



TO: Senate Committee on Judiciary and Ballot Measure 110 Implementation
FROM: Mae Lee Browning, Oregon Criminal Defense Lawyers Association
DATE: March 1, 2021
RE: Support for SB 575 – Juvenile Expunction

Chair Prozanski, Vice Chair Thatcher, and Members of the Committee:

My name is Mae Lee Browning and I am testifying on behalf of OCDLA.

The Oregon Criminal Defense Lawyers Association is a nonprofit professional association for experts, private investigators, and attorneys who represent Oregon’s children and parents in juvenile dependency proceedings, youth in juvenile delinquency proceedings, adults in criminal proceedings at the trial and appellate level, as well as civil commitment proceedings throughout the state of Oregon.

OCDLA supports SB 575 with the -1 amendments.

Youth face a number of collateral consequences if they are not able to have their records expunged. These consequences can be a barrier to their reentry into the community and the beginning of their adulthood. Such consequences can impact their likelihood to get certain jobs, occupational licenses, entry into college, entry into the military, and housing. Collateral consequences make communities less safe. Studies show that individuals who are unable to find employment or attend school are more likely to commit crime or recidivate. Furthermore, having a juvenile record is more debilitating to youth of color than their white peers.

Under current law, the expunction process is complicated and expensive for both the state and the youth. Because of that, a very small percentage of youth who qualify to have their records expunged actually go through the process and are successful at getting their records expunged. Youth are capable of rehabilitation. Science shows that youth are particularly responsive to rehabilitative efforts and often “outgrow” their problematic behaviors.

SB 575 establishes an automated process for expunging records of persons over 18 years old who have never been found within the juvenile court jurisdiction but have had a “contact” (a law enforcement report of a behavior that could have resulted in juvenile court involvement). The juvenile departments will initiate this automatic process, ensuring that “contacts” are expunged.

SB 575 also allows a young person seeking expungement to request appointed counsel before beginning the application process, rather than waiting until the District Attorney objects to the application. Under SB 575, young people won’t have to fill out the complex paperwork by themselves and will be able to get advice about eligibility before they start the process.



OCDLA was a part of the multi-disciplinary workgroup convened by Senator Dembrow that included all juvenile justice stakeholders. The workgroup met in 2019. SB 1573B introduced in the 2020 regular session was a consensus bill from that workgroup. SB 575 is the same as SB 1573B.

The -1 amendments were proposed by a core group of the original stakeholders and they are in line with the positions of the original workgroup.

OCDLA looks forward to continuing the collaboration and partnerships that have developed through this process as the future workgroup sessions look at the cases where the juvenile has been found to be under the jurisdiction of the court.

OCDLA urges your support for SB 575 with the -1 amendments. Thank you for the opportunity to provide this testimony.

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