



Oregon

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TO: Sen. Floyd Prozanski, Chair
Senate Judiciary Committee, State of Oregon

FR: Lucy Heil, J.D.
Policy Analyst/Program Manager
Psychiatric Security Review Board (PSRB)

RE: Testimony for May 11, 2015 Hearing on HB 2557A-Engrossed (setting aside GEI orders)

Senator Prozanski, Vice-Chair Kruse and members of the committee, good morning. I am Lucy Heil, Policy Analyst and Program Manager for the PSRB. HB 2557 provides an opportunity for those who are found guilty or responsible except for insanity of certain offenses to request expungement under certain conditions. The bill is intended to allow those individuals who are healthy and stable in their recovery who have little, if any, prior criminal or GEI history, to request removal of the GEI/REI finding that exists in their criminal history. HB 2557 is analogous to the statutory provision found in ORS 137.225 that allows for expungement of criminal convictions.

As you can imagine, even if certain clients are doing well for an extended period of time, the GEI finding or arrest in their criminal histories can cause significant barriers to housing and employment opportunities for them, even after a substantial period of time has elapsed. Housing, employment and positive community involvement are all known to substantially mitigate risk related to mental health decompensation. These opportunities are severely limited when the "GEI" or "REI" stigma remains attached to those who have done well under the PSRB, been in compliance with Board mandates and successfully followed through on Board expectations and conditions. When people found "GEI" or "REI" have followed orders, remained in compliance, and successfully been discharged from the Board, the opportunity to then later try to return to communities as positive, employed, homeowners may be a substantial motivating force. The court order setting aside the "GEI" or "REI" findings, under this proposed bill, will only be allowed to occur under strict and clearly articulated circumstances, including the passage of a number of years after Board discharge, no additional GEI findings and no convictions for other offenses within the 10 years prior to filing the request.

The PSRB and DRO have been working on some clarifying language about the Board's record handling responsibilities under the bill and understand that a proposed amendment is in the works. The PSRB is in support of the proposed amendment clarifying language.

Thank You. I would be glad to answer any questions.