



Oregon Juvenile Department Directors' Association

Representing Oregon's County Juvenile Departments

www.ojdda.org

- Jim Goodwin, President
- Molly Rogers, President Elect
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OJDDA
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OJDDA Supports Juvenile Expunction Reform (SB 575-1)

The Oregon Juvenile Department Directors' Association (OJDDA) supports reforms pertaining to the expunction of juvenile delinquency records. Current laws are out of alignment with what the research shows are best practices related to juvenile expunction.

According to our state's juvenile code on delinquency (ORS Chapter 419C), the juvenile justice system "is founded on the principles of personal responsibility, accountability and reformation within the context of public safety and restitution to the victims and to the community." Current juvenile expunction laws undermine this vision by creating barriers to youth becoming productive members of society, such as limited access to higher education, employment, occupational licenses, and public housing. Statutes such as lengthy waiting periods and confusing processes also create barriers to expunction.

OJDDA actively participated in the interim work group that was convened to develop SB 575-1. The process was inclusive and collaborative, and we believe the end result is a product that keeps both the best interest of youth and community safety at the forefront.

OJDDA supports automatic expunction for youth who reach the age of 18 and have never been adjudicated. We believe the juvenile record of a youth who has never been adjudicated should be automatically expunged upon the youth's 18th birthday. We support the eligibility criteria for automatic expunction described in the -1 Amendment of Senate Bill 575.

OJDDA supports changing the application process. Presently, the individual or the juvenile department *may* apply for expunction. SB 575-1 compels juvenile departments to initiate automatic expunction, thereby removing barriers and missed opportunities for individuals who would be eligible for automatic expunction.

OJDDA supports appointing attorneys for youth who qualify and need assistance of counsel to apply for expunction. The expunction process is complicated and can be difficult to navigate. The ability for young people to receive assistance from an attorney that possesses skills and experience commensurate with the nature and complexity of the expunction process will ensure that all rights and opportunities will be afforded to those applying for expunction.

County juvenile departments must have adequate funding to take on the additional workload this legislation will create. While these reforms are a positive step toward aligning Oregon law with best practice research and science, the added workload for county juvenile departments is significant and cannot be absorbed without new funding. An unfunded mandate would result in the elimination of other essential services.

A comprehensive analysis was conducted by OJDDA in cooperation with OYA to determine the cost of this legislation on county juvenile departments. Using current (FY21) financial data, the fiscal impact of this new legislation would be \$1.35 million annually, or **\$2.7 million per biennium**. A flat case rate of \$208.95 per automatic expunction will need to be adjusted for future years to keep pace with inflation.

For Further Information Contact

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