



BILL NUMBER: SB 464

TITLE: Commission to Examine the Expungement Laws of Maryland

COMMITTEE: Judiciary

HEARING DATE: 3/31/2026

POSITION: FAV

The Maryland Human Trafficking Task Force (MDHTTF) is Maryland's coordinated, multi-disciplinary response to human trafficking, bringing together federal, state, and local law enforcement, government agencies, and nongovernmental organizations to identify and support survivors and hold traffickers accountable. The Legislative Subcommittee includes members from law enforcement, victim advocacy organizations, service providers, government entities, and faith-based partners, and works to improve Maryland's human trafficking laws, partner with legislators, and testify on key legislation each session. On behalf of the Maryland Human Trafficking Task Force Legislative Subcommittee, we respectfully submit this testimony in support of Senate Bill 464.

SB 464 creates a Commission to Examine the Expungement Laws of Maryland for the purpose of comprehensively reviewing Title 10, Subtitle 1 of the Criminal Procedure Article and developing a more efficient and equitable statutory scheme. For human trafficking survivors, this is not an abstract policy question; the structure of Maryland's expungement laws directly determines whether they can access safety, housing, employment, and long-term stability. Multiple surveys over the past decade consistently show that between 70% and 90% of trafficking survivors have criminal records, meaning they are far more likely to appear in court as defendants than as victim-witnesses against their traffickers. When those records cannot be cleared, survivors remain blocked from the very opportunities they need to exit exploitation and rebuild their lives.

Maryland has taken important steps toward recognizing the value of record relief, including the Maryland Second Chance Act of 2015 and the Justice Reinvestment Act of 2016, which expanded shielding and expungement eligibility for certain offenses. However, because the current expungement statute is written so that nothing is eligible unless specifically listed, progress has occurred only through incremental, piecemeal additions each legislative session. This year alone, there are multiple bills seeking to adjust small portions of the statute or add individual offenses, a pattern that repeats every year and consumes significant time for both advocates and legislators.

Under this “everything is excluded until included” model, relatively minor offenses can remain ineligible for expungement for years, even when there is no meaningful public-safety reason for ongoing exclusion.

For criminalized trafficking survivors, this “cherry picking” system has especially harmful consequences. Providers are forced to hope that survivors were convicted of the “right” offenses and, too often, must tell them that some convictions tied directly to their exploitation cannot be expunged—not because of any articulable risk, but simply because those offenses have not yet been added to the statute. This dynamic keeps survivors in cycles of poverty, with records that bar them from jobs, housing, and education, and undermines trust in both the legal system and service providers. Survivors hear that Maryland is committed to their recovery, yet the law often leaves them permanently marked by criminalization that arose from their victimization.

SB 464 offers a thoughtful solution by pausing the piecemeal process and establishing a commission to conduct a comprehensive review and propose an alternative framework. The Commission is tasked with examining Maryland’s expungement laws for efficiency and equity, reviewing comparable states’ approaches, and developing a statutory scheme that provides a streamlined process and broader eligibility. A central goal is to invert the current model so that expungement is presumed available except for clearly defined exclusions, rather than requiring lawmakers to add each eligible offense one by one. This would make the law more understandable for the public, reduce unnecessary court time spent denying petitions on technical grounds, and create a more predictable pathway to relief for survivors and other Marylanders seeking to move forward.

The Commission’s membership structure is another key strength of SB 464. It includes legislators, the Maryland State’s Attorneys’ Association, the Office of the Public Defender, the State Court Administrator, the Department of Public Safety and Correctional Services, researchers, workforce organizations, crime victims’ advocacy groups (including those serving criminalized survivors of violence), and individuals with criminal records currently ineligible for expungement. Amendments are being prepared to ensure representation from domestic violence and sexual assault survivor organizations, whose clients face similar barriers and whose expertise will further ground the Commission’s recommendations in lived experience. This diverse, balanced body is well-positioned to craft a framework that promotes both equity for survivors and public safety for communities.

For trafficking survivors, access to expungement is a lifesaving form of relief: it opens doors to employment, safe housing, education, family stability, and long-term safety from re-exploitation. A comprehensive review through the Commission created by SB 464 is the most effective way to replace Maryland’s piecemeal approach with a streamlined, fair, and accessible expungement system that truly reflects the State’s commitment to survivors.

For these reasons, the Maryland Human Trafficking Task Force Legislative Subcommittee respectfully urges the Judiciary Committee to issue a Favorable report on Senate Bill 464.

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