

**PROPOSED AMENDMENTS TO
HOUSE BILL 2902**

1 On page 3 of the printed bill, delete lines 30 through 37 and insert:

2 “(2) The district attorney shall notify the victim prior to the hearing of
3 the right to appear and the right to be heard under ORS 419C.273.

4 “(3) At the hearing described in subsection (1) of this section:

5 “(a) The district attorney, the victim, the person and the juvenile court
6 counselor or a representative of the Oregon Youth Authority shall have an
7 opportunity to be heard.

8 “(b) The person filing the petition has the burden of proving by clear and
9 convincing evidence that the person is rehabilitated and does not pose a
10 threat to the safety of the public. If the court finds that the person has not
11 met the burden of proof, the court shall enter an order requiring the person
12 to report as a sex offender under ORS 181.809.

13 “(c) In determining whether the person has met the burden of proof, the
14 juvenile court may consider but need not be limited to considering:

15 “(A) The nature of the offense giving rise to the obligation to report as
16 a sex offender;

17 “(B) Input from or recommendations by or on behalf of the victim or the
18 parents of the victim; and

19 “(C) Whether the person has participated in and satisfactorily completed
20 a sex offender treatment program or any other treatment program.

21 “(4) In a hearing under this section, the juvenile court may receive tes-
22 timony, reports and other evidence, without regard to whether the evidence

1 is admissible under ORS 40.010 to 40.210 and 40.310 to 40.585, if the evidence
2 is relevant evidence related to the determination and findings required under
3 this section. As used in this subsection, ‘relevant evidence’ has the meaning
4 given that term in ORS 40.150.

5 “(5) The court shall consider all available polygraph examination prepa-
6 ration materials and examination reports, including but not limited to the
7 person’s full sexual history disclosure polygraph examination preparation
8 materials and corresponding full sexual history disclosure polygraph exam-
9 ination report, prior to determining the issue of reporting as a sex offender
10 under this section. Unless produced as a result of the court’s own motion,
11 all polygraph examination reports and preparation materials shall be re-
12 leased and disclosed to the court, district attorney, person’s attorney and
13 juvenile department no less than 15 days prior to any hearing held under this
14 section.”.

15 In line 38, delete “(4)” and insert “(6)” and delete “(3)” and insert
16 “(3)(b)”.

17 In line 43, delete “(5)” and insert “(7)”.

18 On page 4, line 2, delete “(6)” and insert “(8)”.

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