

# Senate Bill 67

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## 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**.

Allows Department of State Police to make certain information regarding sex offenders available on Internet.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to the release of sex offender information; amending ORS 181.592, 181.593 and 181.601; and  
3 declaring an emergency.

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

5 **SECTION 1.** ORS 181.592 is amended to read:

6 181.592. (1)(a) The Department of State Police shall enter into the Law Enforcement Data Sys-  
7 tem the sex offender information obtained from the sex offender registration forms submitted under  
8 ORS 181.595, 181.596 and 181.597.

9 (b) The department shall remove from the Law Enforcement Data System the sex offender in-  
10 formation obtained from the sex offender registration form submitted under ORS 181.595, 181.596 or  
11 181.597 if the conviction or adjudication that gave rise to the registration obligation is reversed or  
12 vacated or if the registrant is pardoned.

13 (2) **An agency that is supervising a sex offender shall release, upon request, information**  
14 **concerning the sex offender as necessary to protect the public.**

15 (3)(a) **Except as provided in paragraphs (b) and (c) of this subsection, the Department of**  
16 **State Police, a city police department or a county sheriff's office shall release, upon request,**  
17 **information concerning sex offenders residing in a specific area or concerning a specific sex**  
18 **offender as necessary to protect the public.**

19 [(2)(a)] (b) [*When a person is under supervision for the first time as a result of a conviction for*  
20 *an offense requiring reporting as a sex offender, the department, a chief of police or a county sheriff*  
21 *shall release, upon request,*] Only the following information about [*the sex offender*] **a person who**  
22 **is under supervision for the first time as a result of a conviction that requires reporting as**  
23 **a sex offender may be released pursuant to paragraph (a) of this subsection:**

24 (A) The sex offender's name and date of birth;

25 (B) A physical description of the sex offender and a photograph, if applicable;

26 (C) The name and zip code of the city where the sex offender resides;

27 (D) The name and telephone number of a contact person at the agency that is supervising the  
28 sex offender; and

29 (E) The name of institutions of higher education that the sex offender attends or at which the  
30 sex offender works or carries on a vocation.

**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.

1        *[(b) (c) [Notwithstanding paragraph (a) of this subsection, if the] Only the following informa-*  
 2 **tion about a sex offender who** is under the supervision of the Oregon Youth Authority or a county  
 3 juvenile department, *[ the Department of State Police, chief of police or county sheriff shall release*  
 4 **only] may be released pursuant to paragraph (a) of this subsection:**

5        (A) The sex offender's name and year of birth;

6        (B) The name and zip code of the city where the sex offender resides;

7        (C) The name and telephone number of a contact person at the agency that is supervising the  
 8 sex offender; and

9        (D) The name of institutions of higher education that the sex offender attends or at which the  
 10 sex offender works or carries on a vocation.

11        *[(c) An agency that supervises a sex offender shall release, upon request, any information that may*  
 12 *be necessary to protect the public concerning the sex offender.]*

13        *[(3) Except as otherwise limited by subsection (2)(a) and (b) of this section regarding persons who*  
 14 *are under supervision for the first time as sex offenders, the Department of State Police, a chief of po-*  
 15 *lice or a county sheriff shall release, upon request, any information that may be necessary to protect*  
 16 *the public concerning sex offenders who reside in a specific area or concerning a specific sex offender.*  
 17 *However, the entity releasing the information may not release]*

18        **(d) Information released under this subsection may not include** the identity of a victim of  
 19 a sex crime.

20        **(4)(a) Except as provided in paragraph (b) of this subsection,** the Department of State Po-  
 21 **lice** may make the information described in *[subsections (2) and]* **subsection (3)** of this section  
 22 available to the public, *]* **by any means** without the need for a request, *[ by electronic or other means.*  
 23 *The department shall make information about a person who is under supervision for the first time as*  
 24 *a result of a conviction for an offense that requires reporting as a sex offender accessible only by the*  
 25 *use of the sex offender's name. For all other sex offenders, the department may make the information*  
 26 *accessible in any manner the department chooses].*

27        *(b) [Notwithstanding paragraph (a) of this subsection,]* The department may not use the Internet  
 28 to make information **described in subsection (3) of this section** available to the public except *[as*  
 29 *required by paragraph (c) of this subsection.] that:*

30        **(A) The department may use the department's public website on the Internet to make**  
 31 **information described in subsection (3) of this section available to the public in a list by city,**  
 32 **zip code or county.**

33        *[(c) (B) [Notwithstanding subsections (2) and (3) of this section,]* The department shall use the  
 34 Internet to make the information described in paragraph *[(d)] (c)* of this subsection available to the  
 35 public if the information is about a person:

36        *[(A)] (i)* Determined to be a predatory sex offender, as provided in ORS 181.585, who has also  
 37 been determined, pursuant to rules of the agency making the predatory sex offender determination,  
 38 to present the highest risk of reoffending and to require the widest range of notification; or

39        *[(B)] (ii)* Found to be a sexually violent dangerous offender under ORS 144.635.

40        *[(d)] (c)* The information required to be made available under paragraph *[(c)] (b)(B)* of this sub-  
 41 section is:

42        (A) The *[person's]* **sex offender's** name and address;

43        (B) A physical description of the *[person]* **sex offender** including, but not limited to, the  
 44 *[person's]* **sex offender's** age, height, weight and eye and hair color;

45        (C) The type of vehicle that the *[person]* **sex offender** is known to drive;

1 (D) Any conditions or restrictions upon the [person's] **sex offender's** probation, parole, post-  
2 prison supervision or conditional release;

3 (E) A description of the [person's] **sex offender's** primary and secondary targets;

4 (F) A description of the [person's] **sex offender's** method of offense;

5 (G) A current photograph of the [person] **sex offender**;

6 (H) If the [person] **sex offender** is under supervision, the name or telephone number of the  
7 [person's] **sex offender's** parole and probation officer; and

8 (I) If the [person] **sex offender** is not under supervision, contact information for the Department  
9 of State Police.

10 (5) The Law Enforcement Data System may send sex offender information to the National Crime  
11 Information Center as part of the national sex offender registry in accordance with appropriate state  
12 and federal procedures.

13 (6) As used in this section:

14 (a) "Attends," "**carries on a vocation**," "institution of higher education," "sex crime[.]" **and**  
15 "works" [*and "carries on a vocation"*] have the meanings given those terms in ORS 181.594.

16 (b) "Sex offender" means a person who is required to report under ORS 181.595, 181.596 or  
17 181.597.

18 **SECTION 2.** ORS 181.593 is amended to read:

19 181.593. The Department of State Police [*shall consider*] **may**:

20 (1) [*Contracting*] **Contract** with a private vendor to build and maintain the Internet website re-  
21 quired by ORS 181.592 [(4)(c)].

22 (2) [*Adding*] **Add** links on the website required by ORS 181.592 [(4)(c)] that connect to other sex  
23 offender websites run by Oregon counties and by the federal government.

24 **SECTION 3.** ORS 181.601, as amended by section 14, chapter 89, Oregon Laws 2010, is amended  
25 to read:

26 181.601. (1)(a) When information about a person is first entered into the Law Enforcement Data  
27 System under ORS 181.592, the person [*will*] **must** be assigned a registry identification number.

28 (b) A victim [*shall*] **must** be issued a victim identification number and [*shall*] **must** be given the  
29 registry identification number of the person who committed the crime against the victim:

30 (A) [*At any time,*] Upon request by the victim; and

31 (B) Upon verification of the identification of the victim.

32 (2) The Department of State Police shall establish a toll-free telephone number to provide vic-  
33 tims with updates on the prison status, release information, parole status and any other information  
34 authorized for release [*in*] **under** ORS 181.592 (2) and (3) regarding the person who committed the  
35 crime against the victim. The telephone line [*shall*] **must** be operational within the state during  
36 normal working hours.

37 (3) Access of the victim to the telephone line [*shall be*] **is** revoked if the victim makes public,  
38 or otherwise misuses, information received.

39 (4) When a victim receives notification under section 4, chapter 89, Oregon Laws 2010, of up-  
40 coming parole release hearings, or at any other time that the victim is notified concerning the  
41 offender, the victim [*shall*] **must** be provided a notice of rights under this section and information  
42 about the toll-free telephone number.

43 **SECTION 4. This 2011 Act being necessary for the immediate preservation of the public**  
44 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**  
45 **on its passage.**

