



Open Government Impact Statement

80th Oregon Legislative Assembly
2019 Regular Session

Measure: SB 774

Only impacts on Original or Engrossed
Versions are Considered Official

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SUMMARY

Modifies procedure for expunction of juvenile records. Directs juvenile court to automatically initiate expunction proceeding upon dismissal of juvenile case. Directs juvenile court to automatically order expunction of juvenile adjudication records if no fewer than two years have elapsed since termination, person has not been subject to subsequent delinquency adjudication or criminal conviction and no proceedings are pending against person. Exempts certain offenses from automatic mandatory expunction.

Directs juvenile court to initiate discretionary expunction proceedings for cases not eligible for automatic mandatory expunction if no fewer than two years have elapsed since most recent termination, person has not been subject to subsequent delinquency adjudication or criminal conviction and no proceedings are pending against person. Exempts certain offenses from automatic discretionary expunction.

Permits persons to apply for expunction of juvenile records related to acts that would have constituted Class A felony if committed by adult if no fewer than five years have elapsed since most recent termination, person has not been subject to subsequent delinquency adjudication or criminal conviction and no proceedings are pending against person.

Requires notice of discretionary expunction proceeding to be sent to person whose records are subject of proceeding and district attorney. Directs district attorney to provide notice to victim. Permits district attorney to object to expunction application. Requires court to hold expunction hearing on any objections.

Directs State Court Administrator to study and make recommendations on updating provisions of state law relating to records of juvenile adjudications to align Oregon law with American Bar Association's model Act governing confidentiality of juvenile delinquency records.

NOTICE OF NO OPEN GOVERNMENT IMPACT