

# **SEIU Local 500 - Testimony in Support of SB 315 20**

Uploaded by: Christopher Cano

Position: FAV



Testimony - SB 315, Criminal Procedure - Expungement - Adverse Actions and  
Removal From Maryland Electronic Courts (MDEC) System

Favorable

Senate Judicial Proceedings Committee

February 5, 2026

Christopher C. Cano, MPA

Director of Political & Legislative Affairs on Behalf of SEIU Local 500

Honorable Chairman Smith & Members of the Senate Judicial Proceedings Committee:

SEIU Local 500 represents thousands of public service workers across Maryland, including workers who serve communities most impacted by the criminal justice system. Our members believe deeply in accountability, rehabilitation, and a justice system that recognizes human growth and transformation over time. One clear tool that our system possesses to address these beliefs is expungement of charges.

Senate Bill 315 strengthens and clarifies Maryland's expungement laws to ensure they actually work as intended. When a record is expunged, it should no longer be used—directly or indirectly—to deny someone employment, education, licensing, or public services. This bill makes clear that refusing to disclose expunged information cannot be used as the sole basis for adverse decisions by employers, government agencies, or educational institutions.

For working people, especially those seeking stable employment in public service or higher education, this clarification is critical. Too many workers continue to face hidden penalties long after they have satisfied the law, completed expungement, or benefited from changes in state policy. That undermines both economic stability and public confidence in the justice system.

SEIU Local 500 strongly supports the bill's provisions addressing cannabis possession cases. Maryland has recognized that prior cannabis enforcement caused real and lasting harm. SB 315 ensures that cases involving only possession of cannabis that

were disposed of before July 1, 2023 are fully removed—not just from public-facing case search tools, but from the Maryland Electronic Courts (MDEC) system itself.

Leaving these cases accessible in backend systems defeats the purpose of expungement and allows old records to continue harming workers' futures.

Our members believe that expungement must mean a clean slate, not a legal fiction. Workers should not lose job opportunities, professional licenses, or access to education because of records the law says no longer exist. SB 315 brings Maryland closer to that standard by closing loopholes and ensuring consistent application across state systems.

SEIU Local 500 urges the committee to advance SB 315 and affirm that expungement in Maryland is real, meaningful, and enforceable by issuing a favorable report.

Thank you for your time and consideration.

Christopher C. Cano, MPA  
Director of Political & Legislative Affairs  
SEIU Local 500

**SB0315\_DHS-FAV.pdf**

Uploaded by: Justin Hayes

Position: FAV



DEPARTMENT OF HUMAN SERVICES

Wes Moore, Governor · Aruna Miller, Lt. Governor · Rafael López, Secretary

February 5, 2026

The Honorable William C. Smith, Jr., Chair  
Senate Judicial Proceedings Committee  
2 East Miller, Senate Office Building  
Annapolis, Maryland 21401

**RE: TESTIMONY ON SB0315 - CRIMINAL PROCEDURE - EXPUNGEMENT - ADVERSE ACTIONS AND REMOVAL FROM MARYLAND ELECTRONIC COURTS (MDEC) SYSTEM - POSITION: FAVORABLE**

Dear Chair Smith and Members of the Senate Judicial Proceedings Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for its consideration and respectfully requests a favorable report for Senate Bill 315 (SB 315).

With offices in every one of Maryland's jurisdictions, DHS works with Marylanders across the state to help them reach their full potential. A core component of DHS's strategy to address poverty is providing meaningful access to employment and training opportunities that support long-term economic mobility and family stability. This work includes delivering economic assistance and workforce development services through programs such as the Supplemental Nutrition Assistance Program (SNAP) and Temporary Cash Assistance (TCA), both administered by our Family Investment Administration (FIA) and both impacted by SB 315.

SB 315 would help the Marylanders we serve by improving access to employment, education, and housing—key building blocks for long-term stability and self-sufficiency. The bill clarifies that refusing to disclose a legally expunged charge cannot be the sole basis for denying a license, government service, or school admission, and it requires certain cannabis possession cases to be removed from Maryland's electronic court systems. These changes reduce unnecessary barriers that prevent individuals from fully participating in the workforce and accessing essential services.

A criminal record—even for nonviolent or minor offenses—can significantly limit economic mobility. Individuals with criminal histories often face barriers to employment, occupational licensing, education, and housing, which in turn can suppress wages, limit career advancement, and increase economic insecurity. These barriers disproportionately affect low-income communities and can undermine

efforts to achieve stability, even when individuals are actively working to improve their circumstances.

DHS's employment and training services are designed to counter these challenges. For example, the SNAP Employment and Training (E&T) Program connects eligible participants to job-driven training opportunities at no cost, including pathways into high-demand industries such as construction, healthcare, and other skilled sectors. Participants also receive supportive services to help them secure and retain employment. SB 315 strengthens the effectiveness of these efforts by ensuring that individuals with expunged records are not unnecessarily hindered by past justice system involvement when seeking work, education, or licensure.

By reducing collateral consequences when criminal records are expunged, SB 315 supports DHS's broader mission to invest in families, promote economic independence, and ensure that a past mistake does not permanently limit an individual's ability to contribute to their community and support their family.

We appreciate the opportunity to offer favorable testimony with amendments for the Committee's consideration. If you require additional information, please contact Justin Hayes, Acting Director of Government Affairs, at [justin.hayes1@maryland.gov](mailto:justin.hayes1@maryland.gov).

In service,

A handwritten signature in black ink, appearing to read 'Rafael López', written in a cursive style.

Rafael López  
Secretary

# **SB 315- Maryland Legal Aid- Favorable.pdf**

Uploaded by: Meaghan McDermott

Position: FAV



**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.<sup>1</sup> 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.

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<sup>1</sup> 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)<sup>2</sup> 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."<sup>3</sup>

**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@mdlabor.org](mailto:mmcdermott@mdlabor.org) or 410-951-7635.

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

<sup>3</sup> 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).

**SB0315-2026\_MDNORML.pdf**

Uploaded by: Miguel Jones

Position: FAV



Contact:  
Maryland NORML  
Luke Jones, Director  
Luke.MDNORML@gmail.com

750 Thayer Ave.  
Silver Spring, MD 20910  
(202) 285-3199

Submitted to:  
**Senate Judicial Proceedings Committee**  
Annapolis, MD – February 3, 2026

Testimony from the Maryland State Chapter of the  
National Organization for the Reform of Marijuana Laws (NORML)

**SUPPORT SB0365**  
(Firearms – Right to Purchase, Own, Possess, and Carry)

Maryland NORML has no paid staff – we are entirely energized by a core group of citizen volunteers and more than 5,000 other Marylanders committed to ending marijuana prohibition and establishing a regulated cannabis commercial market for adults. I have never had any stake or investment of any kind in any cannabis enterprise, nor does anyone in my family, and I have never received any fee or remuneration for consulting with any cannabis enterprise. As an organization, we have worked to reform state and federal marijuana laws for more than 50 years.

Maryland NORML strongly support Senate Bill 315, which takes a necessary and overdue step to ensure that Maryland’s cannabis reform laws deliver meaningful, real-world relief to individuals harmed by prior cannabis criminalization. SB 315 appropriately clarifies expungement protections, prevents continued collateral consequences from expunged records, and requires the full removal of certain cannabis possession cases from the Maryland Electronic Courts (MDEC) system.

Maryland has already recognized that simple possession of cannabis should no longer carry criminal penalties. However, thousands of Marylanders continue to face barriers to employment, education, housing, licensing, and government services because records that are legally expunged remain functionally visible or are treated as disqualifying in practice. SB 315 closes this gap between statutory intent and lived experience.

First, the bill makes explicit that an individual’s lawful refusal to disclose expunged charges may not be used as the sole basis to deny a license, permit, registration, governmental service, or educational opportunity. This clarification is critical. Without it, expungement becomes a paper remedy rather than a meaningful protection. Individuals should not be forced to choose between exercising their legal rights and accessing basic opportunities necessary for economic stability and civic participation.

Second, SB 315 extends these protections to educational institutions, ensuring that students are not excluded or punished based on records that the State has already determined should no longer exist for legal purposes. This provision recognizes the long-term educational and workforce impacts of cannabis criminalization and helps prevent those harms from compounding across generations.



Contact:  
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Luke Jones, Director  
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(202) 285-3199

Third, the bill requires that the Maryland Electronic Courts system and the Department of Public Safety and Correctional Services remove all references to certain pre-July 1, 2023 cannabis possession cases. This is not a technical change—it is the core of effective expungement. As long as records remain accessible or inferable through court systems, individuals continue to face stigma, discrimination, and unjust scrutiny despite having complied fully with the law.

SB 315 reflects a broader principle that has guided Maryland’s approach to cannabis reform: when the State determines that certain conduct should no longer be criminalized, it has an obligation to undo the lasting harms of past enforcement. True justice requires more than legalization; it requires removing the legal and administrative barriers that prevent individuals from fully participating in society.

Maryland NORML urges the Committee to issue a favorable report on SB 315.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "M Luke Jones", is written over the typed name below.

M. Luke Jones, Maryland NORML

## **Sponsor Amendment**

Uploaded by: Senator Waldstreicher Senator Waldstreicher

Position: FAV



AMENDMENTS  
PREPARED  
BY THE  
DEPT. OF LEGISLATIVE  
SERVICES

04 FEB 26  
09:51:01

**SB0315/653520/1**

BY: Senator Waldstreicher  
(To be offered in the Judicial Proceedings Committee)

AMENDMENTS TO SENATE BILL 315  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “**and**” in line 2 down through “**System**” in line 3; strike beginning with “prohibiting” in line 10 down through “date;” in line 16; and in line 19, strike “10–109, 10–111, and 10–112” and substitute “10-109”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 26 on page 2 through line 10 on page 3, inclusive.

# **Sponsor Amendment Reprint**

Uploaded by: Senator Waldstreicher Senator Waldstreicher

Position: FAV

# SENATE BILL 315

E2  
HB 621/25 – JUD

6lr0828  
CF HB 131

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By: **Senator Waldstreicher**  
Introduced and read first time: January 22, 2026  
Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Expungement – Adverse Actions and Removal From**  
3 **Maryland Electronic Courts (MDEC) System**

4 FOR the purpose of clarifying that refusal by a person to disclose information about  
5 criminal charges that have been expunged may not be the sole reason for a unit, an  
6 official, or an employee of the State or a political subdivision of the State to deny the  
7 person’s application for a license, permit, registration, or governmental service;  
8 providing that refusal by a person to disclose information about criminal charges  
9 that have been expunged may not be the sole reason for an educational institution  
10 to expel or refuse to admit the person; ~~prohibiting the Maryland Electronic Courts–~~  
11 ~~(MDEC) system from in any way referring to the existence of a certain case in which~~  
12 ~~possession of cannabis is the only charge in the case and the charge was disposed of~~  
13 ~~before a certain date; requiring the Department of Public Safety and Correctional~~  
14 ~~Services to remove from the MDEC system all references to the existence of a certain~~  
15 ~~case in which possession of cannabis is the only charge in the case and the charge~~  
16 ~~was disposed of before a certain date; and generally relating to expungement.~~

17 BY repealing and reenacting, with amendments,  
18 Article – Criminal Procedure  
19 Section ~~10–109, 10–111, and 10–112~~ 10-109  
20 Annotated Code of Maryland  
21 (2025 Replacement Volume)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
23 That the Laws of Maryland read as follows:

24 **Article – Criminal Procedure**

25 10–109.

2     **REPRINT OF SENATE BILL 315 as amended by SB0315/653520/1     02/04/26 at 9:50 AM**

1           (a)     (1)     Disclosure of expunged information about criminal charges in an  
2 application, interview, or other means may not be required:

3                   (i)     by an employer or educational institution of a person who applies  
4 for employment or admission; or

5                   (ii)    by a unit, official, or employee of the State or a political  
6 subdivision of the State of a person who applies for a license, permit, registration, or  
7 governmental service.

8           (2)     A person need not refer to or give information concerning an expunged  
9 charge when answering a question concerning:

10                   (i)     a criminal charge that did not result in a conviction; or

11                   (ii)    a conviction that the Governor pardoned.

12           (3)     Refusal by a person to disclose information about criminal charges that  
13 have been expunged may not be the sole reason for:

14                   (i)     an employer to discharge or refuse to hire the person; [or]

15                   (ii)    a unit, official, or employee of the State or a political subdivision  
16 of the State to deny the person's application **FOR A LICENSE, PERMIT, REGISTRATION,**  
17 **OR GOVERNMENTAL SERVICE; OR**

18                   **(III)     AN EDUCATIONAL INSTITUTION TO EXPEL OR REFUSE TO**  
19 **ADMIT THE PERSON.**

20           (b)     (1)     A person who violates this section is guilty of a misdemeanor and on  
21 conviction is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 1 year  
22 or both for each violation.

23           (2)     In addition to the penalties provided in paragraph (1) of this subsection,  
24 an official or employee of the State or a political subdivision of the State who is convicted  
25 under this section may be removed or dismissed from public service.

26 ~~10-111.~~

27           ~~The Maryland Judiciary Case Search AND THE MARYLAND ELECTRONIC~~  
28 ~~COURTS (MDEC) SYSTEM may not in any way refer to the existence of a criminal case in~~  
29 ~~which:~~

30           ~~(1)     possession of cannabis under § 5-601 of the Criminal Law Article is the~~  
31 ~~only charge in the case; and~~

3 REPRINT OF SENATE BILL 315 as amended by SB0315/653520/1 02/04/26 at 9:50 AM

1 ~~(2) the charge was disposed of before July 1, 2023.~~

2 ~~10-112.~~

3 (a) In this section, "expunge" means to remove all references to a specified  
4 criminal case from the Central Repository ~~AND THE MARYLAND ELECTRONIC COURTS~~  
5 ~~(MDEC) SYSTEM.~~

6 (b) On or before July 1, 2024, the Department of Public Safety and Correctional  
7 Services shall expunge all cases in which:

8 (1) possession of cannabis under § 5-601 of the Criminal Law Article is the  
9 only charge in the case; and

10 (2) the charge was issued before July 1, 2023.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 October 1, 2026.

**SB315\_Fav Amend\_OPD.pdf**

Uploaded by: Sean Link

Position: FWA



**NATASHA DARTIGUE**  
PUBLIC DEFENDER

**KEITH LOTRIDGE**  
DEPUTY PUBLIC DEFENDER

**HANNIBAL KEMERER**  
CHIEF OF STAFF

**ELIZABETH HILLIARD**  
DIRECTOR OF GOVERNMENT RELATIONS

## POSITION ON PROPOSED LEGISLATION

**BILL: SB0315 – Criminal Procedure - Expungement - Adverse Actions and Removal From Maryland Electronic Courts (MDEC) System**

**FROM: Maryland Office of the Public Defender**

**POSITION: Favorable with Amendments**

**DATE: February 3, 2026**

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The Maryland Office of the Public Defender respectfully requests that the Committee issue a favorable report with amendments on SB 315.

This bill takes two distinct actions regarding expunged offenses: first, it explicitly extends the benefits of expungement to state licenses, permits, services, and most critically, public education; second, it carries removal of pardoned cannabis possession cases over from existing record systems into the judiciary’s new MDEC database. OPD supports both measures because these modest clarifications will clear barriers to opportunities, help individuals reintegrate into society following a conviction, and ultimately reduce recidivism.

The bill’s first measure amends the existing language of Criminal Procedure Article, Section 10-109 – which already states that an individual is not required to disclose information about an expunged charge when applying for a state license, permit, registration, or other governmental service. A refusal to disclose such information is already listed as an impermissible ground for a state employee to deny the person’s “application,” and as additional protection, this bill replaces that vague term to clarify the broad range of services encompassed within it. More significantly, the bill aligns educational institutions with other state agencies – while educational institutions have long been listed in the initial lines of this Section, they are noticeably absent from the corresponding subsection (a)(3) that prevents using an applicant’s refusal to disclose an expunged offense as the sole basis for denying, expelling, or refusing to admit them. This bill corrects that curious and unwarranted omission. Education is a key resource allowing Marylanders to develop new skills, expand their opportunities, and further reintegrate into the community. So, this bill ensures that no one will be

excluded from those educational opportunities based solely on non-disclosure of an expunged prior charge – which is, under existing law, information intended not to be publicly divulged. As discussed in the racial equity impact note from last year’s HB 621, this measure will benefit not only individuals who struggle with obtaining employment, housing, and education after a conviction (or mere charge) for a criminal offense, but it will ultimately benefit the state’s overall equity and economic health.

The bill’s second provision is even more narrowly tailored: removing references to any pardoned cannabis possession offense from the judiciary’s online MDEC system. Existing statutes already restrict access to these pardoned offenses, and all references to them have been removed from the judiciary’s Central Repository and public Case Search system, so this bill carries that practice across to an additional court database. It is particularly noteworthy that SB 315 defines “expunge” in this narrow context to mean “remove all references to a specified criminal case” from the relevant systems, rather than allowing for obliteration of case records. OPD believes that this provision strikes the right balance: it removes all references to a pardoned offense – and thus eliminates the risk of a misunderstanding or bias concerning a pardoned individual’s history – without obliterating all records of the offense, thus securely preserving a historical copy just in case that individual needs to access their own court records to correct an error.

Given this bill’s bespoke definition of “expunge,” OPD supports SB 315. In fact, the agency advocates for amending the state’s overall expungement process to more closely mirror SB 315’s definition of “expunge” and eliminate the issues caused by permitting the obliteration of records in other contexts. Presently, Section 10-101 of the Criminal Procedure Article defines “expungement” as removal from public inspection by any of 3 possible methods: obliteration, removal to a separate secure area, or partial access. Unfortunately, after expungement under the current system, individuals are occasionally flagged by third-party background checks or federal law enforcement systems (including immigration databases) as showing “no result” for a case that followed an arrest or filed charge (and creating an incorrect impression that it remains a “pending” matter), rather than accurately deducing that the matter was concluded and expunged (and for cannabis offenses, pardoned), and thus should not be included in the report at all. Impacted individuals can attempt to correct this error and remove themselves from this frustrating purgatory by obtaining a certified record of the case file from the court – however, this becomes impossible in instances of “obliteration.” Additionally, OPD encourages the legislature to explicitly codify a right of action

allowing any individual to request certified copies of their own court records, whether expunged or not, to protect residents whose background checks continue to erroneously list expunged matters as pending, without burdening petitioners or courts with a time-consuming “good cause” showing and court order requirement.

**For these reasons, the Maryland Office of the Public Defender urges this Committee to issue a favorable report with amendments on SB 315.**

**Submitted by: Maryland Office of the Public Defender, Government Relations Division.  
Authored by: Sean Link, Assistant Public Defender, [sean.link@maryland.gov](mailto:sean.link@maryland.gov)**

# **MCPA-MSA SB 315 - Expungement - Adverse Actions an**

Uploaded by: Samira Jackson

Position: UNF



# Maryland Chiefs of Police Association Maryland Sheriffs' Association



## MEMORANDUM

TO: The Honorable William C. Smith, Jr., Chair and  
Members of the Judicial Proceedings Committee

FROM: Darren Popkin, Executive Director, MCPA-MSA Joint Legislative Committee  
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee  
Samira Jackson, Representative, MCPA-MSA Joint Legislative Committee

DATE: February 5, 2026

RE: **SB 315 - Criminal Procedure - Expungement - Adverse Actions and Removal From  
Maryland Electronic Courts (MDEC) System**

POSITION: **OPPOSE**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **OPPOSE SB 315**.

MCPA and MSA are concerned this bill could have serious public safety implications associated with allowing individuals with expunged criminal records to withhold that information when seeking employment or access within law enforcement environments. Law enforcement agencies rely on a high level of trust, integrity, and transparency from all personnel, particularly those who may have access to secure facilities, sensitive information, or vulnerable populations. Decisions regarding hiring, authority over detained individuals, and access to criminal justice systems must be made with full and accurate information to ensure the safety of staff and the public.

When an individual has had a criminal record expunged, but fails to disclose that history, it may be viewed as a deliberate attempt to deceive rather than a reflection of rehabilitation. Such nondisclosure undermines confidence in an individual's honesty and judgment, which are foundational qualities for any position of public trust. Criminal conduct, even when legally expunged, can raise legitimate concerns about an individual's adherence to the law and overall trustworthiness. For law enforcement charged with maintaining order and safety in secure environments, the ability to evaluate character fully and accurately is essential.

For these reasons, MCPA and MSA **OPPOSE SB 315** and urge an **UNFAVORABLE** report.