



**TESTIMONY IN SUPPORT OF HOUSE BILL 824:**

**Criminal Procedure - Expungement - Conviction of Distribution of Controlled Dangerous Substances**

TO: Hon. Sandy Bartlett, Chair, and Members of the House Judiciary Committee

FROM: Christopher Dews, Out for Justice

DATE: March 3rd, 2026

**[USE ANY OF THESE AS YOU SEE FIT. ADD OR SUBTRACT WHAT YOU PLEASE.]**

Out for Justice, Inc. (OFJ) is an organization comprised of individuals directly and indirectly impacted by the criminal legal system. We advocate for reforming policies and practices that adversely affect successful reintegration into society. We strongly support House Bill 824: Criminal Procedure - Expungement - Conviction of Distribution of Controlled Dangerous Substances, which adds a felony CDS Distribution Charges under §5-602(A) to the expungement list under Criminal Procedure §10-110.

There is an inconsistency in the current law that has affected most of our 100+ members throughout Maryland regarding expungements for Possession with Intent to distribute (PWID) and CDS Distribution. Under current law, possession with intent to distribute a controlled dangerous substance under § 5-602 is already eligible for expungement. So, if you are in possession of the substance and are arrested, you can have the charge expunged. However, if you hand the substance to another person, you are not eligible for expungement. This is a very strange inconsistency in the code, which this bill seeks to resolve by saying that both the intent and the distribution be eligible for expungement after the completion of the sentence and the required waiting period of seven (7) years.

Most of our members were impacted by the War on Drugs, which started as a war on poverty for lower-income African Americans and subsequently put millions of Americans into the criminal justice system. This bill does not excuse their participation in CDS Distribution but ensures they can properly re-enter society and provide for their families after they have served their time.

We respectfully urge a favorable report.