



TO: Senate Committee on Judiciary and Ballot Measure 110 Implementation
FROM: Mae Lee Browning, Oregon Criminal Defense Lawyers Association
DATE: February 23, 2021
RE: Support for SB 397 – Oregon Needs Record Clearance Reform

Chair Prozanski, Vice Chair Thatcher, and Members of the Committee:

My name is Mae Lee Browning and I am testifying on behalf of OCDLA.

The Oregon Criminal Defense Lawyers Association is a nonprofit professional association for experts, private investigators, and attorneys who represent Oregon’s children and parents in juvenile dependency proceedings, youth in juvenile delinquency proceedings, adults in criminal proceedings at the trial and appellate level, as well as civil commitment proceedings throughout the state of Oregon.

OCDLA supports SB 397. Having a criminal record affects people’s access to employment and education opportunities, as well as housing. In Oregon, we believe in safety, equity, and second-chances. SB 397 will bring much needed relief to Oregonians by reforming Oregon’s record clearance process – the expungement statute.

Oregon’s current expungement law is costly, complex, and prevents the vast majority of eligible individuals from obtaining relief and moving forward with their lives. The process includes expensive fees, which makes expungement out of reach for low-income applicants and results in fewer applications expunging their records. The current expungement process has lengthy waiting periods – up to 20 years. The current expungement process also blocks the clearance of non-convictions, such as arrests, dismissals, and acquittals, by convictions for 10 years and other non-convictions for 3 years.

SB 397 will simplify and streamline the expungement process which will allow more Oregonians the ability to clear their records. SB 397 adjusts the waiting period for expungements, removes filing fees, and standardizes the application form. SB 397 also allows courts to consider the community’s interest in improving access to employment and housing.

By passing SB 397, more Oregonians will have the ability to clear their records. This means that these Oregonians will be more likely to be employed, more likely to earn a higher wage, and have better access to housing. This bill means fewer taxpayer dollars spent on unemployment benefits and other public assistance, thriving communities, and gives people a true second-chance after they have already served their time.

OCDLA urges your support for SB 397. Thank you for the opportunity to provide this testimony.