

## EXPLANATION OF RIGHTS TO RECORD EXPUNCTION

ORS 419A.260 to 419A.262 provides for the removal and destruction of many police and juvenile court records and requires that you be provided with a written explanation of your rights under this law. You may apply for an expunction of your juvenile court records at any time. You probably have a right to have your records destroyed if one of the following is true:

- 1) Five years have passed since your last police or juvenile court involvement; you have not been convicted of a felony or a Class A Misdemeanor as an adult during that time; no proceedings are presently pending; you are not within the jurisdiction of any juvenile court and there is no pending investigation of your conduct by a law enforcement agency; or
- 2) You are at least 18 years of age, your case with the juvenile department is closed, and you have never been found to be within the jurisdiction of the juvenile court at a formal hearing.

In addition, the court may order expunction if you can show the court that to expunge all or part of your record would be in the best interest of yourself and the public.

If you were found within the jurisdiction of the juvenile court for committing an act which would be considered a sexual offense, murder, manslaughter or criminally negligent homicide, you probably do not have a right to expunge records related to those charges.

Records that may be expunged include any record maintained by an Oregon law enforcement agency, juvenile court, juvenile department or an agency of the State of Oregon. Records kept by the Motor Vehicles Division, State Marine Board, State Fish & Wildlife Commission, records relating to support obligations, medical records, records relating to termination of parent/child relationship and adoption and records of the Oregon Supreme Court and Oregon Court of Appeals can not be expunged.

Upon entry of an expunction order, the agency which is subject to the order shall inform anyone who asks about you that no record exists. You are entitled to a copy of the expunction order and a list of the agencies which have complied with the order. Thereafter, you may legally assert that the record never existed and that the contact between you and the agency never occurred, without risking a penalty for perjury or false swearing under the laws of this State.

Anyone who intentionally violates an expunction order may be liable for punitive damages up to an amount of \$1,000 in addition to any actual damages.

You may have rights under this act, including the right to have an attorney represent you. You can contact the following agency if you wish more information or would like to initiate an expunction proceeding:

**Wasco County Department of Youth Services  
Juvenile Justice Division  
202 East Fifth Street  
The Dalles, OR 97058  
(541) 506-2660**

**\*Expunction fee is \$60.00\***