

Late testimony

Uploaded by: Adrian Muldrow

Position: FAV

3/3/2025

Written Testimony – HB0610 - Hearing 3/4/2025

Greetings, my name is Adrian Muldrow, and I was born and raised in Baltimore City. I support HB0610 because, like many Marylanders, I have made mistakes and have had encounters with the criminal justice system. I'm impacted by consecutive and concurrent running sentences. While serving time, sentencing occurred, and concurrent and consecutive running sentences happened. I recently filed pro se and was allowed to get an expungement for one case but wasn't for a consecutive felony.

In addition, I am still affected by a wrongful conviction. Although lawmakers passed a bill in 2021 called the Walter Lomax Act, which aims to restore justice for the wrongly accused, I had to represent myself pro se because there were no attorneys familiar with the law who would take on my case.

Without legal counsel and no provisions in the law to provide representation or a point of contact for support, I was left to navigate the process on my own. I filed for compensation under the Walter Lomax Act as a layman, but I was outmatched by the legal system, which created even more barriers. This experience forced me to relive the trauma I was trying to escape.

Similar to the "Ban the Box" initiative, there is a Maryland Criminal Record Complaint Form that can be submitted to the Department of Labor, Licensing, and Regulation, but it lacks enforcement power. I filled out this form when my record was pulled by the Maryland Lottery, but nothing was done, and as a result, I am currently unemployed. With the rise of AI screening and HR screening processes, my situation has only worsened.

I have 3 questions:

1. Who will enforce these laws? Will there be attorneys available, and will there be fee waivers for court costs?
2. Who will be responsible for handling requests related to violations of these new laws?
3. Will this new law enable folks with no new arrests that served consecutive, concurrent sentences that were felonies?

Respectfully submitted,

Adrian Muldrow

iamadrianmuldrow@gmail.com

443-546-5639

CLS Support for HB0610 - No Finding Disposition Ex

Uploaded by: Lisa Sarro

Position: FAV



Jessica A. Quincosa, Esq.
Executive Director

Kayla Williams-Campbell, Esq.
Deputy Director

Lisa Sarro, Esq.
Director of Litigation
and Advocacy

Jordan Colquitt
Interim Development Director

Ivy Finkenstadt, Esq.
Managing Attorney

Warren Buff, Esq.
Kathleen Hughes, Esq.
Amy B. Siegel, Esq.
Supervising Attorneys

Attorneys
Adebola Adedoyin, Esq.
Vanessa Agbar, Esq.
Golnaz Alemousavi, Esq.
Jennifer Clark, Esq.
Katherine Cooke-Caraway, Esq.
Sheree Hughes, Esq.
Lekwon Imoke, Esq.
Deborah Kadiri, Esq.
John Kowalko, Esq.
Eric Orr, Esq.
Hina Rodriguez, Esq.
Peter Spann, Esq.
Jawaid Stationwala, Esq.
Tangi Turner, Esq.
Riana Yaman, Esq.

Staff
Claudia V. Aguirre
Ashley Cartagena
Franklin Escobar
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Stephanie Espinoza
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COMMUNITY LEGAL SERVICES

ACCESS TO JUSTICE FOR ALL

HB0610

Criminal Procedure – Expungement – No Finding and Case Terminated Without Finding Judicial Proceedings Committee Hearing March 4, 2025

Position: FAVORABLE

To the Honorable Members of the Judicial Proceedings 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 support passage of HB0610**, which seeks to expand Maryland’s expungement laws to allow the removal of charges that were not unequivocally disposed of by conviction. As an organization committed to providing free legal services to individuals who would otherwise struggle to access justice, we have seen firsthand how the collateral consequences of unresolved charges can create lasting barriers to employment, housing, and economic stability.

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 have had to give disappointing advice for many people for whom the disposition of an offense is not clearly stated.

This Bill Addresses a Barrier to Expungement of Eligible Charges

Under current law, individuals with charges that result in a no finding disposition or cases that are terminated without a finding may still find these records appearing in background checks. Even though these cases did not result in a conviction, their mere presence can prevent individuals from securing jobs, renting homes, or pursuing educational opportunities. House Bill 0610 recognizes this unfair burden and takes a necessary step toward ensuring that Marylanders are not penalized for cases that did not result in a definitive guilty finding.

At CLS, **we frequently assist clients who face rejection from potential employers or landlords due to the existence of unresolved or unclear case dispositions on their record. These individuals are hardworking, law-abiding citizens seeking a fresh start, they are hindered by bureaucratic inconsistencies that allow non-convictions to remain accessible to the public.** The inability to expunge these records runs counter to the fundamental principle of fairness in our justice system.

This bill aligns with Maryland's broader commitment to criminal justice reform by ensuring that individuals are not indefinitely burdened by cases that did not result in conviction. By expanding expungement eligibility to include charges with a no finding disposition or cases that were terminated without a clear disposition, **HB0610 will help eliminate unnecessary obstacles and promote rehabilitation, reintegration, and economic self-sufficiency.**

We Respectfully Request a Favorable Report

For these reasons noted above, Community Legal Services respectfully asks the committee to **issue a favorable report on HB0610**. 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.

HB 0610- Maryland Legal Aid- FAV.pdf

Uploaded by: Meaghan McDermott

Position: FAV



House Bill 0610
Criminal Procedure - Expungement - No Finding and Case Terminated Without Finding
In the Judiciary Committee
Committee Hearing on March 4, 2025
Position: FAVORABLE

Maryland Legal Aid (MLA) submits its written and oral testimony on House Bill 0610 in response to a request from Delegate Taylor.

MLA testifies in support of HB 0610. HB 0610 would allow No Finding or Case Terminated without Finding dispositions to be expunged. These dispositions function as convictions, but because they are not typically used in Maryland, they were never incorporated into the expungement statute. This oversight has a disparate impact on Prince George's County residents.

MLA is a private, nonprofit law firm that provides free legal services to low-income Maryland residents in civil matters. Last year, we advised or represented close to 2,000 clients on expungement. Over the past several years, the Maryland General Assembly has increased expungement opportunities for Marylanders. Unfortunately, many Prince George's County residents face a strange roadblock to expungement.

For decades, Prince George's County defendants were asked to plead *nolo contendere* or no contest in criminal proceedings. In a no contest plea, a defendant does not admit guilt but agrees to accept a conviction and any associated sentence. Usually, in Maryland, such a plea would result in a guilty disposition, but in some cases, particularly in Prince George's County, a No Finding disposition was entered instead. Because No Finding is not part of Maryland's standard legal lexicon, it was not contemplated during the drafting of Criminal Procedure Article 10, the statute governing expungement.

No Finding dispositions were used in Prince George's County from the 1980s through the mid-2010s, when opportunities for expungement were limited. At that time, it would have been impossible to contemplate any inequitable effect resulting from the use of these dispositions. Indeed, the No Finding disposition was likely used so defendants could avoid association with a guilty disposition in the public record. However, when expungement law expanded to include guilty dispositions in 2017, any benefit from a special No Finding designation was overshadowed. Expungement obliterates court and arrest records, opening employment and housing opportunities, whereas the No Finding designation still appears in fingerprint searches and must be disclosed to potential employers. Prince George's County residents, whose offenses are otherwise expungement eligible, have been left behind and denied the redemptive power of expungement simply because of a misnomer.

MLA urges passage of HB 0610, to correct a fundamentally unfair limitation in the expungement statute. If you would like additional information on this bill or the underlying issues it addresses, please contact Meaghan McDermott, Maryland Legal Aid's Advocacy Director for Community Lawyering and Development, at mmcdermott@mdlaborg or 410-951-7635.

HB0610 PG no finding expungement.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: HB0610 Criminal Procedure - Expungement - No Finding and Case Terminated Without Fir

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 610. This bill is a technical fix to provide the same expungement available to a no finding disposition as is available to other findings of guilt for the same charge. It was uniquely used in Prince George's County from the early 1990s through 2019. At OPD we estimate that there were more than 600 of these "no finding" dispositions a year, totalling more than 15,000 cases that should be available for expungement but are currently denied.

A no finding disposition would arise when someone entered what is known as an Alford Plea – the person pleads guilty by not contesting the charges (*nolo contendere*) but also without admitting to any of the underlying facts. These dispositions can result when someone wants their case resolved with less sentencing risk and quicker resolution and the court agrees that something less than the prosecution's plea offer or trial demand is appropriate. It was specifically used when there was a circumstance that mitigated against a traditional guilty plea. The "no finding" disposition was intended to further that mitigating circumstance, and reduce the consequences of a guilty plea, similar to a probation before judgment but taking place after judgment.

This bill does not expand the types of cases available for expungement, nor does it alter the time frame for when a conviction can be expunged. Rather it allows Prince George's County residents to have the same eligibility for expungement as other Marylanders regardless of how the judge accepted their guilty plea.

A criminal record can create insurmountable barriers to employment, education, housing, occupational licensing and public assistance. The General Assembly, particularly on bills that began with this Committee, has made great strides in increasing the availability of expungement to remove these barriers for most misdemeanor convictions once the person has served their sentence and incurred no subsequent convictions for a set minimum period of time. This bill will apply those reforms to people who received a “no finding” disposition so that they too have restored access to work, housing, and other basic opportunities after the designated waiting period.

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue a favorable report on House Bill 610.

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.

hb610.pdf

Uploaded by: Will Vormelker

Position: INFO

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

HON. RICHARD SANDY
CIRCUIT COURT
JUDGE
FREDERICK COUNTY
VICE-CHAIR



KELLEY O'CONNOR
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 610
Criminal Procedure – Expungement – No Finding and Case
Terminated Without Finding
DATE: February 6, 2025
(3/4)

INFORMATIONAL COMMENT PAPER

The Judiciary respects the separation of powers doctrine and acknowledges that the legislature is the policy-making branch. As such, the Judiciary has no position on the policy aims of this legislation and defers to the legislative branch on such matters.

The Judiciary only writes to comment that the language on page 4 regarding a “no finding determination” could use clarification. This language is undefined and implies that the sentence was rendered by consent. It is unclear when this would apply or occur.

cc. Hon. Kym Taylor
Judicial Council
Legislative Committee
Kelley O'Connor