a sensible, evidence-based policy.^{2,3} Additionally, those who have arrest or non-conviction records and are innocent in the eyes of the law and of their peers should certainly not have records following them around.

To grasp the importance of shielding criminal records from the public after individuals remain crime-free for a set period, one must understand the lasting consequences and barriers faced by those with records, even years after completing their sentence.⁴ One of the greatest challenges faced by people with criminal records—affecting nearly 22% of Maryland's adult population—is the enduring hurdle to basic life necessities such as employment, housing, and education.⁵ In fact, there are more than 40,000 state and federal regulatory and legal restrictions that limit opportunities for those with criminal records with regards to employment, business and licensing, housing, and education, among other things.⁶ These create negative outcomes for those impacted. For example, 94 percent of employers use background checks when hiring, and an arrest or conviction record reduces the chances of a callback or job offer by nearly 50 percent.^{7,8}

While petition-based record sealing already exists in Maryland, it is severely underutilized.⁹ The novel aspect of this legislation is the automation of the process, so that everybody who is eligible will have their record sealed. Currently, while 40 percent of those with criminal records in Maryland are eligible for petition-based sealing, less than 2 percent of those eligible have obtained one, due to the onerous process or simply because they do not know they are eligible to have their record sealed.^{10,11}

This is why the automated sealing process set up in this bill is critical to achieving positive outcomes.

² Alfred Blumstein and Kiminori Nakamura, "'Redemption' in an Era of Widespread Criminal Background Checks," *National Institute of Justice Journal*, 263 (June 2009). <https://www.ojp.gov/pdffiles1/nij/226872.pdf>

³ J.J. Prescott and Sonja B. Starr, "The Power of a Clean Slate," *Regulation* 43:2 (Summer 2020) pp. 28-34. <https://repository.law.umich.edu/cgi/viewcontent.cgi?article=3474&context=articles>

⁴ Gary Hunter, "Destined to Fail: the Negative Effect of Collateral Consequence Laws," *Prison Legal News*, August 10, 2016. <https://www.prisonlegalnews.org/news/2016/aug/10/destined-fail-negative-effect-collateral-consequence-laws/>

⁵ "Clean Slate in Maryland," The Clean Slate Initiative, 2025. <https://www.cleanslateinitiative.org/maryland#factsheet>

⁶ "A Re-Introduction to the National Inventory of Collateral Consequences of Conviction (NICCC) and the Clean Slate Clearinghouse," Bureau of Justice Assistance: National Reentry Resource Center, April 12, 2023. <https://nationalreentryresourcecenter.org/multimedia/re-introduction-national-inventory-collateral-consequences-conviction-niccc-and-clean>

⁷ Ariel Nelson, "Broken Records Redux: How Errors by Criminal Background Check Companies Continue to Harm Consumers Seeking Jobs and Housing," National Consumer Law Center, December 10, 2019. <https://www.nclc.org/resources/report-broken-records-redux/>

⁸ Devah Pager, et al., "Sequencing Disadvantage: Barriers to Employment Facing Young Black and White Men with Criminal Records," *American Academy of Political and Social Science*, 623:1 (May 2009), pp. 195-213. <https://pubmed.ncbi.nlm.nih.gov/23459367/>

⁹ Jack Ford, "Maryland Clean Slate Act Proposed to Streamline Record Expungement Process," WBOC, February 21, 2024. https://www.wboc.com/news/maryland-clean-slate-act-proposed-to-streamline-record-expungement-process/article_9590afea-d10a-11ee-b523-d3ed4fb4d74e.html

¹⁰ "Clean Slate in Maryland," The Clean Slate Initiative, 2025. <https://www.cleanslateinitiative.org/maryland#factsheet>

¹¹ "The Maryland Second Chance Expungement Gap," Paper Prisons, <https://paperprisons.org/states/MD.html>

Comparable automated record sealing laws have been passed in 12 other states since 2018, and survey data indicates that those who have had their records sealed are already benefiting dramatically from the policy, particularly relating to factors that reduce reoffense rates, such as employment, housing, and education.^{12,13} Of those who received automated record relief in Michigan, Pennsylvania, and Utah, 42 percent report improvement in work, employment, personal finances, or public assistance, 24 percent report improvement in housing, and 22 percent report improvement in education. More holistically, 35 percent report improvement in personal and family relationships, and 34 percent report improvement in health, mental health, or self-esteem. All of these factors not only improve the lives of those with the criminal record, but also the lives of those around them, their broader community, and the state overall.

House Bill 545 offers a chance to bring the benefits of clean slate legislation to the state of Maryland. For all these reasons, we strongly support HB 545 and urge the committee to issue a favorable report.¹⁴

Thank you,

Sarah Anderson
Associate Director, Criminal Justice & Civil Liberties
R Street Institute
sanderson@rstreet.org

¹² “The Impacts of Clean Slate Laws in Pennsylvania, Utah, and Michigan,” The Clean Slate Initiative, October 30, 2024. <https://www.cleanslateinitiative.org/research-data-publications/yougov-survey-report>

¹³ Amy L. Solomon, et al., “Understanding the Challenges of Prisoner Reentry,” The Urban Institute, March 24, 2006. <https://www.urban.org/research/publication/understanding-challenges-prisoner-reentry>

¹⁴ Christi Smith, “The Pathway to Prosperity: How Clean Slate Legislation Enhances Public Safety and Stimulates the Economy,” *R Street Policy Study* No. 279, March 2023. <https://www.rstreet.org/research/the-pathway-to-prosperity-how-clean-slate-legislation-enhances-public-safety-and-stimulates-the-economy/>

Flagger Force - Automated Expungement_Support Lett

Uploaded by: Shea Zwerver

Position: FAV



February 28, 2025

**Support– House Bill 545 (Moon, Bartlett, Crutchfield, Kaufman, and Williams)
Criminal Procedure – Automated Expungement and Senate Bill 398 (McKay)**

Dear Members of the House Judiciary Committee,

As the Workforce Development and Public Affairs Manager of Flagger Force, I write to you in support of HB 545 and SB 398. These bills have the ability to expand Maryland's workforce, diversify the talent pool, and provide meaningful career opportunities to thousands for whom criminal records pose a barrier to employment.

Flagger Force is a leading provider of short-term traffic control. Over 15 years ago, we invested in Glen Burnie, MD, restoring an abandoned building that now holds hundreds of trainings and skill development sessions annually. We employ over 400 Marylanders. We are also a fair chance employer and believe everyone deserves the dignity of work, and for that reason, we strongly support this legislation in Maryland.

Approximately one million people, or 22% of Maryland's adult population, have some form of criminal record. While an estimated 400,000 of those Marylanders are currently eligible to have their records cleared, the existing petition-based system is a bureaucratic maze, leaving our neighbors without the relief and economic opportunities they deserve. The costly, complex, and time-consuming process makes it virtually inaccessible – studies indicate that [less than 5%](#) of individuals nationwide go through the available petition processes.

We cannot overstate the effects of fair chance hiring and the access to opportunities it leads to for those with criminal records. Formerly incarcerated individuals face over [40,000 barriers](#) to meaningful re-entry, and are unemployed [at a rate of over 27%](#). Not only would Clean Slate have immediate economic benefits – it would also contribute to enhanced public safety. Individuals who had their records cleared are [less likely to commit a new offense](#) than the general population.

Working towards a more equitable and inclusive future means giving people a real chance. By doing so, we will undoubtedly strengthen the workforce, the economy, and communities across Maryland. Flagger Force strongly supports SB 398 and HB 545, and I urge the Committee to approve this critical legislation.

Contact:

Shea Zwerver
Public Affairs and Workforce Development Manager
717.482.8833
Shea.Zwerver@FlaggerForce.com

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RBIJ - Clean Slate MD (Written) Testimony 2.5.25 (

Uploaded by: Shea Zwerver

Position: FAV



March 4, 2025

Re: HB.545/SB.398: Automated Expungement, Waiting Periods, and Adverse Actions (Clean Slate Act of 2025)

Dear Members of the Judiciary Committee,

The Responsible Business Initiative for Justice (RBIJ) is an award-winning international nonprofit that works with companies to champion solutions that promote public safety, deliver justice, and strengthen communities. Since its inception, RBIJ has collaborated with companies of all sizes across two dozen states to advocate for practical policy reforms that expand workforce opportunities and stimulate economic growth. We strongly support the passage of Clean Slate Maryland (HB.545/SB.398) to provide deserving individuals with the second chance they have earned.

A criminal record creates significant barriers to employment, housing, professional licensing, and education—not just for individuals but also for their families. The challenges in securing employment are particularly severe: [nine in ten employers](#) currently use background checks to screen applicants, and having a record – even an extremely old record – reduces an otherwise-qualified job seeker’s chance of getting a callback [by nearly 50 percent](#). Those record clearing processes that do exist are complicated, burdensome, and seldom accessed. Nationally, [less than five percent](#) of eligible individuals receive the clearance to which they are entitled. The result is costly to businesses and communities alike.

Clean Slate legislation in Maryland would remove these barriers – creating benefits for businesses across the state. Passing automatic record clearing will help employers access a diverse, loyal, and underutilized talent pool to bolster the labor market. Despite record-low unemployment, businesses across Maryland are still struggling to fill thousands of open jobs. According to a recent poll conducted by Small Business Majority, [84% of small business owners agree](#) that Clean Slate policies will open up a pool of applicants that have earned a second chance. These bills would ease the burden for companies that are desperately trying to hire. Clean Slate is an opportunity for job growth that Maryland cannot afford to pass up.

Passage of these bills would significantly strengthen Maryland’s economy. Estimates indicate that the underemployment of people with records costs the United States more than [\\$87 billion in lost productivity](#). A study in Michigan found that automatic record clearing increases wages by more than [20 percent within one year alone](#). That’s more money in the pockets of consumers and back into local businesses. Removing barriers to employment reduces the need for government assistance, saving taxpayer dollars and increasing prosperity.

And if the jobs and economic growth potential isn’t reason enough to support Clean Slate, the benefit to public safety is key. One of the most important factors in whether someone will reoffend is their

The Responsible Business Initiative for Justice is the collective name for RBIJ UK (a non-profit community interest company (company number: 12100724)) and RBIJ USA (a fiscally sponsored project of NEO).



employment status. By expanding the pool of talent businesses can recruit into long-term, sustaining jobs, Clean Slate will reduce recidivism. By making Maryland a safer place to live and work, we can continue to attract new talent, new employers, and new investments.

It's no surprise that Clean Slate policies have garnered support from multinational corporations, mid-sized businesses, small enterprises, and Chambers of Commerce nationwide. Companies have seen firsthand how automatic record clearing strengthens the communities they serve while also benefiting their bottom line. RBIJ stands in strong support of passing Clean Slate. Maryland needs legislation that meets the needs of its workers and its businesses – and HB.545/SB.398 does just that. It is imperative that the legislature take this opportunity to pass these common-sense measures.

Maggie O'Donnell
Director of Policy & Advocacy
Responsible Business Initiative for Justice
maggie@rbij.org

HB0545.Support.Dolamore.pdf

Uploaded by: Stephanie Dolamore

Position: FAV

Dear **Members of the Judiciary Committee,**

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with Out for Justice. I am a resident of District 43A. **I am testifying in support of HB0545 - Criminal Procedure – Automated Expungement.**



Showing Up for Racial Justice

Eligibility for criminal record expungement has expanded since the Maryland General Assembly passed the Justice Reinvestment and REDEEM Acts. However, an overwhelming majority of individuals who could have their charges expunged never petition the courts to do so. They may be unaware they are eligible for expungement or unable to navigate the process in an overburdened court system. The result is that only a tiny percentage of Marylanders whose convictions are eligible for expungement—less than 10%—actually get their records expunged within 5 years of becoming eligible.¹

This has lasting effects. Charges that people could have had expunged may instead remain on their records permanently, which can dramatically impact their lives for the worse. Potential consequences of having a criminal record include being unable to rent an apartment, obtain employment or work credentials, gain admission to college or to programs that help pay for college, keep custody of one's children, access some government services, or vote in elections.² These avoidable consequences limit people's lives and ability to participate meaningfully in society and contribute to their communities.

HB0545 would protect people from the stigma of unexpunged convictions by automating parts of the expungement process. It would require the courts to remove from public view (including the judiciary case search website) all offenses that are eligible for expungement, without the necessity of the person whose case it is filing a request for expungement. This ensures that a "clean slate" is available not just in theory, but in practice for any Marylanders who are eligible.

It is for these reasons that I am encouraging you to vote **in support of HB0545 - Criminal Procedure – Automated Expungement.**

Thank you for your time, service, and consideration.

Sincerely,
Stephanie Dolamore
3718 Yolando Road, Baltimore, Maryland, 21218
Showing Up for Racial Justice Baltimore

¹ C. Chien, "America's Paper Prisons: The Second Chance Gap." *Mich. L. Rev.*, 119(3). <https://doi.org/10.36644/mlr.119.3.america>
Cited in The Clean Slate Initiative Resource Guide for Maryland Journalists, <https://www.cleanslateinitiative.org/maryland>

² The People's Law Library of Maryland, "Expungement and Changing Your Criminal Record," <https://www.peoples-law.org/expungement-and-changing-your-criminal-record>; Maryland Alliance for Justice Reform, "Expungement" <https://www.ma4jr.org/expungement/>

HB0545 - Automated Expungement.pdf

Uploaded by: Theresa M. Hoffman

Position: FAV

Dear Members of the Judiciary Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with Out for Justice. I am a resident of District 43b. I **am testifying in support of HB0545 - Criminal Procedure – Automated Expungement.**



Showing Up for Racial Justice

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It is for these reasons that I am encouraging you to vote **in support of HB0545 - Criminal Procedure – Automated Expungement.**

Thank you for your time, service, and consideration.

Sincerely,
Theresa M. Hoffman
803 Seaward Rd., Towson, MD 21286
Showing Up for Racial Justice Baltimore

¹ C. Chien, "America's Paper Prisons: The Second Chance Gap." *Mich. L. Rev.*, 119(3).
<https://doi.org/10.36644/mlr.119.3.america> Cited in The Clean Slate Initiative Resource Guide for Maryland Journalists,
<https://www.cleanslateinitiative.org/maryland>

² The People's Law Library of Maryland, "Expungement and Changing Your Criminal Record," <https://www.peoples-law.org/expungement-and-changing-your-criminal-record>; Maryland Alliance for Justice Reform, "Expungement" <https://www.ma4jr.org/expungement/>

SB0398_HB0545_FAV_Omani Placide.pdf

Uploaded by: Trina Selden

Position: FAV

TESTIMONY IN SUPPORT OF SENATE BILL 398/ HOUSE BILL 545

Criminal Procedure - Automated Expungement

TO: Members of the Senate Judicial Proceedings and House Judiciary Committees

FROM: Omani Placide

DATE: March 4th, 2025

Good Afternoon,

My name is Omani Placide, and I reside in the 7th Congressional District. I am testifying today in **strong support** of Senate Bill 398 / House Bill 545, which would automate the expungement process for eligible misdemeanors in Maryland.

I know firsthand how a criminal record—even for a minor offense—can derail a person's future. My conviction wasn't for a serious charge, yet it **shut doors that should have been open to me**. I lost access to gig economy work and was blocked from becoming a correctional officer—**not because of who I am but because of what was on paper**.

I was lucky. Someone in my network saw me **for more than my past mistakes** and allowed me to become a youth organizer. Now, my job is to help young people—many who, like me, made mistakes but are trying to build a better future.

But here's the truth: **Most don't even know expungement is possible**. They don't know if their record could be cleared. They don't have the resources to navigate the process. And even if they do, the cost alone can be a barrier. **How can we expect someone to afford an expungement when their record keeps them from getting a decent-paying job in the first place?**

A single mistake at 18 shouldn't determine your entire life. It shouldn't be why someone is stuck in a cycle of low-wage jobs with no room to grow. **I know my life could have gone a very different way** if I didn't have the proper support at the right time. That's why I'm here—**for the thousands of people like me who aren't as lucky**.

Senate Bill 398 / House Bill 545 is a chance to **right a wrong in our system**—to remove unnecessary barriers and give people a real shot at redemption. I urge you to support this bill.

A favorable report doesn't just change policies—it changes lives. Thank you!

HB 545 - LBCMD Priority Bill.pdf

Uploaded by: Ufuoma Agarín

Position: FAV



LEGISLATIVE BLACK CAUCUS OF MARYLAND, INC.

The Maryland House of Delegates, 6 Bladen Street, Room 300, Annapolis, Maryland 21401
410-841-3185 • 800-492-7122 Ext. 3185 • Black.Caucus@house.state.md.us

March 4, 2025

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Delegate Greg Wims, District 39
Delegate Caylin Young, District 45

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

HB545_ZA_CFUF_FAV.pdf

Uploaded by: Zachary Alberts

Position: FAV



TESTIMONY IN SUPPORT OF HOUSE BILL 545

Criminal Procedure - Automated Expungement

TO: Hon. Luke Clippinger, Chair, and Members of the House Judiciary Committee

FROM: Zachary Alberts, Director of Advocacy

I am a resident of district 46 and the Director of Advocacy and Strategic Initiatives at the Center for Urban Families, a workforce and family strengthening program in Baltimore City. We are here to support House Bill 545, which will further our goal to remove the barrier a criminal record imposes on our clients' ability to find and retain employment.

At the Center for Urban Families, we help individuals that live in the most underserved, underrepresented, and disconnected areas in Baltimore City. What they also have in common is that they dream of something better and are actively participating in the training, coaching and skills building that will make that dream a reality. 50% of the individuals in our job training programs have a criminal record. This legislation will be a positive step toward ensuring that when they graduate, they are able to immediately begin employment and support themselves, their families, and their community.

Statewide, only 2% of eligible individuals pursue expungement. There are a variety of barriers to expungement relief, including cost, accessibility and legal literacy. Automating the process would substantially benefit the 98% of individuals whose criminal records currently block them from employment, housing and educational opportunities.

We urge a favorable report.

Center for Urban Families, Inc. (CFUF)
2201 North Monroe Street
Baltimore, MD 21217
410 367 5691 P
410 367 4246 F
www.CFUF.org



Morehouse zachary HB 0545 letter Feb2025.pdf

Uploaded by: Zachary Morehouse

Position: FAV

Dear Members of the Judiciary Committee,

I am submitting this testimony as a member of Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with Out for Justice. I am a resident of District 45 (Cory McCray, Jackie Addison, Caylin Young and Stephanie Smith). I am testifying **in support of HB0055: Good Cause Expungement**.

According to the Legal Aid Justice Center, “Criminal records are more than just files stowed away in a database—they can stand in the way of renting an apartment, securing a job or a work credential, gaining admission to or paying for college, keeping custody of children, leaning on public benefits programs when needed, and voting in elections.”¹ Maryland has moved to broaden the availability of expungement in recent years, in recognition of the fact that all of society benefits when a citizen is rehabilitated from involvement in the criminal justice system and is no longer burdened by the weight of old convictions that reflect who they used to be, not who they are now.

Even under our broader expungement laws, however, there are people still left behind: those whose situations are not encompassed or imagined by the current law, whom the courts have no flexibility to assist. Just as a court has the discretion to hand down a sentence, so they should have the discretion to grant an expungement if they find there is “good cause” to do so.

As a a priorly convicted (for non-violent drug charges) felon, I am a firm believer the ability of people to heal and change and to benefit from a second chance. We need to foster more opportunities for citizens who have paid their debt to successfully reintegrate back into society. This not only helps the individual, but also our communities, the economy and the State of Maryland. It is for this reason that I am encouraging you to support HB0055: Good Cause Expungement.

Zach Morehouse

Zachary Morehouse
2202 Pelham Avenue, Baltimore, MD 21213
Showing Up for Racial Justice Baltimore

¹ <https://www.justice4all.org/news/transformative-record-sealing-law-passes/>

HB 545 Criminal Procedure - Automated Expungement.

Uploaded by: John Cox

Position: UNF



MARYLAND STATE'S ATTORNEYS' ASSOCIATION

3300 North Ridge Road, Suite 185

Ellicott City, Maryland 21043

410-203-9881

FAX 410-203-9891

Rich Gibson
President

Steven Kroll
Executive Director

Bill Number: HB 545
Maryland State's Attorneys' Association
Opposed

WRITTEN TESTIMONY OF THE MARYLAND STATE'S ATTORNEYS'
ASSOCIATION IN OPPOSITION TO HOUSE BILL 545
CRIMINAL PROCEDURE – AUTOMATED EXPUNGEMENT

The Maryland State's Attorney's Association is opposed to House Bill 545 – Criminal Procedure – Automated Expungement and asks for an unfavorable report. This proposed legislation would create an undue and unworkable burden on the Judiciary and would be contrary to the current intent of the Expungement statutes as they exist.

House Bill 545 attempts to direct the automatic expungement of crimes under both Criminal Procedure Sections 10-105 and 10-110 when the charge is "eligible" and sets a time frame from the time of "disposition" of the charge.

CP Section 10-105 has existed in substantively its current form for decades and provides for the expungement of non-convictions including Probation Before Judgment (PBJ). Three years are generally required to pass before an expungement can be granted for a PBJ. Although "eligible" the charged person would not be "entitled" to the expungement if the individual was subsequently convicted of another offense or is at the time a defendant in a pending case.

Through the Justice Reinvestment Act in 2016, the General Assembly extended expungement opportunity to guilty findings in a large number of misdemeanors and some felonies. The Legislature set time frames for eligibility from the conclusion of the sentence and despite eligibility, the Legislature also provided the State the opportunity to oppose an expungement if doing so in a particular case would pose a risk to public safety and/or would not be in the interest of justice.

House Bill 545 eliminates the ability of anyone to assess actual entitlement to expungement beyond eligibility. The Judiciary is not equipped or able to assess

whether the individual has subsequently been convicted or is pending charges in this or any other State. If they could do so, the burden would be oppressive. In addition, there is no provision for the Judiciary to be deciding any issue regarding a risk to public safety or the interests of justice without holding a hearing in each case and hearing from advocates.

Under the current statutory structure, the respective State's Attorney's Office is given the opportunity to look into a request for expungement to determine if the individual should not be granted an expungement. Sometimes that is easy in finding subsequent offenses but also includes an opportunity to look at the individual circumstances of the case. CP 10-110 has a wise requirement that the expungement request be given an assessment "that giving due regard to the nature of the crime, the history and character of the person, and the person's success at rehabilitation, the person is not a risk to public safety" and "that an expungement would be in the interest of justice". There are unquestionably some convictions which would be "eligible" for expungement where expungement would be contrary to public safety or the interest of justice. That is why the Legislature wisely inserted this possibility within the expungement statutes.

In addition, the revisions to Section 10-110 set time limits from "disposition". Although disposition is not defined in the Bill, the word is commonly used in the criminal justice field as the time of sentencing. It is unclear if the legislation will change the time period for expungement from what currently starts to run at the satisfactory conclusion of the sentence. If it does, it could create a scenario where the individual would have their conviction expunged while they are still serving the sentence for the now expunged case. This cannot be the intent.

Expungement of eligible convictions for those who have demonstrated they have changed their lives and will benefit from a clean record to move on with their lives is a worthy aim which the Legislature has already put in place. We ask for an unfavorable report.

MCPA-MSA_HB 545_Automated Expungement - Conviction

Uploaded by: Samira Jackson

Position: UNF



Maryland Chiefs of Police Association

Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable Luke Clippinger, Chair and
Members of the Judiciary Committee

FROM: Sheriff Darren Popkin, Co-Chair, MSA, Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee
Samira Jackson, Representative, MCPA-MSA Joint Legislative Committee

DATE: March 4, 2025

RE: **HB 545 Criminal Procedure – Automated Expungement**

POSITION: **OPPOSE**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) OPPOSE HB 545. This bill requires the Department of Public Safety and Correctional Services and the Judiciary to automatically expunge all cases in which all charges are eligible for expungement under Section 10-105 of this subtitle, if at least three (3) years have passed since the disposition of this case. This bill also requires expungement of all cases that fall under Section 10-110 of this subtitle, if the charge is a misdemeanor other than a domestically related crime or second-degree assault and if seven (7) years have passed since the disposition of the case.

MCPA and MSA, while understanding the desire to provide a second chance for persons in certain circumstances, generally oppose legislation that increases the categories or timeframes for expungement because it could interfere with the necessary access to prior criminal information. In some instances, this could be a safety factor for law enforcement personnel in carrying out their official duties. Furthermore, individuals who are the subject of the charges would not have to petition for the expungement. Rather, the Department and the Judiciary would review the criminal history record information on file monthly for automated expungement eligible charges. This places a burden on the Department and the Judiciary, as opposed to the individual, to seek out eligible cases. Lastly, while a "prosecuting agency" may feel compelled to object to an eligible expungement, the prosecuting agency will not have an opportunity as the expungement will automatically be granted.

Each year, several pieces of legislation are introduced that seek to adjust the considerations and time frames under which expungement, pardons, or shielding can be sought. MCPA and MSA believe such changes require participation and input from the judiciary, prosecutors, and law enforcement and, rather than being dealt with in a piecemeal manner, should be addressed

comprehensively in a process that involves all stakeholders and in a setting that is conducive to reasonable solutions while, at the same time, not affecting public safety.

For these reasons, MCPA and MSA **OPPOSE HB 545** and urge an **UNFAVORABLE** Committee report.

hb545.pdf

Uploaded by: Will Vormelker

Position: UNF

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

HON. RICHARD SANDY
CIRCUIT COURT
JUDGE
FREDERICK COUNTY
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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 545
Criminal Procedure – Automated Expungement
DATE: January 29, 2025
(3/4)
POSITION: Oppose, as drafted

The Maryland Judiciary opposes House Bill 545, as drafted. The Judiciary has no position on the policy aims of this legislation and defers to the legislative branch on such matters, but notes issues of concern with operational aspects of the bill as drafted.

The use of the term “disposition” on page 2, lines 12 through 14, is unusual in that it is not specifically defined and differs from the current law’s standard of “completion of sentence.” It is unclear if the intent is to allow for an expungement in instances in which a court has disposed of a case in any way or only after an individual has completed their sentence. The term disposition could be used in instances in which the court has issued an order but the case or sentence remains outstanding, such as cases where there is an outstanding warrant or cases in which a consecutive sentence was imposed. Calculating the time from disposition in those instances is unclear under the current draft.

This bill would also have a significant operational impact on the Judiciary. The identification of eligible dispositions would require a manual review by the Judiciary and the statute does not provide a mechanism to make such eligibility determinations. Clerks are generally unable to make such legal determinations and, as such, it would require judicial review. This would require an individual judicial review in each instance given

the multi-step eligibility determination provided in the legislation. Moreover, the identification process for eligible charges will be complex for any case with more than one charge requiring a multi-point verification on eligible cases due to the exceptions listed in Criminal Procedure section 10-105. Another complexity arises with the need for different reports based on the types of charges involved in a case. For example, if a case contains both criminal charges and a Driving Under the Influence (DUI), the DUI is not eligible for 15 years. Programming would need to evaluate if a DUI exists as a related charge, and then make that the "lead" charge for the sake of expungement.

Finally, if this legislation is interpreted to apply to historical charges, this legislation would result in a substantial increase in the number of expungements, which would require additional staffing. There will be a significant operational impact on the clerk's office to manually review eligible cases to make sure all eligibility criteria are met prior to an eligibility determination. There will also be a significant operational impact on judges to make final eligibility determinations to produce the required monthly report.

cc. Hon. Mike McKay
Judicial Council
Legislative Committee
Kelley O'Connor