



**Testimony of Kimberly McCullough, Policy Director
In Support of SB 420 and SB 975
House Judiciary Committee
May 21, 2019**

Chair Williamson and Members of the Committee:

The American Civil Liberties Union of Oregon¹ supports SB 420 and SB 975, which establish expedited processes for expunging and reducing marijuana records, including a simpler process, waiver of court filing fees, and the elimination of the need for a criminal background check.

Forcing people to bear the collateral consequences of a criminal conviction for a marijuana offense that's no longer considered a crime simply prolongs the injustices of the failed, discriminatory drug war. For marijuana legalization to truly advance racial and social justice, criminal records for behavior that is now legal must be swiftly cleared. Unfortunately, this has yet to happen in the State of Oregon.

The process of expungement is expensive and complex, and we know that people who are eligible often don't apply because of the barriers involved. Expungement currently requires navigating complex legal bureaucracies; paying court fees and background check fees that amount to hundreds of dollars; and often having to hire legal counsel, which further increases costs.

SB 420 establishes an expedited expungement process to erase marijuana records, including creating a simpler process, a waiver of court filing fees, and the elimination of the need for a criminal background check.

SB 975 is a companion to Senate Bill 420. It addresses old marijuana convictions that would still be an offense to today, but have been lowered by Measure 91 and other legislation that we have passed since 2009. Senate Bill 975 creates an expedited path for reducing the level of a prior marijuana conviction to the level that the offense would be

¹ The American Civil Liberties Union of Oregon (ACLU of Oregon) is a nonpartisan, nonprofit organization dedicated to preservation and enhancement of civil liberties and civil rights, with more than 45,000 members and supporters statewide.

today. Many old felony convictions could therefore be reduced to misdemeanors or violations.

To begin repairing the disproportionate harms of prohibition, we must remove barriers to clearing and reducing the records of the people who have been most affected it. SB 420 and SB 975 are positive steps in that direction.

For these reasons, we urge you to support SB 420 and SB 975.