

House Bill 3006

Sponsored by Representative KRUMMEL; Representatives BARKER, BOONE, BOQUIST, HUNT, KRIEGER, MAURER, NELSON, OLSON, THATCHER, WHISNANT, Senators AVAKIAN, L GEORGE, STARR

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires that designation of person as predatory sex offender be based solely on application of sex offender risk assessment scale approved by Department of Corrections. Requires State Board of Parole and Post-Prison Supervision to establish certain procedures for designating person as predatory sex offender.

A BILL FOR AN ACT

Relating to designation of predatory sex offenders; amending ORS 181.585.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 181.585 is amended to read:

181.585. (1) For purposes of ORS 181.585 to 181.587, a person is a predatory sex offender if the person *[exhibits characteristics showing a tendency to victimize or injure others and]*:

(a) **Scores at or above a level that has been established by the Department of Corrections and the State Board of Parole and Post-Prison Supervision on a sex offender risk assessment scale approved by the department; and**

(b) Has been convicted of a sex crime listed in ORS 181.594 (4)(a) to (d), has been convicted of attempting to commit one of those crimes or has been found guilty except for insanity of one of those crimes.

(2) In determining whether a person is a predatory sex offender, an agency shall use a sex offender risk assessment scale approved by the department *[of Corrections or a community corrections agency]*. **The designation of a person as a predatory sex offender shall be based on the application of the sex offender risk assessment scale approved by the department.**

(3) **The board shall establish by rule procedures for determining whether a person is a predatory sex offender. Prior to making the notifications required by ORS 181.586, the department must follow the requirements of subsection (4) of this section.**

(4) **A person who has been identified as a candidate for predatory sex offender designation must be afforded an evidentiary hearing, the purpose of which is to receive additional evidence supporting or rebutting the designation of the person as a predatory sex offender. The person shall be provided with timely written notice of:**

(a) **The person's score on the scale described in this section;**

(b) **The person's right to submit written objections to the proposed designation as a predatory sex offender; and**

(c) **The person's right to participate in an evidentiary hearing and to present evidence at that hearing.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.