

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

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Action: Do Pass

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: 3/27, 4/3

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**WHAT THE MEASURE DOES:** Shifts the burden of proof to the offender to prove that he or she meets the requirements ORS 181.830 to be relieved from reporting as a sex offender. Provides that the victim of the offense may testify voluntarily at the hearing or under subpoena if issued under a court order. Declares an emergency.

**ISSUES DISCUSSED:**

- Benefit for victims
- Burden shifting
- Optional telephonic testimony

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** This bill places the onus on the offender and provides safeguards to victims in cases where an offender is seeking relief from reporting. Under current law, the offender may subpoena the victim to the hearing requiring the victim to once again come face-to-face with the offender who victimized him or her. HB 2972 would allow an offender to subpoena the victim only after demonstrating to the court that the victim's testimony is material and *favorable* to the offender's request for relief.