

Testimony from:

Jesse Kelley, Clean Slate Initiative

In support of OR SB 697, "An act relating to expungements."

and

In support of OR SB 698, "An act relating to the sealing of records."

Senate Committee on the Judiciary

March 2, 2023

Chairman Prozanski, Vice-Chairman Thatcher, and members of the Committee,

My name is Jesse Kelley, and I work with the Clean Slate Initiative, a nonprofit, nonpartisan organization seeking to automate the sealing of arrest and conviction records after people have completed their sentence and remained crime-free for a period of time.

The Clean Slate Initiative supports OR SB 697 and OR SB 698 and asks the committee to recommend these critical pieces of legislation for full consideration by the Oregon State Senate.

The collateral consequences of an arrest or conviction record impact approximately 1.4 million Oregonians. When an individual remains crime-free after a prior arrest or conviction, the perpetual punishment of an arrest or conviction record becomes indecent.

An arrest or conviction record creates lifetime barriers to obtaining jobs, housing, and education, putting other opportunities out of reach.

When an individual is offered a second chance via record clearance, nearly every aspect of their life is positively impacted. Indeed, research from the University of

Michigan finds that a year after a record is cleared, people are 11 percent more likely to be employed and earn 22 percent higher wages.<sup>1</sup>

In 2021, the legislature passed SB 397 to make Oregon's existing petition-based expungement more accessible by reducing barriers. However, under the cumbersome and complicated petition-based record clearance system, only a tiny fraction of people eligible for expungement or sealing ever obtain the relief they need.<sup>2</sup>

Clean Slate policies authorize states to automatically seal or expunge qualifying criminal records for people who remain crime-free for a set period. By shifting to a government-initiated record clearance system, up to 300,000 Oregonians could be eligible for record clearance relief.

Directly-impacted Oregonians can benefit from Clean Slate automatic records clearance, as will their families, local employers, and the community.

Clean Slate policies make communities safer. Ensuring people with records can obtain stable employment and provide for their families reduces the chance of recidivism. In fact, studies show that people who have been crime-free for a few years reach a "point of redemption" and are no more likely than any other person in society to commit a crime.<sup>3</sup>

When every community member has the opportunity to provide for themselves and their families, everyone benefits. We believe that people who have made mistakes, paid their debt to society, and now want to make a better life for themselves and those who depend on them deserve a chance to do so.

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<sup>1</sup> Prescott, J.J. and Sonja B. Starr. "The Power of a Clean Slate." *Regulation* 43, no. 2 (2020): 28-34.  
<https://repository.law.umich.edu/articles/2470/>

<sup>2</sup> "In Michigan, our evidence indicates that only 6.5% of eligible individuals receive expungements within the first five years of eligibility." *Id at 29*.

<sup>3</sup> Blumstein, Alfred and Kiminori Nakamura. "Extension of Current Estimates of Redemption Times: Robustness Testing, Out-of-State Arrests, and Racial Differences." U.S. Department of Justice, Document No. 240100, (2012)  
<https://www.ojp.gov/pdffiles1/nij/grants/240100.pdf>

Furthermore, Oregon would join ranks with a handful of states nationwide. To date, 10 states have passed Clean Slate legislation, and there are active campaigns in many more.

Indeed, Clean Slate policies have overwhelming support on both sides of the aisle. Seventy percent of Americans support clean slate policies—including 66 percent of Republicans and 75 percent of Democrats.<sup>4</sup>

As such, we support OR SB 697 and OR SB 698 and request a favorable decision from the Senate Committee on the Judiciary.

Very respectfully,

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<sup>4</sup> John Halpin and Karl Agne, "Voters Across Party Lines Support Clean Slate Legislation," Center for American Progress, June 20, 2018, available at <https://www.americanprogress.org/issues/criminal-justice/news/2018/06/20/451624/voters-across-partylines-support-clean-slate-legislation/>.