



## Oregon Alliance to End Violence Against Women

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### Statement Regarding SB 697 and 698 Clean Slate Initiative

Founded in 1999, the Oregon Alliance to End Violence Against Women (the Alliance) is a grassroots organization of survivors, advocates, non-profit and community-based victim services organizations, and multi-disciplinary community and system-based responders. The Alliance is dedicated to promoting legislation in Oregon that will protect and empower survivors of domestic and sexual violence. The Alliance is appreciative of the opportunity to provide feedback regarding the automated expungement proposals in SB 697 and 698.

The Alliance fully supports automation of non-person crime expungements, and would like the opportunity to be a part of larger solutions regarding all convictions, if given the opportunity to participate at greater length during the interim. However, until we have a means of accurately and securely managing an automated expungement system, the Alliance cannot support automation of crimes of personal violence, without further significant scrutiny.

Improving access to eligible expungement is a policy that must move forward, but the current draft versions of the bill that we have had a chance to review do not adequately address safety issues for survivors of domestic or sexual violence. We appreciate the efforts of the proponents to exclude many person crimes from the list of automation in their draft amendments, but the nature of domestic and sexual violence is such that the exclusions must be broader in order to satisfy safety concerns.

Domestic and sexual violence are targeted crimes of power and control. Many low-level offenses, when occurring in the context of domestic or sexual violence, are clearly identified as dangerous lethality factors for survivor safety. In the context of domestic or sexual violence, neither misdemeanor convictions nor protective order violations should be automated for expungement.

Automation of criminal history expungement, without clear parameters and protections to ensure accuracy, would create unintended safety consequences for survivors. Under our current public safety system, there are many ways in which a criminal history of domestic or sexual violence impacts access to firearms and ammunition, as well as child custody and parenting time determinations. There are immense potential safety implications to victims and their children when this history of person-centered crimes is erased from someone's record. Without fingerprinting, there is no means of ensuring that convictions from other states can be considered when determining eligibility. And without victim notification, a court or system will be unable to flag potential domestic or sexual violence implications of an underlying conviction.

The Alliance strongly believes in the importance of criminal justice reform as means of reversing systemic racism. Dismantling racist beliefs, practices, and structures is central to our work to prevent and respond to domestic and sexual violence. It is well-documented that our carceral system, and its after-effects, impact Oregon's Black, Indigenous, and communities of color disproportionately, due to longstanding systemic and structural racism. It is clear that one of the principle means of

addressing the impacts of prior convictions is to ensure ease and accessibility of expungement for qualifying individuals. The Alliance is committed to being a part of solutions to address these inequities, and considers automation of qualifying expungements an important policy goal.

The Alliance notes that systemic racism in the justice system impacts victims as well as defendants. Interaction with the criminal justice system, for victim and offender, is a life-altering experience with significant consequences. Many people who are defendants have also been victims. We need support structures that hold people who have committed domestic and sexual violence accountable in ways that value their humanity and give them the help they need to not harm again. We need structures that ensure survivors have access to confidential, culturally specific, and trauma-informed safety services, so that they can make the choices that are right for them and their families and so that they can heal and recover.

In all, the Alliance seeks to promote a safe, healthy, and inclusive community. There is no more important challenge for Oregon policy makers than to ensure fairness, equity, and safety in the public safety system, for survivors as well as for defendants. Thank you for your leadership in ensuring that these conversations move forward in a way that acknowledges and addresses the deep inequities in the system for survivors and for defendants.