



Open Government Impact Statement

80th Oregon Legislative Assembly
2019 Regular Session

Measure: SB 388-B

Only impacts on Original or Engrossed
Versions are Considered Official

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SUMMARY

Directs Governor or designee to notify district attorney and presiding judge of circuit court of county of conviction within 10 days of granting pardon. Directs Governor or designee to review pardons granted within five years prior to effective date of Act and notify district attorney and presiding judge of circuit court of county of conviction. Directs presiding judge to, upon receipt of notification, issue order sealing record of conviction and other official records of case. Exempts from sealing records related to pardon. Directs district attorney to notify victim concerning pardon and sealing of records.

Authorizes person granted pardon more than five years before effective date of Act to request that Governor initiate process of sealing records.

Directs district attorney to notify victim, and provide Governor with specified information, upon receiving copy of application for pardon, commutation or remission.

Declares emergency, effective on passage.

OPEN GOVERNMENT IMPACT

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure requires a presiding judge to seal the record of a pardoned conviction and other official records in the case, excluding records of the pardon.

If those public records that could be subject to public disclosure were instead subject to mandatory disclosure under public records law, the public could gain additional information related to convictions that were later pardoned.