



**Senate Bill 0525
Criminal Procedure – Expungement of Records – Good Cause
In the Judicial Proceedings Committee
Committee Hearing on February 17, 2026
Position: FAVORABLE**

Maryland Legal Aid (MLA) submits its testimony on Senate Bill 0525 in response to a request from Senator Mary Washington.

MLA testifies in support of SB 0525, which would add a good cause exception to the expungement statute. Currently, convictions can be expunged only if they are included in a list contained in the expungement code. A good cause exception allows expungement of charges that are not contained in the list. SB 0525 permits a judge to grant such an exception and would codify a factor-based analysis for the judiciary to consider when granting it. The statutory factors allow the judge to consider not just the petitioner’s offense, but also the changes the person has made since their arrest, and the impact of the conviction on their ability to work, find housing, and otherwise engage in community life.

A good cause exception allows the judiciary to contemplate the spirit of the expungement law, not just the letter. Expungement is meant to be a tool for redemption, but the current statutory scheme is a strict one: a judge may never grant expungement of an unenumerated charge, no matter how minor the offense, or how extenuating the circumstances. MLA clients regularly come to us with a single conviction that has been on their record for decades. These clients are often models of rehabilitation; they work, they have families, they are pillars of their community, but they have that one offense still on their record that limits them from advancing in their careers or moving their families to better housing. Other MLA clients have charges that are analogous to charges that are eligible for expungement under current law, but do not exactly match, and are therefore excluded completely from expungement. For example, trespassing on posted property is eligible for expungement; but trespassing on private property is not. In another example, a client could not have an open container citation expunged, because the law specifies drinking in public as the expungable offense.

SB 0525 institutes guard rails to avoid abuse or overuse of the good cause exception. The bill prohibits appeals and limits a person to one good cause request per conviction every three years. Additionally, the good cause exception mirrors the waiting period contained in the current expungement statute, by requiring that petitioners wait for five years after sentence completion to apply to expunge misdemeanor offenses. The recommended waiting period for felonies is seven years.

MLA urges a favorable report on SB 0525 to expand access to justice and expungement opportunities for deserving Marylanders.

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.