



*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 360 **SUPPORT**

Criminal Procedure - Automated Expungement (Clean Slate Act of 2026)

House Judiciary Committee 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 or achieving stability, 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.

**Unfortunately, automatic expungements are very limited in Maryland.** 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 be permanently stigmatizing.

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/>