



Maryland Chiefs of Police Association

Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable Sandy Bartlett, Chair and
Members of the Judiciary 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: March 3, 2026

RE: **HB 362 - Criminal Procedure - Expungement - Effect**

POSITION: **OPPOSE**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **OPPOSE HB 362**. We respectfully oppose HB 362, which would change the effect of an expungement so that a person is “for all purposes” treated as though they were never arrested, cited, charged, or convicted of the underlying offense. While the concept of expungement aims to promote rehabilitation and reduce barriers to employment and housing, this bill goes too far in eliminating all legal and practical consequences of an arrest or conviction without sufficient safeguards. Completely erasing a criminal history for all purposes creates ambiguity in contexts where accurate historical information is essential to public safety, regulatory compliance, and risk assessment.

Law enforcement agencies, courts, and certain licensing authorities rely on historical conviction data to make informed decisions about supervision, risk, and public safety. Treating a prior conviction as though it never occurred, even in situations such as bail determinations, sentencing enhancements for repeat offenses, or victim protection notices, risks obscuring critical context about an individual’s criminal history. Moreover, the sweeping nature of this change, absent clear limitations for public safety-related uses, could undermine accountability and create unintended legal conflicts with other statutory obligations that require knowledge of past conduct.

For these reasons, MCPA and MSA **OPPOSE HB 362** and urge an **UNFAVORABLE** committee report.