



OREGON BOARD OF PAROLE & POST-PRISON SUPERVISION

2575 Center Street NE, Ste. 100

Salem, Oregon 97301-4621

(503) 945-9009

www.oregon.gov/boppps

February 4, 2019

The Honorable Representative Jennifer Williamson, Chair
House Judiciary Committee, Members

Re: Testimony re: HB 2044

Dear Chair Williamson and Members of the Committee,

The Board of Parole and Post-Prison Supervision is responsible for assessing and classifying certain populations of registrants on the sex offender registry. Currently, ORS 163A.105(7)(a) provides that a person may petition the Board for review of classification into levels 2 or 3 no later than 60 days after the person "receives" notice of the classification. However, that provision has created uncertainty for the Board in determining whether a challenge was submitted in a timely fashion. Often, there is no record of when a person received the notice of classification, especially when the person is no longer incarcerated or under supervision.

House Bill 2044 will amend ORS 163A.105(7)(a) to eliminate that uncertainty by providing that a person has 60 days to file a petition from the date the notice is "provided" to the person (some notices are hand-delivered; for example, if the person is still in custody) or no later than 60 days after the notice is mailed to the person. The Board has been discussing with stakeholders challenges that are presented when applying these statutes to the homeless population. The Board is committed to finding solutions to those challenges, including providing an opportunity for homeless registrants to seek review of Board classifications if they do not have a regular mailing address.

Thank you for your time, and I am happy to answer any questions that the Committee may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Hsu".

Michael Hsu, Vice Chair
Board of Parole and Post-Prison Supervision