

Talking Points: HB 1343—Expungement Expansion

BILL SYNOPSIS

HB 1343 Lead sponsor: Del. Nick Mosby • House Judiciary Committee

The bill seeks to expand criminal record expungement to pave the way to employment. It would allow expungement for convictions for misdemeanors, civil offenses and “probation before judgment” in DUI rulings (eligible after 3 years), convictions for second degree assault, common law battery and domestically-related crime (eligible after 5 years) and some felony convictions as well as invalidated warrants.

BILL BACKGROUND

A number of expungement expansion bills have been introduced in recent years, including under the Justice Reinvestment Act of 2017, which was a comprehensive criminal justice reform effort supported by the Governor and legislature. This bill, formerly known as **Record Expungement Designed to Enhance the Employability** or “REDEEM” Act, was introduced in 2018 as HB 1383/SB 1212 (in a slightly different iteration) and again in 2019 (HB 977/SB 833)—Del. Mosby has been the same House Sponsor each year. In 2018, the bill didn’t get a vote. Last year, the bill created a lot of buzz, but did not pass.

BILL TALKING POINTS

- In Maryland, an estimated 1.5 million residents, nearly 25% of the state’s population, have a criminal record that may surface in a routine background check.
- A criminal record creates insurmountable barriers to getting a job, housing and other critical resources, even if the record did not result in a conviction.
 - Workers and job seekers who are well qualified often get passed over for minor convictions that occurred decades ago.
 - As one client said, “I wish I was able to get my records expunged earlier. I would have been able to work all through the 90s and early 2000s.”
- Streamlining criminal record expungement can significantly increase our clients’ opportunities for housing, employment and even family reunification.
 - “Thanks to expungement, I got my son back.” - Elana
- Expungement reform is practical, and it’s the right thing to do.

BILL PUSHBACK...

- Misdemeanors and felonies should be considered separately.
 - **Possible response:** *We urge a full consideration of the bill. Many of our clients and staff (who provided testimony at the hearings) have been denied housing and employment as a result of both misdemeanor and felony convictions.*
- For questions about cost...
 - **Possible response:** *The benefits of getting people into housing and employment overwhelmingly outweigh any costs of implementing such reforms.*