

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended, Be Printed Engrossed and Rescind Subsequent Referral to Ways and Means.
Vote:	10 - 0 - 0
Yeas:	Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith J., Stiegler, Whisnant, Barker
Nays:	0
Exc.:	0
Prepared By:	Shannon Sivell, Counsel
Meeting Dates:	2/3, 3/16

WHAT THE MEASURE DOES: Clarifies the sex offender reporting procedures. Clarifies where the offender may report.

ISSUES DISCUSSED:

- Provisions of the measure

EFFECT OF COMMITTEE AMENDMENT: Clarifies to which agency the offender may report.

BACKGROUND: The current statute states in broad terms that “the agency or official to whom a person reports. . . shall complete a sex offender registration form concerning the person. . .” From a common sense point of view, one might assume that the related statutes would require the offender to provide information such that the agency *could* fill out the proper forms. However, that is not explicitly stated. As a result, there are unintended gaps wherein an offender may show up to “report” and refuse to hand over information or may simply hand over a business card and leave. Not only does this threaten the accuracy of the registration information, it also presents a possible issue at any subsequent trial for fail to register as a sex offender.

This measure adds very basic language clarifying any ambiguity as to who is responsible for providing the information that goes into a registration form. “The person required to report shall: (A) Provide the information necessary to complete the sex offender registration form and sign the form as required.” The measure also provides that the person will be photographed annually and that finger prints will be taken if the person has not already been included in the Department of State Police file.

This bill helps begin the process to bring Oregon into partial compliance with the Walsh Act, adopted by the federal government in 2006. The language requiring an offender to provide “the information necessary to complete the sex offender registration form. . .” will make it easier for Oregon to conform to the registration requirements set forth by the Act. The Act requires an offender to provide more information during registration than required under current Oregon law. By changing the language in this way, the Sex Offender Unit within the State Police will simply be able to redraft the forms used for registration to address this issue in the future.

3/18/2009 2:40:00 PM

This summary has not been adopted or officially endorsed by action of the committee.