



February 27, 2024

Dear Chair Fahey, Vice-Chairs Helfrich and Kropf, and members of the House Rules Committee,

My name is Vanessa Timmons, Executive Director of the Oregon Coalition against Domestic and Sexual Violence (OCADSV), and I am submitting this testimony to urge your support of HB 4097 with the proposed Dash 6 Amendments. OCADSV was founded in 1978 and its membership is comprised of community-based organizations and tribal nation service providers that support survivors of domestic and sexual violence, stalking and trafficking across Oregon State.

**This bill with the Dash 6 Amendments is a negotiated compromise that we fully support because it improves the criminal justice system in two critical ways:**

- 1. Adds long-overdue protections for survivors of domestic and sexual violence;**
- 2. Removes financial barriers to expungement for otherwise-eligible applicants.**

Simplifying the expungement process is an essential step in demonstrating Oregon's commitment to improve equitable rehabilitation outcomes within the criminal justice system. At the same time, it is equally important to recognize the health and safety of survivors in order to interrupt/prevent the cycle of abuse. HB 4097 supports a meaningful and accountable path forward for all parties.

Thank you to Representative Tram and to stakeholders for all the work to negotiate a bill supported by all sides.

In all circumstances, interaction with the criminal justice system, for victim and offender, is a life-altering experience with significant consequences. There is no more important challenge for Oregon policy makers than to ensure fairness, equity, and safety in the criminal justice process, for survivors as well as for defendants.

Any conversation about these issues must be founded on the acknowledgement that our carceral system, and its after-effects, impact Oregon's Black, Indigenous, and communities of color disproportionately, due to longstanding systemic and structural racism. It is critical to recognize that these biases and inequities have devastating impact on crime survivors and on defendants, and we urge policy makers to prioritize survivors as well as defendants in all reform discussions.

This bill with the negotiated amendments is the kind of balanced approach our justice system needs, taking into account the needs of survivors as well as the financial barriers faced by many applicants for expungement.

**HB 4097A will improve safety for survivors and their children by increasing the waiting period prior to expungement of records of violation of certain protection orders.** Under current law, these judgments, which are well-documented indicators of danger and



lethality, can be expunged after only 1 year waiting period. There are sound policy reasons to treat domestic violence, sexual violence, and stalking cases more carefully, due to what we know to be patterns of abuse that escalate and repeat often between multiple victims and over time. If a judgment of contempt for a protection order violation disappears from the record, this has significant negative safety implications for survivors, who face greater hurdles towards accessing other safety measures such as protection orders, safe parenting time orders, workplace or housing safety accommodations, and pre-trial release determinations. HB 4097A will increase victim safety by adding accountability for violations of protection orders.

**HB 4097A will remove financial barriers to justice for low-income defendants, without negatively impacting crime victim restitution or compensation.** Under current law, if a person cannot pay their fines, they are ineligible for expungement even if they have remained crime-free and are otherwise eligible for a set-aside. The inability to set-aside their conviction makes it harder to find employment or housing, making it harder to pay off their fines and fees owing. This downward spiral of debt can be impossible to escape, serves no public or victim interest, and has a disproportionate impact on communities of color and low-income Oregonians. Passage of HB 4097 with the Dash 6 amendments will help reduce poverty and racial disparities caused by the criminal justice system.

In summary, HB 4097 with the Dash 6 amendments will increase safety for survivors, while also removing procedural and financial barriers to expungement. This bill is one step towards addressing the inequities in our criminal justice system that impact crime survivors and defendants. To that end, we urge your support of HB 4097. Thank you for your work on behalf of Oregonians.

Sincerely,

A handwritten signature in blue ink that reads "Vanessa Timmons". The signature is fluid and cursive, with a long horizontal stroke at the end.

Vanessa Timmons, Executive Director  
Oregon Coalition against Domestic and Sexual Violence