

OREGON SEX OFFENDER NOTIFICATION LEVELS

Oregon sex offenders are being classified into notification levels based on risk of reoffending.

A risk assessment determines the level of community notification.

These notification levels are intended to increase public safety by providing better and more information to law enforcement and the public.



**Oregon Revised Statutes
Section 163A**

**Oregon Administrative Rules
Chapter 255, Division 85**

Oregon Sex Offender Notification Levels:

In 2013, a new law was passed in Oregon that created classifications of sex offenders based on their risk to sexually reoffend. Those levels are:

- Notification Level 3 (High risk)
- Notification Level 2 (Moderate risk)
- Notification Level 1 (Low risk)

A Level 1 sex offender presents the lowest risk to reoffend and requires a limited range of notification. A Level 2 sex offender presents a moderate risk to reoffend and requires a broader range of notification. A Level 3 sex offender presents the highest risk to reoffend and requires the widest range of notification including listing on the Oregon State Police Sex Offender Registry public website.

How will registrants be classified?

A risk assessment will be completed for every registered sex offender in Oregon. Risk assessment methodologies were adopted by the Oregon Board of Parole and Post-Prison Supervision (the Board) and Community Corrections. This assessment score will determine a registrant's notification level.

When will registrants be assessed?

Individuals who were required to register before January 1, 2014, and who are not under jurisdiction of the Oregon Psychiatric Security Review Board (PSRB) will be assessed by the Board on a rolling basis.

Registrants who are under jurisdiction of the PSRB and were required to register prior to July 1, 2015, are currently being assessed and classified by either the Board or the PSRB. Registrants who are required to register after July 1, 2015, will be assessed and classified by the Board or the PSRB on a rolling basis.

The Board is required to complete an assessment prior to release of inmates who are in the custody of the Oregon Department of Corrections (DOC) and currently serving a sentence for a sexual offense requiring registration.

Community Corrections is required to complete assessment of individuals sentenced to jail or probation within 60 days of discharge from custody or placement onto probation for a sexual offense requiring registration.

Out-of-State registrants who move to Oregon, or attend college or work in Oregon and are required to register will be assessed and classified by the Board on a rolling basis.

How will registrants know what notification level has been determined?

The classifying agency will notify registrants at their registered mailing address of their assessment score and options for an objection and review of the score.

Once a final notification level is determined by the classifying agency, there is no further appeal.

What if a registrant refuses or fails to participate in the assessment process?

Registrants who were required to register prior to January 1, 2014, and refuse or fail to comply may be classified as a Level 3 sex offender.

(OR Laws 2013, Chapter 708, Section 7, as amended by HB2320 (2015), Section 27)

Any registrant who refuses or fails to comply with the assessment process may be prosecuted for *Fail to Register*.

(ORS 163A.040(1)(h) (2015))

How do registrants get registration relief?

Currently, registrants must file a case in court for relief. This procedure can be found under **ORS 163A.120** and is valid through December 31, 2018.

Beginning January 1, 2019, new procedures for relief from registration and requests for reclassification to a lower notification level will be implemented under **ORS 163A.125** and achieved by petitioning the classification agency.

How will law enforcement notification be done?

All information on all offenders, regardless of level, will be released to law enforcement.

How will community notification be done?

Community notification will be completed by a notifying or supervising agency based on a registrant's notification level (**ORS 163A.215**).

Once an offender is classified into a level, a notifying or supervising agency can release information about that offender to:

- **Level 1**
 - a person that resides with the sex offender.
- **Level 2**
 - a person that resides with the sex offender;
 - a person with whom the sex offender has a significant relationship;
 - residential neighbors and churches, community parks, schools and child care centers, convenience stores, businesses and other places that children or other potential victims may frequent; and

- a long term care facility or a residential care facility if the agency knows that the sex offender is seeking admission to the facility.

- **Level 3**

- all items under Level 2;
- local or regional media sources; and,
- the Department of State Police Sex Offender Registry website.

For all registrants, regardless of level, any information that may be necessary to protect the public concerning sex offenders who reside in a specific area or concerning a specific offender can be released.

For registrants under PSRB or Oregon Health Authority supervision:

The Department of State Police may not post Level III registrants to the website without authorization from the supervising agency.

ATTENTION!

All persons required to register as a sex offender whose address has changed or are homeless, MUST PROVIDE A VALID MAILING ADDRESS to the Oregon State Police Sex Offender Registry by registering the change with local law enforcement.



Where do I look for more information?

Oregon Revised Statutes 163A:

https://www.oregonlegislature.gov/bills_laws/ors/ors163A.html

Oregon Administrative Rules

Chapter 255, Division 85
Subsections 0010 – 0050:

http://arcweb.sos.state.or.us/pages/rules/oars_200/oar_255/255_tofc.html

Oregon Board of Parole & Post-Prison Supervision:

<http://www.oregon.gov/boppops>

Oregon State Police – Sex Offender Registration:

<http://www.oregon.gov/OSP/SOR>

Contact Information:

Sex Offender Registration Questions:

Email: sexoffender.questions@state.or.us

Phone: 503-934-1258

Assessment Questions, Board of Parole and Post Prison-Supervision:

Email: bppps.webmaster@doc.state.or.us

Phone: 503-945-9009

Please note: these rules apply to adult offenders.

This brochure is intended for informational purposes only and is not intended to provide legal advice to any individual or entity or formal advice from the Board.