



OREGON NEEDS CHANGE TO LIFT BARRIERS TO RECORD CLEARANCE

House Bill 4097

Sponsors: Rep. Tran, Rep. Gamba, Rep. Helm, Rep. Hudson, Rep. Nelson, Rep. Nosse, Sen. Dembrow, Sen. Frederick, Sen. Golden, Sen. Sollman

Removing barriers to expungement will strengthen Oregon's workforce, reduce recidivism, address racial and ethnic disparities, and release Oregonians from cycles of poverty.

In Oregon, we believe in safety, equity, and second chances. Unfortunately, too many Oregonians still do not receive the record clearance they have earned despite the legislature's efforts in 2021 to modernize Oregon's expungement statute through passage of SB 397. Removing administrative barriers and aligning wait periods with best practices was a good first step, but it's time to make sure every Oregonian has a fair chance to put their past behind them and build a better life for themselves and their families.

Bureaucratic hurdles and outstanding fines and fees still prevent the vast majority of eligible Oregonians from expunging their records. Fortunately, HB4097¹ offers bipartisan solutions that can ensure Oregonians with a record have a fair chance. This will expand our workforce at a time when businesses across the state are struggling to find workers.²

THE CHALLENGE: JUSTICE DELAYED IS JUSTICE DENIED

Preliminary Oregon data estimates show **millions of cases** would be eligible for expungement but for outstanding fines and fees.

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

² <https://harvardlawreview.org/print/vol-133/expungement-of-criminal-convictions-an-empirical-study/>

There is strong evidence that fines and fees do not deter crime and only serve to trap people in cycles of poverty, while yielding little or no revenue for system operations.³ But these financial obligations block many Oregonians from clearing their record when they are otherwise eligible. Study after study shows that fines and fees have a disproportionate impact on people of color, exacerbating the racial wealth gap.

At the same time, statutory errors and administrative backlogs are blocking and delaying expungements, forcing many people to wait for years to receive urgent record clearance relief.

THE SOLUTION: LIFTING THE FINES AND FEES BARRIER TO EXPUNGEMENT AND STREAMLINING RECORD CLEARANCE PROCESSES

1. HB 4097 makes technical fixes that will further streamline the expungement process and correct statutory drafting errors that were never intended by SB 397's authors.
2. HB 4097 establishes a deadline of four months for the court to issue the order sealing records once a petition has been reviewed by all relevant parties and approved.
3. HB 4097 prohibits fines and fees from barring someone from clearing their record (excluding victim restitution) and waives the fines and fees after 10 years.

We call on the legislature to enact HB 4097 as a bipartisan, common-sense solution to increase equity, mitigate decades of disproportionate criminalization of minorities, and give Oregonians the second chance they deserve.

COALITION PARTNERS

Clean Slate Oregon 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.

³ <https://www.recidiviz.org/updates/how-fines-and-fees-affect-state-revenues-and-recidivism>

Central City Concern * Clean Slate Initiative * Code for America * East County Rising Community Projects * Justice Action Network * Latino Network * League of Minority Voters * Metropolitan Public Defender * Oregon Justice Resource Center * Oregon Workforce Partnership * Partnership for Safety and Justice * Portland Community College Clear Clinic * Responsible Business Initiative for Justice * Sponsors, Inc. * Clackamas Workforce Partnership * Worksystems Inc. * Youth, Rights & Justice * CLEAR Clinic *



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