



OREGON YOUTH AUTHORITY
Policy Statement
Part III – Youth Services (Community)



Subject:

Sex Offender Registration and Reporting [Field]

Section – Policy Number:

D: Case Management – 5.0

Supersedes:

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10/14/2014

Related Standards and References:

- ORS [181.592 through 181.607](#) (Sex Offender Registration)
- [OYA policy](#): I-E-2.1 (Public Information Requests)
I-E-2.3 (Requests for Offender Records, Reports, and Other Materials)
- Forms: Oregon State Police form #126 (rev. 5/2006 or later)
- [YA 9506 - Brochure](#) (Sex Offender Registration & Relief from Registration)

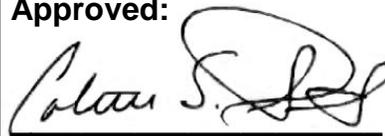
Related Procedures:

- [General field procedure](#): Sex Offender Registration

Policy Owner:

Treatment Services Director

Approved:



Colette S. Peters, Director

I. PURPOSE:

This policy provides guidelines for OYA field staff regarding youth offender sex offender registration requirements for youth offenders on community supervision. Relief from sex offender registration is also addressed.

II. POLICY DEFINITIONS:

Address: The actual, physical location where an offender resides.

Attends: Enrollment on a full-time or part-time basis in an institution of higher education.

Enrollment: This includes on-line or distance-learning classes as long as the youth offender is enrolled for credit in any institution of higher education, such as universities, colleges, community colleges, and vocational training programs.

Institution of higher education: A public or private educational institution that provides a program of post-secondary education.

Youth Offender: A person in the legal and physical custody of the OYA, either in an OYA facility or placed in the community under supervision.

Sex offender required to report: A person who:

- Has been convicted of a sex crime, as defined by ORS 181.594;
- Has been found to be within the jurisdiction of the juvenile court for having committed an act that if committed by an adult would constitute a felony sex crime;
- Is paroled to or otherwise placed in this state after having been found by a court in another jurisdiction to have committed an act while the person was under 18 years of age that would constitute a felony sex crime if committed in this state by an adult; or
- Has been found guilty except for insanity of a felony sex crime.

Sex crime: Includes the following offenses:

- Rape, sodomy, or unlawful sexual penetration in any degree;
- Sexual abuse in any degree (DOC offenders);
- Sexual abuse in the first or second degree (youth offenders);
- Incest;
- Using a child in a display of sexually explicit conduct;
- Encouraging child sexual abuse in any degree (DOC offenders);
- Encouraging child sexual abuse in the first or second degree (youth offenders);
- Online sexual corruption of a child in the first or second degree;
- Transporting child pornography into the state;
- Paying for viewing a child's sexually explicit conduct;
- Compelling or promoting prostitution;
- Kidnapping in the first degree ;
- Contributing to the sexual delinquency of a minor;
- Sexual assault of an animal;
- Sexual misconduct if the offender is at least 18 years of age (DOC offenders);
- Possession of materials depicting sexually explicit conduct of a child in the first or second degree;
- Kidnapping in the second degree if the victim was under 18 years of age, except by a parent or by a person found to be within the jurisdiction of the juvenile court;
- Burglary, when committed with intent to commit any of the offenses listed above;
- Any attempt to commit any of the offenses listed above;
- Public or private indecency if previously convicted of a sex crime (for DOC offenders).

Vocation: Training or volunteer work that takes place at an institution of higher education.

Work: Full-time or part-time employment either directly by the institution or by any contractor of work for the institution. This includes working concessions for sporting or special events, landscape maintenance, painting, construction etc.

NOTE: “Registration” is used as a general purpose term in this policy to describe the elements of sex offender registration and *reporting* requirements described in Oregon laws.

III. POLICY:

Oregon laws require sex offenders under supervision to report to their supervising agency so the agency may complete sex offender registration. This includes the initial registration process, the annual duty to report, and under specific circumstances when the youth offender has a duty to report (e.g. change of address, working at an institution of higher learning, leaving Oregon to reside in another state).

Juvenile parole/probation officers (JPPOs) have an important role in the completion of sex offender registration for all youth offenders that are in OYA’s legal custody. It is recommended a youth offender’s JPPO work with the youth offender to register directly with a law enforcement agency prior to the youth offender’s termination from OYA custody. This allows the youth offender to experience and be responsible for registration prior to the youth offender’s termination from OYA custody.

IV. GENERAL STANDARDS:

A. Documentation

1. When completing the sex offender registration process, staff will use the Oregon State Police (OSP) form #126 (revised 05/2006 or later).
2. Each time a change is noted and registration materials processed, staff will ensure the youth offender signs the form and receives a copy. The front and back of OSP Form # 126 must be signed by the youth offender.
3. A current photograph of the youth offender must be submitted with -
 - a) the initial registration; and
 - b) annual registrations.
4. If a youth offender does not have a SID number, staff will ensure that a fingerprint card is obtained and completed, including adjudication and disposition information. The fingerprint card will be attached to OSP form # 126 when submitted.
5. Staff must retain proof of registration in the youth offender’s case file.

B. Registration Process

1. Staff will complete and distribute copies of the OSP form #126 as follows:
 - a) Original first page with youth offender signature and current photograph to Central Office;

The form must be mailed to Central Office by the next working day.

Central Office staff will keep a copy of the form and submit the original to OSP. A registry will be kept to document the date the form is sent to OSP.
 - b) Copy to the youth offender; and
 - c) Copy to the youth offender's case file.

2. Registration for youth offenders will be completed in the following circumstances:

- a) Within 10 days of an address change
 - (1) An address change includes a youth offender's initial intake and exit from a secure youth correctional facility (YCF).

Transition/camp facilities are not considered secure youth correctional facilities for registration purposes. Therefore, a new registration form must be completed when a youth offender moves to a transition or camp facility.
 - (2) Youth offenders committed to YCFs or juvenile detention facilities for parole or probation violations must register if their term of confinement is greater than 10 days.
- b) Annual registration within 10 days of each birthday

Youth offenders must register annually within 10 days of their birthday regardless of whether the youth offender changed address.

A current photograph must be submitted with the annual registration form.
- c) Youth offenders that attend or carry on a vocation (i.e. training, volunteer work) at an institution of higher education.

- (1) Within 10 days of the first day the youth offender begins attending or engaging in a vocation at an institution of higher education, he/she must register.
 - (2) Within 10 days of a change in attendance status (e.g. winter break, summer break, etc.).
 - (3) This requirement applies to youth offenders engaging in distance learning or web-based educational opportunities at institutions of higher education.
- d) Youth offenders that work at an institution of higher education, whether employed by the school or a company that provides a service for the school, must register within 10 days after completing 14 days of employment within a 12-month period.
3. Youth offenders moving to Oregon under interstate compact who have C felony registerable offenses have six months to complete initial registration. Youth offenders moving to Oregon under interstate compact with registerable offenses other than a C felony must follow the same registration process as youth offenders adjudicated in Oregon.

C. The JPPO is responsible for ensuring registration is completed.

1. In co-management situations, the JPPO will obtain a copy of all completed registration forms and place a copy in the respective youth offender case file, regardless of which agency assumes supervision of the youth offender.
2. Foster care providers and contracted residential treatment staff are not authorized to witness registration.

D. Relief from registration

1. Staff will provide information available to assist youth offenders in understanding the process by which they may petition the court for relief from registration pursuant to OYA policy and Oregon laws.
2. Staff will refer youth offenders to YA 9506 (Sex Offender Registration & Relief from Registration brochure) for specific information regarding relief from registration.
3. A youth offender who has been found to be within the jurisdiction of the juvenile court for having committed an act that if committed by an adult would constitute a class C felony sex crime may apply for relief from registration no sooner than 30 days **before** termination of jurisdiction.

4. A youth offender who has been found to be within the jurisdiction of the juvenile court for having committed an act that if committed by an adult would constitute a class A or B felony sex crime may apply for relief from registration no sooner than two years **after** termination of jurisdiction.
5. OYA will cooperate with attorneys, concerned agencies, and the court to carry out the agency's duties and roles in the relief from registration process. This includes providing necessary information, records, and documentation to the parties and the court in the relief from registration matters.
6. OYA staff must avoid providing opinions, drawing conclusions from the information provided, or making recommendations whether a youth offender has met the relief from registration requirements or if the youth offender should be granted relief from registration.

E. Requests for youth offender information

1. Staff will comply with public information policy and local protocols when responding to public information requests (see OYA policy I-E-2.3).
2. Other requests for sex offender information will be referred to Treatment Services, Central Office.

V. GENERAL OYA OPERATING PROCEDURE REQUIRED: YES

The general OYA field procedure addresses staff responsibilities in:

- A. Intervals of registration;
- B. Interstate compact;
- C. Documentation (written and in JJIS).

VI. LOCAL OPERATING PROTOCOL REQUIRED: NO