



**Testimony of Becky Straus, Legislative Director
In Support of HB 3168
Senate Committee on Consumer and Small Business Protection
May 17, 2013**

Chair Shields and Members of the Committee:

Thank you for the opportunity to provide testimony in support of HB 3168. The ACLU participated in the workgroup set up by HB 4091 (2012) to address inefficiencies in the way that our state conducts criminal background checks for employment purposes. HB 3168 is a product of those discussions.

Duplicative or Expensive Background Checks

When this issue came up most recently in 2012, the problem that was articulated by proponents at the time was the inefficiency of criminal background checks in the employment setting. Anecdotally, they presented evidence of individuals that were working or volunteering at multiple, but related facilities, and were required to undergo a separate background check for each placement (movement between different long term care facilities is an example).

It is important to remain mindful of this problem that motivated the work group and several bills presented this session, so as not to move forward with any proposals that are not targeted at these issues or that might represent a disproportionate response to the challenges at hand. We believe that of the four background-check-related bills this session,¹ HB 3168 is the most thoughtful solution that brings efficiency to the system without sacrificing privacy or other rights of applicants.

HB 3168

HB 3168 would direct the Department of Administrative Services to develop categories of background checks that would enable greater portability of checks based upon the area in which an applicant is working, as opposed to based on the entity authorizing the check, as is the current structure. Part of this new "cluster" system, as it is described in the work group report, would also facilitate reevaluation of what list of crimes would disqualify an applicant from the area of employment. Both of these strategies will move Oregon significantly forward in reducing inefficiency and high cost in background checks, while also preserving the public safety interest upon which the checks are predicated.

We urge your support for HB 3168. Thank you for the opportunity to provide comments. Please feel free to contact me at any time with any questions that you may have.

¹ HB 2828, HB 3168, HB 3330, HB 3331