

Exhibit SO-1L

Department of Corrections / Community Corrections
NOTICE OF RIGHTS
SEX OFFENDER NOTIFICATION LEVEL CLASSIFICATION

Registrant Name

SID#

Purpose of Review: You are entitled to a written review to determine if your LS/CMI score and evaluation report is correct. Your score will determine your sex offender notification level, pursuant to ORS 163A.100. Based on your notification level, you will be subject to community notification as described in ORS 163A.215 (attached).

Waiver of Review: You may waive the review in two ways:

- (1) By checking the appropriate box and signing the back of this form; or
- (2) By refusing to participate in the objection process.

If you waive the review:

- You will be unable to contest your LS/CMI score and evaluation report.
- The hearings officer and/or the Board will make findings based on the available record. There will be no other review.

Result of Review: : If you do not waive your right to a review, the Board or a hearings officer will complete a review of your LS/CMI score, your evaluation report, your objections and any other documents submitted. **A hearing will be scheduled only for those who assess as Level III.** If the Board or a hearings officer finds that your LS/CMI score and evaluation report are correct, the Board will order that you be classified to a sex offender notification level based upon the record without another review process. If the Board or hearings officer finds that your LS/CMI score or evaluation report is incorrect, the new score will be made part of the record and your sex offender notification level classification will be adjusted as required.

Rights During Review. You have the right to:

Present information to show that your LS/CMI score or evaluation report are incorrect.

Rights After Review

- You may not appeal the Board's final order classifying your sex offender notification level.

For further information see ORS Chapter 163A.100 – 163A.235 and OAR Chapter 255, Division 85.

My score on the LS/CMI is (mark one):

_____ Score of 0 to 10 (Low)
_____ Score of 11 to 19 (Moderate)
_____ Score of 20+ (High, Very High)

The evaluator's recommended Sex Offender Notification Level is:

Level I _____ Level II _____ Level III _____

DECISIONS ABOUT RIGHTS – SEX OFFENDER NOTIFICATION LEVEL CLASSIFICATION REVIEW

I understand the rights contained in this notice and I:

do want a review do not want a review

I waive my review:

(Initial) Having waived my right to a review, I understand that the Board, in the exercise of its authority, and based on the available record, may order that I be classified to a sex offender notification level under ORS 163A.100, without further appeal.

You must return this Notice of Rights form **within thirty (30) days** of when you received it.

I do not waive my review:

You have a right to inform the Board in writing of the reasons you believe the score or evaluation report is wrong. You must fill out a form entitled "Written Objections to Score on the LS/CMI or Evaluation Report for Sex Offender Notification Level Classification." This form has been provided.

You must clearly state on the form which risk factors you believe were scored incorrectly and why, as well as any information in the evaluation report you believe is incorrect and why.

You must return this Notice of Rights form with your Written Objections form LS/CMI assessment and the evaluation report and Static-99R **within thirty (30) days** of when you received it. The Board will consider your objections prior to making a final sex offender notification level classification.

I have read, or have had read to me, and fully understand this Notice of Rights and the Decisions.

Registrant Signature Date

Signature of Witness Date

Printed Name of Registrant

Printed Name of Witness

FOR OFFICE USE ONLY:

Date Given to Registrant:

**Date Returned to Counselor or
PO:**

NOTIFICATION REQUIREMENTS FOR SEX OFFENDER NOTIFICATION LEVELS

ORS 163A.215 Release of sex offender information according to classification.

- (1)(a) A notifying agency or a supervising agency shall release, upon request, any information that may be necessary to protect the public concerning sex offenders who reside in a specific area or concerning a specific sex offender.
- (b) A notifying agency or a supervising agency may release sex offender information to a law enforcement agency if the notifying agency or supervising agency determines that the release of information is in the public interest.
- (c) In addition to the release of information described in this subsection and ORS 137.540, 144.260 and 441.373, a notifying agency or a supervising agency may release sex offender information to the public in accordance with subsections (2) to (4) of this section.
- (2) If the sex offender is classified as a level three sex offender under ORS 163A.100 (3):
- (a) The Department of State Police shall release sex offender information on a website maintained by the department; and
- (b) The supervising agency or a notifying agency may release sex offender information to:
- (A) A person that resides with the sex offender;
 - (B) A person with whom the sex offender has a significant relationship;
 - (C) 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;
 - (D) A long term care facility, as defined in ORS 442.015, or a residential care facility, as defined in ORS 443.400, if the agency knows that the sex offender is seeking admission to the facility; and
 - (E) Local or regional media sources.
- (3) Notwithstanding subsection (2)(a) of this section, the Department of State Police may not use the Internet to make available to the public information concerning a sex offender classified as a level three sex offender under ORS 163A.100 (3) while the person is under the supervision of the Psychiatric Security Review Board or the Oregon Health Authority, unless the department is authorized to do so by a request of the supervising agency.
- (4) If the sex offender is classified as a level two sex offender under ORS 163A.100 (2), the supervising agency or a notifying agency may release sex offender information to the persons or entities described in subsection (2)(b)(A) to (D) of this section.
- (5) If the sex offender is classified as a level one sex offender under ORS 163A.100 (1), the supervising agency or a notifying agency may release sex offender information to a person described in subsection (2)(b)(A) of this section.
- (6) As used in this section:
- (a) "Notifying agency" means the Department of State Police, a city police department, a county sheriff's office or a police department established by a university under ORS 352.383.
- (b) "Sex offender information" means information that the Department of State Police determines by rule is appropriate for release to the public.
- (c) "Supervising agency" means a governmental entity responsible for supervising a person required to report as a sex offender under ORS 163A.010 or 163A.015.

Exhibit SO-2L

Unsupervised / Existing Registrants
NOTICE OF RIGHTS
SEX OFFENDER NOTIFICATION LEVEL CLASSIFICATION

Registrant Name

SID#

Purpose of Review: You are entitled to a written review to determine if your LS/CMI score and evaluation report is correct. Your score will determine your sex offender notification level, pursuant to ORS 163A.100. Based on your notification level, you will be subject to community notification as described in ORS 163A.215.

Waiver of Review: You may waive the review in two ways:

- (1) By checking the appropriate box and signing the back of this form; or
- (2) By refusing to participate in the objection process.

If you waive the review:

- You will be unable to contest that your LS/CMI score and evaluation report is correct.
- The hearings officer and/or the Board will make findings based on the available record. There will be no other review.

Result of Review: If you do not waive your right to a review, the Board or a hearings officer will complete a review of your LS/CMI score, your evaluation report, your objections and any other documents submitted. **A hearing will be scheduled only for those who assess as Level III.** If the Board or a hearings officer finds that your LS/CMI score and evaluation report are correct, the Board will order that you be classified to a sex offender notification level based upon the record without another review process. If the Board or hearings officer finds that your LS/CMI score or evaluation report is incorrect, the new score will be made part of the record and your sex offender notification level classification will be adjusted as required.

Rights During Review: You have the right to:

Present information to show that your LS/CMI score or evaluation report are incorrect.

Rights After Review

- You may not appeal the Board's final order classifying your sex offender notification level.

For further information see ORS Chapter 163A.100 – 163A.215 and OAR Chapter 255, Division 85.

My score on the LS/CMI is (mark one):

_____ Score of 0 to 10 (Low)
_____ Score of 11 to 19 (Moderate)
_____ Score of 20+ (High, Very High)

The evaluator's recommended Sex Offender Notification Level is:

Level I _____ Level II _____ Level III _____

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DECISIONS ABOUT RIGHTS – SEX OFFENDER NOTIFICATION LEVEL CLASSIFICATION REVIEW

I understand the rights contained in this notice and I:

[] do want a review [] do not want a review

I waive my review:

[] **(Initial)** Having waived my right to a review, I understand that the Board, in the exercise of its authority, and based on the available record, may order that I be classified to a sex offender notification level under ORS 163A.100, without further appeal.

You must return this Notice of Rights form **within 60 days** of when this form was mailed.

I do not waive my review:

You have a right to inform the Board in writing of the reasons you believe the score or evaluation report is wrong. You must fill out a form entitled “Written Objections to Score on the LS/CMI or Evaluation Report for Sex Offender Notification Level Classification.” This form has been provided.

You must clearly state on the form which risk factors you believe were scored incorrectly and why, as well as any information in the evaluation report you believe is incorrect and why.

You must return this Notice of Rights form with your Written Objections form, LS/CMI assessment and the evaluation report **within 60 days** of when this form was mailed. The Board will consider your objections prior to making a sex offender notification level classification.

I have read, or have had read to me, and fully understand this Notice of Rights and the Decisions.

Registrant Signature Date

Signature of Witness Date

Printed Name of Registrant

Printed Name of Witness

FOR OFFICE USE ONLY:

Date Mailed to Registrant:

Date Returned:

NOTIFICATION REQUIREMENTS FOR SEX OFFENDER NOTIFICATION LEVELS

ORS 163A.215 Release of sex offender information according to classification.

- (1)(a) A notifying agency or a supervising agency shall release, upon request, any information that may be necessary to protect the public concerning sex offenders who reside in a specific area or concerning a specific sex offender.
- (b) A notifying agency or a supervising agency may release sex offender information to a law enforcement agency if the notifying agency or supervising agency determines that the release of information is in the public interest.
- (c) In addition to the release of information described in this subsection and ORS 137.540, 144.260 and 441.373, a notifying agency or a supervising agency may release sex offender information to the public in accordance with subsections (2) to (4) of this section.
- (2) If the sex offender is classified as a level three sex offender under ORS 163A.100 (3):
- (a) The Department of State Police shall release sex offender information on a website maintained by the department; and
- (b) The supervising agency or a notifying agency may release sex offender information to:
- (A) A person that resides with the sex offender;
 - (B) A person with whom the sex offender has a significant relationship;
 - (C) 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;
 - (D) A long term care facility, as defined in ORS 442.015, or a residential care facility, as defined in ORS 443.400, if the agency knows that the sex offender is seeking admission to the facility; and
 - (E) Local or regional media sources.
- (3) Notwithstanding subsection (2)(a) of this section, the Department of State Police may not use the Internet to make available to the public information concerning a sex offender classified as a level three sex offender under ORS 163A.100 (3) while the person is under the supervision of the Psychiatric Security Review Board or the Oregon Health Authority, unless the department is authorized to do so by a request of the supervising agency.
- (4) If the sex offender is classified as a level two sex offender under ORS 163A.100 (2), the supervising agency or a notifying agency may release sex offender information to the persons or entities described in subsection (2)(b)(A) to (D) of this section.
- (5) If the sex offender is classified as a level one sex offender under ORS 163A.100 (1), the supervising agency or a notifying agency may release sex offender information to a person described in subsection (2)(b)(A) of this section.
- (6) As used in this section:
- (a) "Notifying agency" means the Department of State Police, a city police department, a county sheriff's office or a police department established by a university under ORS 352.383.
- (b) "Sex offender information" means information that the Department of State Police determines by rule is appropriate for release to the public.
- (c) "Supervising agency" means a governmental entity responsible for supervising a person required to report as a sex offender under ORS 163A.010 or 163A.015.

EXHIBIT SO-3L

**WRITTEN OBJECTIONS TO SCORE ON THE LS/CMI OR EVALUATION REPORT
FOR SEX OFFENDER NOTIFICATION LEVEL CLASSIFICATION**

Registrant: _____ SID# _____
(Please Print)

Institution or Community Corrections Branch (If applicable): _____

Current release date: _____

Supervision expiration date: _____

Date registrant was provided with this form _____

1. Please state which of the risk factors on the LS/CMI you believe were not scored correctly. *You may attach additional pages or documents if necessary.*

2. For each risk factor listed above, please explain why you believe the risk factor was not scored correctly. Be specific. *You may attach additional pages or documents if necessary.*
