



*MDDCSAM is the Maryland state chapter of the American Society of Addiction Medicine whose members are physicians and other health providers who treat people with substance use disorders.*

## **HB 169 SUPPORT**

Criminal Procedure - Expungement of Records - Good Cause  
House Judiciary Committee                      Hearing: March 3, 2026

### **Over half of incarcerated adults in the U.S. have a substance use disorder (SUD). (1) (2) (3)**

Among people criminally charged or convicted, the proportion with an SUD or a mental health disorder is also very high.

**There is a vicious cycle where the harms caused by a criminal record tend to undermine our addiction treatment and recovery efforts across Maryland. A criminal record can be an insurmountable barrier to overcoming addiction, in turn contributing to continued criminal legal involvement.**

A criminal record can disqualify people from employment, rental applications (leading to housing instability), exacerbate racial and other inequalities, and perpetuate intergenerational disadvantage.  
**About one million adults in Maryland, over one in five, has an arrest or conviction record. (4)**

For an individual who is criminally charged (with or without a conviction), a criminal record is generated. Typically, if and when they become eligible for expungement, individuals must initiate **a lengthy, cumbersome process** involving understanding the process, filing a petition, attending court proceedings, etc. **The expungement process is even more onerous, or insurmountable, for individuals with substance use or mental health disorders. Many who are eligible never start the process.**

Due to paperwork and bureaucracy, **an un-expunged criminal record continues to harm individuals, and their families, throughout their lifetimes, particularly those least able to attain stability** in job training, employment, or regular involvement in addiction treatment and recovery activities.

Research shows that people who obtain expungements have very low subsequent reoffending rates, and have improved earnings.

**Punishment should not be lifelong for minor offenses. The concept of rehabilitation recognizes that dismissed charges should not cause permanent harm and stigma.**

We urge a favorable report.

(continued . . .)

Respectfully,

Joseph A. Adams, MD, FASAM, Board certified in addiction medicine and internal medicine  
Co-Chair, MDDCSAM Public Policy Committee; Chair, MedChi Opioid, Pain & Addiction Committee  
(for identification)

**REFERENCES:**

1. 47 % of adults in U.S. prisons met criteria for a substance use disorder (SUD) in the year prior to their incarceration. [https://www.prisonpolicy.org/blog/2024/01/30/punishing-drug-use/?utm\\_source=chatgpt.com](https://www.prisonpolicy.org/blog/2024/01/30/punishing-drug-use/?utm_source=chatgpt.com)
2. Other research and public-health estimates indicate that somewhere between ~58 % and ~65 % of incarcerated people meet criteria for an SUD (including alcohol or drug use disorders). [https://nida.nih.gov/publications/drugfacts/criminal-justice?utm\\_source=chatgpt.com](https://nida.nih.gov/publications/drugfacts/criminal-justice?utm_source=chatgpt.com)
3. 63% of people in local jails and 58 % in state/federal prisons have SUDs — far higher than the ~8 % prevalence in the general adult population. [https://www.samhsa.gov/communities/criminal-juvenile-justice/about?utm\\_source=chatgpt.com](https://www.samhsa.gov/communities/criminal-juvenile-justice/about?utm_source=chatgpt.com)
4. 'Majority of Marylanders favor Clean Slate Act, reducing barriers to a fresh start for those with non-violent convictions.' February 3, 2026 <https://baltimorefishbowl.com/stories/majority-favor-clean-slate-act/>