



From the Office of Sen. Floyd Prozanski

OREGON NEEDS RECORD CLEARANCE REFORM SB 397

Oregon's current record clearance law **CREATES** inequity, **HARMS** our economy and **LIMITS** second chances. We need simple but meaningful reform.

In Oregon, we believe in safety, equity and second-chances. Yet across our state, nearly **1.5 million people suffer the far-reaching impacts of a criminal record.**¹ Nearly **9 in 10** employers, **4 in 5** landlords, and **3 in 5** colleges use background checks to screen applicants. When it comes to securing employment, **people with criminal records are half as likely as other job seekers to get a call-back** from an employer.

Addressing the barriers to records clearance would provide individuals better access to employment, housing, education and training opportunities. Studies show that one year after a record has been cleared, people are **11% more likely to be employed** and **earn 22% higher wages**. This means thriving families, safer communities and fewer taxpayer dollars spent on unemployment benefits and other public assistance.

THE CHALLENGE: A COSTLY, COMPLEX & PUNITIVE SYSTEM

Oregon's current record clearance law is costly and complex. This, combined with an overwhelming lack of legal representation, prevents the vast majority of eligible individuals from ever obtaining relief and truly moving forward with their lives.

- Overly-Complicated Process
 - Includes expensive fees and lengthy waiting periods
 - Often puts expungement out of reach for low-income applicants
 - Results are fewer applicants expunging their criminal records
- Lengthy Waiting Periods
 - Waiting period of up to 20 years before a person becomes eligible to petition
 - 7 years has been research-proven to ensure public safety

¹ <https://paperprisons.org/states/OR.html>

- Punishes Non-convictions
 - Non-conviction records (e.g. arrests, dismissals and acquittals) are blocked from record clearance by convictions (for 10 years) and other non-convictions (for 3 years). This does not meet the presumption of innocence standard.

THE SOLUTION: REFORMING OREGON’S RECORD CLEARANCE PROCESS

By simplifying, streamlining and expediting our record clearance process, we can bring much needed relief to impacted Oregonians. **SB 397 will:**

- Mitigate decades of over- and disproportionate criminalization of minorities
- Adjust the waiting and look-back periods to those supported by data and research
- Remove filing fees and standardize the application form
- Accelerate eligibility of non-conviction records (e.g., arrests, dismissals and acquittals)
- Allow courts to consider the community’s interest in improving access to employment, housing, etc.

COALITION PARTNERS

Clean Slate Oregon was formed in 2020 and represents a broad statewide coalition of organizations that share a common mission: to advance policy that fosters equitable opportunity post-incarceration through reforming Oregon’s record clearance laws.

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| - ACLU of Oregon | - Oregon Criminal Defense Lawyers Association |
| - Bridges to Change | - Oregon Sexual and Domestic Violence Services |
| - Center for American Progress | - Partnership for Safety and Justice |
| - Central City Concern | - Portland State University |
| - Clean Slate Initiative | - R-Street |
| - Code for America | - Red Lodge Transition Services |
| - Justice Action Network | - SEIU local 49 |
| - Latino Network | - Sponsors, Inc. |
| - League of Minority Voters | - Stand for Children, Oregon |
| - Mental Health and Addiction Association of Oregon | - Victim’s Rights Law Center |
| - Metropolitan Public Defender | - Volunteers of America, Oregon |
| - NAYA | - Youth Rights and Justice |
| - Oregon Cannabis Association | |
| - Oregon Coalition Against Domestic and Sexual Violence | |

Clean Slate Oregon

For more information contact: Iris Maria Chávez, iris@equityactionpartners.com, 504-701-3931