

SB 497 STAFF MEASURE SUMMARY

House Committee On Judiciary

Prepared By: Michael Lantz, LPRO Analyst

Meeting Dates: 5/15

WHAT THE MEASURE DOES:

Adds "criminal citation" and "criminal charge" as records that can be expunged by court.

Minimal Fiscal Impact

No Revenue Impact

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

When an individual is arrested, charged or cited, a permanent court record is created. Under ORS 137.225(1)(b), an individual may file a motion to set aside a record of arrest under certain circumstances. The individual may file the motion any time after an acquittal or dismissal of the charge or, if no charge was filed, one year after the date of arrest.

Senate Bill 497A adds "criminal citation" and "criminal charge" as records that can be expunged by a court. In doing so, SB 497A clarifies that an individual did not have to be taken into custody in order to be eligible to have their record expunged.