



OUT FOR JUSTICE

TESTIMONY IN SUPPORT OF SENATE BILL 464/ HOUSE BILL 319:

Commission to Examine the Expungement Laws of Maryland

FROM: Steven McDonald

DATE: February 11th, 2026

Chair Smith, Vice Chair Waldstreicher, and Members of the Committee,

My name is Steven McDonald. I am a resident of District 28 in Charles County and a member of Out For Justice. This testimony is submitted in support of Senate Bill 464, which establishes a Commission to Examine the Expungement Laws of Maryland. Maryland's current expungement laws make it difficult for people who have completed their sentences to move forward, creating barriers long after the system's involvement should have ended.

My record is not eligible for expungement, not because of public safety concerns or ongoing involvement with the justice system, but because of technical statutory inconsistencies. Criminal Law §5-601 includes a misdemeanor for counterfeiting or altering a prescription and is eligible for expungement, while §5-701(d)(4), which criminalizes the same conduct, is not. These charges are functionally identical yet treated differently under the statute. Because expungement eligibility has been added piece by piece without aligning laws that cover the same behavior, people like me are denied relief based solely on how a charge is labeled rather than the substance or severity of the conduct.

This isn't just confusing, it is inequitable. I have completed my sentence and worked to move forward with my life, yet my record continues to create barriers to employment, housing, and stability. The expungement process is already difficult to navigate, but when the statute itself is internally inconsistent, it becomes nearly impossible. Relief exists for some, but not for others who are similarly situated, and that inconsistency undermines both fairness and efficiency.

I'm testifying because this problem cannot be fixed through small, piecemeal changes. Senate Bill 464 takes that reality seriously by creating a commission to examine how Maryland's expungement laws function and who they exclude. Aligning statutes that criminalize the same conduct and basing eligibility on substance rather than technical distinctions would have made a real difference for me and many others.

Thank you to the members of the Senate Judicial Proceedings Committee for your consideration of this testimony. I respectfully urge a favorable report on SB0464 so Maryland can take a serious, thoughtful step toward an expungement system that is fair, consistent, and accessible to those who have earned the opportunity to move forward.