



Senate Bill 0315
Criminal Procedure – Expungement – Adverse Actions and Removal From Maryland
Electronic Courts (MDEC) System
In the Judiciary Committee
Committee Hearing on February 5, 2026
Position: Favorable

Maryland Legal Aid (MLA) submits its written and oral testimony on SB 0315 at the request of Senator Waldstreicher.

MLA is a non-profit law firm that provides free legal services to the State’s low-income and vulnerable residents. Our twelve offices serve residents in each of Maryland’s 24 jurisdictions and handle a wide range of civil legal matters including criminal record expungement and workers’ rights.

MLA appreciates the opportunity to testify in support of this important legislation. The bill strengthens protections for Marylanders pursuing licensure, government service, and higher education by codifying nondisclosure requirements in the expungement code. It also ensures that the impact of Governor Moore’s historic cannabis pardon is fully realized by requiring that court databases remove all mention of cannabis possession convictions.

SB 0315 clarifies that individuals with expunged records cannot be penalized for failing to disclose those records on applications. In 2025, MLA assisted clients in expunging 3,342 cases from their criminal records. MLA’s goal for our expungement clients is to remove barriers to higher education, employment, and housing, so they can participate fully in their communities. Unfortunately, the current law allows educational institutions and state agencies to discriminate against individuals for their lawful choice to omit expunged criminal records from their applications and interviews.¹ Although the law prohibits disclosure requirements in applications, those institutions are not prohibited from expelling or refusing to admit someone for nondisclosure.

Denying Marylanders access to licenses or educational opportunities because of expunged charges makes little sense. Expungement exists to give individuals a second chance; if their expunged records can be considered when they apply for a license or for schooling, the very purpose of expungement is frustrated.

¹ See § 10-109(a)(1)(b) (“Disclosure of expunged information about criminal charges in an application, interview, or other means may not be required by an employer or educational institution of a person who applies for employment or admission[.]”)

In addition to the nondisclosure provisions, SB 0315 also ensures full expungement of charges for cannabis possession. Right now, these records remain on the Maryland Electronic Courts (MDEC) System.

While available on MDEC, these cases (which were pardoned by Governor Wes Moore in 2024)² are accessible to courts, police agencies, states' attorneys, and members of the public who utilize the courts' on-site computer system. While these records still exist in the court system, impacted parties will face bias, which defeats the purpose of Governor Moore's historic mass cannabis pardon. As Governor Moore stated in his announcement of the pardon, "a cannabis conviction can loom large over Marylanders' financial and personal lives for decades."³

MLA strongly urges a favorable report on SB 0315 to strengthen protections for Marylanders pursuing licensure, government service, and higher education.

If you would like additional information on this bill, or the underlying issues it addresses, please contact Meaghan McDermott, Advocacy Direct for Community Lawyering and Development, at mmcdermott@mdlaboratory.org or 410-951-7635.

² See Md. Gov. Wes Moore, Proclamation Granting Executive Clemency – Full Pardons of Certain Convictions for Cannabis Possession (June 17, 2024).

³ Governor Moore issued pardons for 175,000 Maryland cannabis possession convictions; <https://governor.maryland.gov/priorities/strategic-highlights/Pages/cannabis-pardon-order.aspx> (last visited Feb. 2, 2026).