



Open Government Impact Statement

81st Oregon Legislative Assembly
2021 Regular Session

Measure: SB 575

Only impacts on Original or Engrossed
Versions are Considered Official

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Date: 1/29/2021

SUMMARY

Modifies procedure for expunction of certain juvenile records. Directs juvenile department to initiate statutory expunction process for juvenile records relating to contact that did not result in referral to juvenile court. Directs juvenile department to apply for expunction of juvenile records if juvenile had contact with juvenile department but was never found to be under jurisdiction of juvenile court.

Changes punishment for releasing all or part of expunged record from misdemeanor to violation punishable by maximum of \$2,000 fine.

Modifies process for access to counsel for persons seeking to file application for expunction of juvenile records.

Directs Oregon Youth Authority, in collaboration with county juvenile departments and Judicial Department, to submit report and recommendations for legislation regarding juvenile expunction process to interim committees of Legislative Assembly relating to juveniles.

Takes effect on 91st day following adjournment sine die.

OPEN GOVERNMENT IMPACT

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure prohibits a juvenile department and any agency with related records from disclosing information related to a juvenile's contact with the department once a notice of statutory expunction has been issued by the department.

If these public records were instead subject to mandatory disclosure under public records law, the public could gain information related to individuals who have had contact with the juvenile department that did not result in a petition alleging that the subject person is subject to the juvenile court's jurisdiction and has not been found to be within the jurisdiction of the juvenile court.