

Oregon Action Committee

Vote NO on SB 1508: All police agencies must be open to required registration of sex offenders

Better than voting NO on SB 1508, a better solution to wasting law enforcement agency time with the sex offender registry is to reform the sex offender registration laws because of its many flaws. Here are just a few reasons why and the two-step reform solution:

1. Sex Offender Registration (SOR) laws almost entirely miss the target of reducing sex offending crimes in Oregon. That is because Oregon's SOR laws aim at previously convicted sex offenders instead of the problem of sex offending. Oregon SOR laws have failed to properly address Oregon sex crime by focusing on previously convicted sex offenders instead of the broader problem of future sex offending. Many studies show in that at least 94% of sex crimes are committed by first time offenders instead of the criminal-debts-paid former (and low recidivism rate) registered sex offenders who, as a group, commit only about 6% of sex crimes.

See Table 1: Monthly Arrest Averages and Times Series Results by Offender and Offense Type for Test Series in PDF:

<http://www.rethinking.org.nz/images/newsletter%20PDF/Issue%2078/C%2002%20watchedpot.pdf>

2. Shocking: Major studies show that the vast number of sex crimes (94%-97%) that are perpetrated against children are committed by members of the family and their acquaintances. The remaining offenders are first-time-stranger-to-child offenders who are not on the SOR list. This fact is extremely important because it says that Sex Offender Registry laws that focus on formerly convicted sex offenders is completely misguided because it ignores the vast number of sex offense crimes where the victim knows the perpetrator (a family member or known acquaintance).

3. The cornerstone assumption of modern SOR laws is overwhelmingly wrong! Oregon SOR laws ignore the fact of low recidivism rates of registered sex offenders by well established federal and seventeen state sex offender criminal recidivism studies showing actual re-offense rates of just 3% to 4% - the opposite of the many assumptions about convicted sex offenders. A recent 2008 California sex offender recidivism study shows a 1.8% re-offense rate over the standard three year study time frame.

- Federal 1994 study: <http://bjs.gov/content/pub/pdf/rsorp94.pdf>
- Washington 2005 State study: Sex Offender Sentencing In Washington State: Recidivism Rates (5 year + 1 year for adjudication, based on conviction rates) General SO Recidivism 13%; Sex Offense Recidivism 2.7%; among child victim offenders, 2.3%; among rapists, 3.9%;
http://oncefallen.com/files/Washington_SO_Recid_2005.pdf
- California 2008 study: California study: Recidivism of Paroled Sex Offenders, 10 year study 1997 to 2007 (2008) California Sex Offender Management Board. Recidivism after 1 year of release: 2.21%; Recidivism after 2 years of release: 2.94%; Recidivism after 5 years of release: 3.3%; Recidivism after 10

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years of release: 3.38%;

http://www.defenseforsvp.com/Resources/Cal_gov/CASOMB_RECIDIVISM_STUDY_10_YEAR_w-Graph.pdf

4. Sex Offender Registry (SOR) laws effectively creates a two-tier citizenship system where there are full and degraded legal rights persons who are denied their due process and equality rights under the law as guaranteed by the US Constitution. If the State of Oregon can violate the legal rights of one group they can violate the rights of any group or person. And besides, for the government to use legal tricks to avoid the spirit of the Constitution, then what does that say about people we elect to office today?

5. Good public policies do not harm innocent victims but SOR laws actually do it anyway. We have to remember that registrants have families too with household members such as children, spouses, and parents who share a private home address that many times is made available through the SOR public shaming and humiliation list. Employers are punished too since their addresses are listed as well. Besides, previously convicted sex offenders have been corrected and need ways to successfully integrate by having an equal chance at employment, housing and social opportunities like everybody else.

What needs to be done? Because registrants and their family members suffer under these shaming and humiliation laws, we must look to our legislators to vastly reform Sex Offender Registration laws so that they actually reflect social and family realities. Existing SOR laws should be superseded with a new reformed two-step sex offender law. Here is how it works:

1. Only law enforcement would have access to registered sex offender list information and there would be no public notifications of registrant's private information except on a need to know basis.

2. Sex offender registration requirements would only apply to convicted sex offenders on probation or parole. Once a registrant has completed his obligations to the state and society, he should be free of further criminal obligations to the state. This respects the US Constitution and factual reality.