

Chair Prozanski, Vice Chair Thatcher, Senators:

My name is Babak Zolfaghari-Azar. I am writing you from Multnomah County as a community member and voice for justice. I serve justice involved African Americans in Portland, Oregon and am submitting written testimony in support of Senate Bill 397. Reforming the criminal record expungement process matters to me because I work with black men and women who have criminal records and I see the harmful impact and barriers caused by the never ending punishment of a criminal record.

The current expungement process isn't working because people don't know where to start, who to talk to, how to pay for the costs associated with expungement, when to start the process and why so long after returning to the community they don't have the right to a fresh start. The data reveals that a small fraction of people ever start and finish the process, revealing more about the system and process than the person themselves. The current process is shame based and fueled by a punishment model, instead of one centered around internal motivation, personal accountability, and healing.

The high costs and complicated process to seek expungement causes community wide harm. The obvious harm is done to the individual who has the record. They are denied opportunities to move forward and prosper in their lives. You can't live here with that on your record...you can't work here because you didn't pass the background check...you aren't eligible for financial assistance because of your past convictions. However, that harm then extends to the person's family and the community as a whole. A child's brain development, socialization, and school performance is impacted, and thus their future. Being extremely limited in employment, educational, and housing opportunities boxes people in economically and forces them into felony friendly jobs and in felony friendly neighborhoods. Ask yourself, is that good for public safety? Is trapping people in poverty healthy for our society? The strain and barriers negatively influence someone's chance to be a safe, contributing neighbor in their community.

A record changes the trajectory of people's lives, especially young people. People think that once they serve the consequence for their behavior, whether it be prison, jail, probation or parole, that they can move forward with a fresh start. That hope is a false dream, as the reality of barriers limits people's opportunities for emotional, educational and employment advancement. Young people aren't able to unlock their potential and are forced into a revolving door of poverty. A record can be a life sentence to poverty. People don't feel in control of their own destiny and take on a mentality that they are their record, that they are defined by society as a criminal, that they are a felon. This shame dehumanizes a person and doesn't align with our societal values of second chances, forgiveness, and the pursuit of life, liberty and happiness.

Removing the barriers to expungement and automating the process would give people hope, dignity, empowerment, and healing. Instead of keeping the handcuffs on our neighbors, essentially moving people from the cage in the prison to the box in the community, lets have a system that responds to crime and harm in a holistic, humanizing way so that individuals, their families, and the community can thrive together. Supporting SB397 is a path forward to a stronger, healthier community of Oregonians. I urge you to support SB397.

Blessings,  
Babak Zolfaghari-Azar