

**TESTIMONY ON HOUSE BILL 2677  
BEFORE THE HOUSE COMMITTEE ON JUDICIARY  
MARCH 11, 2025**

**PRESENTED BY: AARON KNOTT,  
DIRECTOR OF GOVERNMENT RELATIONS AND COMMUNICATIONS  
OREGON JUDICIAL DEPARTMENT**

Chair Kropf, Vice-Chairs Chotzen and Wallan, and Members of the Committee:

We appreciate the opportunity provided for the continued involvement on juvenile expunction work before the legislature. The Oregon Judicial Department (OJD) does not have a position on this bill but recognizes the importance of improving access to services for people who are underserved and eliminating barriers to access to justice, as reflected in our Justice Campaign.

House Bill 2677 expands on the concept of expunctions initiated by the county juvenile department (sometimes referred to as “automatic”, “automated”, or “presumptive” expunctions) that were introduced and implemented through Senate Bill 575 (2021) and Senate Bill 519 (2023). HB 2677 increases access to the expunction process, creating a more efficient application process for individuals who were formerly involved with the system as youth. Current law requires the county juvenile department to review a number of qualifying circumstances of an individual, including the charges of adjudication as a youth, and directs the department to file the application for expunction, rather than the individual doing so. Currently, this presumptive expunction process is only available to individuals who were adjudicated for violations and misdemeanors, or who never were adjudicated after a petition was filed. Individuals who were charged with felonies must apply for expunction themselves, four years after they were terminated from the jurisdiction of the juvenile court.

HB 2677 adds felony offenses to the list of those for which the juvenile department is required to submit an application for expunction, so long as other criteria are met. The criteria remain the same as under the previous version of the law, including (but not limited to) that restitution is paid in full and that the person does not have subsequent criminal convictions. HB 2677 also adds misdemeanors involving violence (as defined in ORS 166.470 and relating to the charge of Unlawful Possession of Firearms in ORS 166.250) to the process, which requires a four-year wait period before expunction. Under current law, these offenses are included with other misdemeanors and violations, for which applications must be filed within 90 days of the individual turning 18, or, if they are 18 and still under the jurisdiction of the court, within 90 days of their termination. The bill does not change the specific list of offenses for which expunction is not currently available. See ORS 419A.260(1)(d)(J).

HB 2677 provides for several technical fixes that OJD noted during the implementation of SB 519 and SB 575. This includes a process for victim notification for those

adjudications that occurred prior to the passage of SB 519. It also includes clarification of the provisions relating to venue that align with information readily available to court and juvenile department staff. Other technical fixes relate to specific time limits the court must follow after expunction and clarification regarding attorney appointment at no cost to individuals in expunction proceedings.

We appreciate the collaborative work done by Vice-Chair Chotzen, Youth, Rights & Justice, Oregon Youth Authority (OYA), county juvenile departments, and the Oregon District Attorneys Association to work through the process proposed in this bill. Based on our shared observations after reviewing the introduced version of the bill, we identified some areas that could support OJD's implementation efforts. OJD appreciates the continued work and considerations taken that we anticipate will be worked into forthcoming amendments. It is OJD's understanding that proposed amendments are underway and that the following will be addressed:

- In section 2, line 9, changing "earlier" to "later;"
- Adding an opportunity for the district attorney to review felony applications for expunction;
- Clarifying that an expunction proceeding should lead to full, rather than partial, expunction; and
- Changing 90 days to 30 days on page 7 line 6 and page 10 line 31. This will align the amount of time after expunction judgments are granted when an expunging agency is granted additional time to comply. It was an oversight in previous versions of the statute.

We expect passage of HB 2677 to increase the number of expungement petitions filed in circuit courts. Based on the data OJD has collected in anticipation of the changes that could result from passage of HB 2677, and the data we understand OYA has collected, we expect that up to 600 or more cases would be eligible for expunction annually. When individuals had to proactively file their application for expunction after five years (prior to the passage of SB 575 and SB 519), OJD data typically showed that around 200 were filed annually. In 2024, the first year in which the juvenile department was required to file on behalf of individuals for misdemeanors and violations, more than 1,000 applications for expunction were filed. While the expunction process has been open to individuals who were involved in juvenile court based on the same criteria available in this bill, expanding the pool of presumptive expungements initiated by the juvenile departments will likely result in an increased number of individuals who can have their records expunged. At this point, OJD believes the additional cases will only create a minimal fiscal impact.

OJD appreciates the opportunity to be involved in the conversations leading up to the development of this bill and looks forward to working collaboratively on its implementation.

Thank you for the opportunity to provide this testimony.