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Senate Judicial Proceedings Committee

TESTIMONY IN SUPPORT OF HB 13 Criminal Procedure - Partial Expungement

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Thank you for the opportunity to provide testimony on House Bill 13 Criminal Procedure-Partial Expungement. Advocates for Children and Youth (ACY), CLIA, and NAACP supports this bill.

In Maryland, anyone with access to internet can find a person's criminal background through Maryland Case Search. These records, including records of non-convictions, create insurmountable barriers to obtaining employment, housing, education, and other critical resources like social safety net programs. One in 4 individuals has a criminal record which results nearly 1.5 MILLION Marylanders having some form of a criminal record, denying them access to employment. Under current Maryland law, charges that arise from the same incident, transaction or set of facts are considered a 'unit of charges'. Unfortunately, if a person is not entitled to expungement of one charge or conviction within a unit, the person is not entitled to expungement of any other charge within the unit and in order to expunge any charges within a unit, all charges within the unit must be eligible. Currently Maryland law significantly limits expungement for those individuals seeking to restrict public access to charges that did not result in a conviction and permanently burdens youth charged as adults, black and brown communities, the poor, and the homeless.

HB 13 would repeal the punitive 'unit rule' provision for non-conviction charges, while maintaining public access to convictions within the unit of charges. **We urge this committee to issue a favorable report on HB 13 to historically disenfranchised populations are not permanently locked out of educational, employment, and housing opportunities**