



OREGON BOARD OF PAROLE & POST-PRISON SUPERVISION

HB 2045

RELATING TO SEX OFFENDER CLASSIFICATION DEADLINE

2019 – 2021

AGENCY PRESENTATION

MICHAEL HSU, VICE CHAIR

DYLAN ARTHUR, EXECUTIVE DIRECTOR

PERRY WADDELL, BOARD ANALYST



OREGON BOARD OF PAROLE & POST-PRISON SUPERVISION

HB 2045

Removes deadline by which State Board of Parole and Post-Prison Supervision must perform risk assessment and classification on existing sex offender registrants.

Directs board to biennially report to Legislative Assembly beginning February 1, 2021, on assessment and classification progress. Removes deadline by which Department of State Police must enter results of classification into Law Enforcement Data System. Directs Department of State Police to enter results within reasonable time after receipt. Restores until January 1, 2022, statutory references to predatory sex offenders for adult offenders not yet classified into risk level. Declares emergency, effective on passage.



OREGON BOARD OF PAROLE & POST-PRISON SUPERVISION

LANGUAGE

*(2)(a) [~~No later than December 1, 2022,~~] The State Board of Parole and Post-Prison Supervision shall classify existing registrants in one of the levels described in ORS 163A.100. [~~No later than February 1, 2023,~~] The Department of State Police shall enter the results of the classifications described in this section into the Law Enforcement Data System **within a reasonable time after receipt.***

...

Beginning February 1, 2021, and biennially thereafter, the State Board of Parole and Post-Prison Supervision shall report to the Legislative Assembly, in the manner provided in ORS 192.245, on the progress made in assessing and classifying existing registrants, as defined in section 7, chapter 708, Oregon Laws 2013, and other unclassified sex offenders, and the efforts to reduce the cost and increase the efficiency and accuracy of the assessments



OREGON BOARD OF PAROLE & POST-PRISON SUPERVISION

LANGUAGE

Current Language:

Beginning February 1, 2021, and biennially thereafter, the State Board of Parole and Post-Prison Supervision shall report to the Legislative Assembly, in the manner provided in ORS 192.245, on the progress made in assessing and classifying existing registrants, as defined in section 7, chapter 708, Oregon Laws 2013, [and other unclassified sex offenders](#), and the efforts to reduce the cost and increase the efficiency and accuracy of the assessments.

Updated Language:

Beginning February 1, 2021, and biennially thereafter, the State Board of Parole and Post-Prison Supervision shall report to the Legislative Assembly, in the manner provided in ORS 192.245, on the progress made in assessing and classifying existing registrants, as defined in section 7, chapter 708, Oregon Laws 2013, [and registrants the Board of Parole and Post-Prison Supervision shall assess under ORS 163A.105, ORS 163A.110, and ORS 163A.115](#), and the efforts to reduce the cost and increase the efficiency and accuracy of the assessments.



OREGON BOARD OF PAROLE & POST-PRISON SUPERVISION

SEX OFFENDER ASSESSMENT AND CLASSIFICATION

(ORS 163A; HB2549, 2013; HB2320, 2015; SB767 2017)

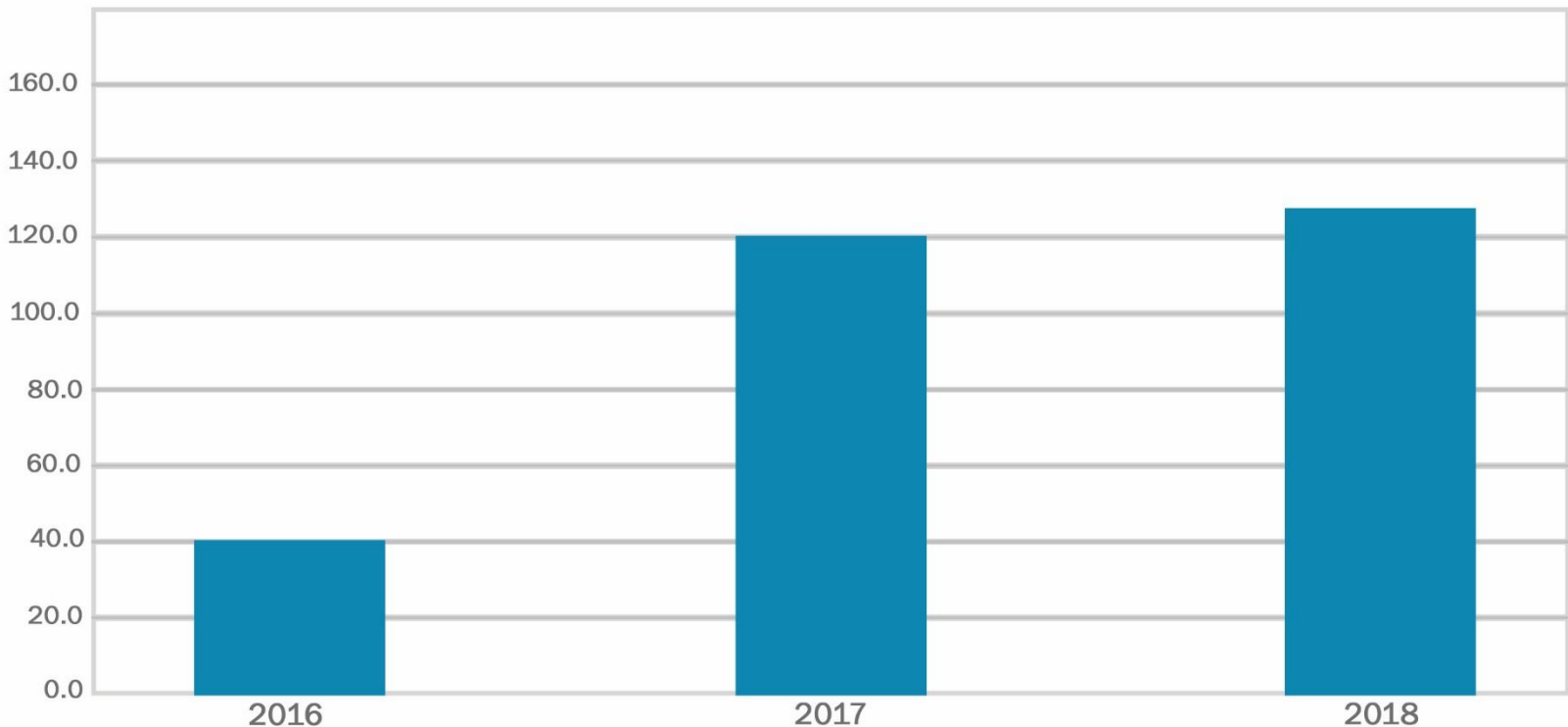
- Currently, 4,585 offenders have been classified into a level in Oregon. There are approximately 31,000 individuals on the sex offender registry. Approximately 100 individuals are added to the registry each month in Oregon.
- As of December 1, 2018, the Board began accepting petitions for reclassification and relief hearings. We are not yet able to give an estimate on the workload the hearings will require.
- The number of historical registrants is over 26,000 and with the addition of new registrants and offenders moving into the state, the Board is unable to complete these assessments by the deadline.



OREGON BOARD OF PAROLE & POST-PRISON SUPERVISION

SEX OFFENDER ASSESSMENTS

ASSESSMENTS COMPLETED PER MONTH

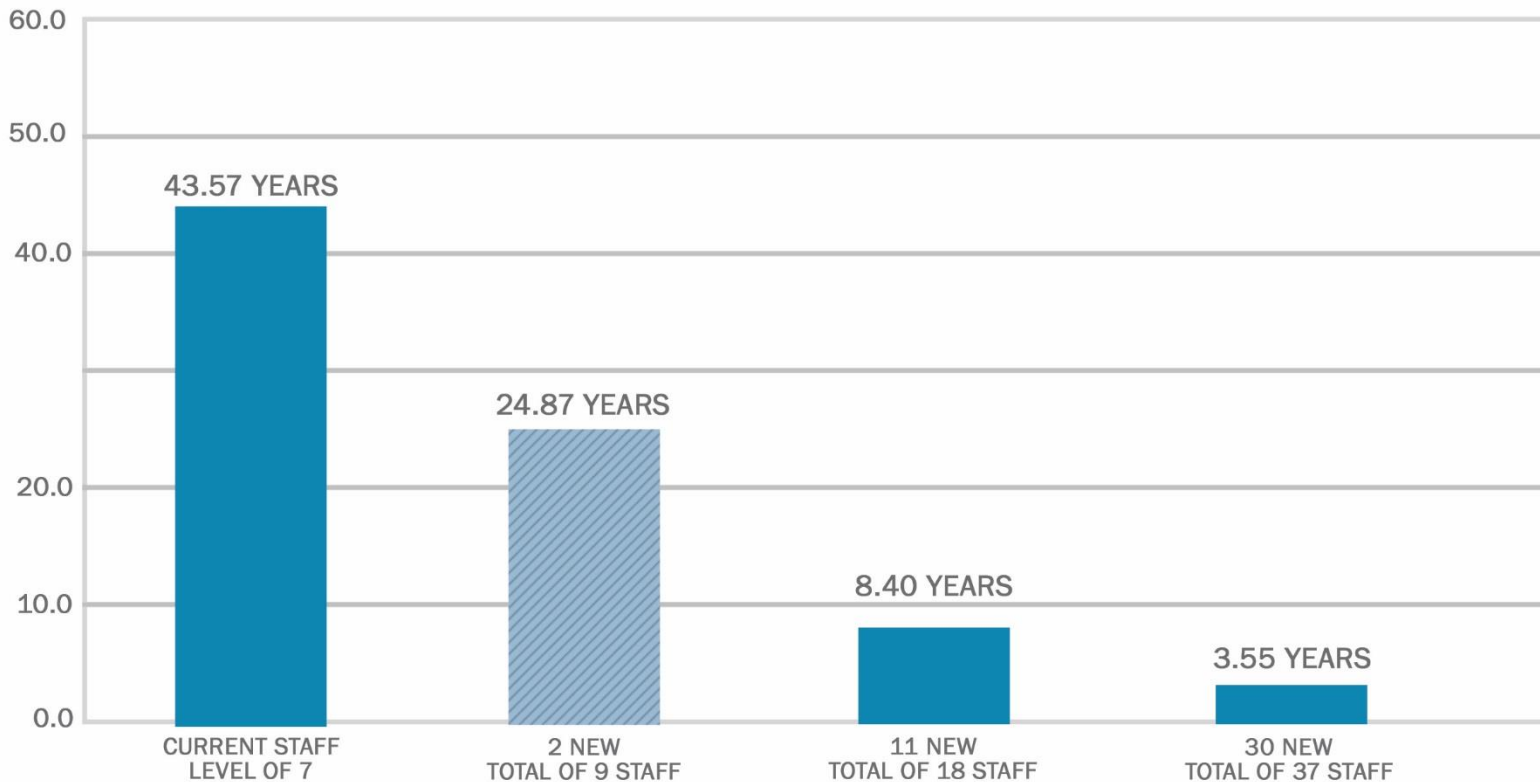




OREGON BOARD OF PAROLE & POST-PRISON SUPERVISION

SEX OFFENDER ASSESSMENTS

YEARS TO COMPLETE CLASSIFICATION OF HISTORICAL CONVICTIONS





OREGON BOARD OF PAROLE & POST-PRISON SUPERVISION

STATIC-99R PROCESS

STATIC-99R:

The Board uses the Static-99R actuarial assessment to determine the risk of adult male sex offenders to reoffend. The Static-99R requires a large amount of research and investigation before it can be completed and scored. Below is a brief overview of the process for each assessment:

1. **Open File**
 - Confirm registrant is alive
 - Run LEDS/NCIC
2. **Gather Board Records**
3. **Locate Registrant**
 - Send questionnaire to registrant
Wait for response
4. **Request Records** (*that the Board does not have on file*)
 - Review each report received to determine whether additional information/resources are necessary and order appropriate reports
5. **Score Static-99R**
6. **Send Notice of Rights**
 - 60 days for response
7. **Waiver of Review**
 - Prepare final order for Board signature
 - Enter Static-99R into DOC400
8. **Written Objections / Request for Review**
 - Hearings officer will review and respond to objections and complete report
 - Process mirrors initial
 - assessment process
 - Hearings officer will prepare final order for Board signature
9. **Final Order Signed by Board**
10. **Order Transmitted to OSP**



OREGON BOARD OF PAROLE & POST-PRISON SUPERVISION

NUMBER OF UNCLASSIFIED SEX OFFENDER REGISTRANTS BY COUNTY

UPDATED: JANUARY 29, 2019

Baker 85	Jefferson 150	Union 160
Benton 200	Josephine 550	Wallowa 27
Clackamas 1293	Klamath 484	Wasco 155
Clatsop 172	Lake 53	Washington 1662
Columbia 252	Lane 1847	Wheeler 5
Coos 338	Lincoln 341	Yamhill 544
Crook 118	Linn 1018	
Curry 138	Malheur 288	TOTAL: 26,415
Deschutes 801	Marion 2128	
Douglas 766	Morrow 82	<i>* 1,340 of these</i>
Gilliam 11	Multnomah 3355	<i>registrants are</i>
Grant 44	Polk 387	<i>incarcerated and</i>
Harney 84	Sherman 9	<i>5,761 live out</i>
Hood River 57	Tillamook 154	<i>of state *</i>
Jackson 1204	Umatilla 416	



OREGON BOARD OF PAROLE & POST-PRISON SUPERVISION

FISCAL IMPACT

In order to meet the deadline, the Board would need to hire additional 30 staff at a cost of approximately \$11,081,466. This does not include office space and equipment. In addition, with a tight labor market, it would be difficult to fill 30 positions.

Under the GRB, 5 new positions would be established which would allow us to assess all new registrants while also making reasonable progress towards eliminating the backlog of previous convictions.



OREGON BOARD OF PAROLE & POST-PRISON SUPERVISION

POLICY OPTION PACKAGE 103

New Positions:
Board Assessment Specialists (AS2)

Budget: Establish 5 new permanent positions

Fiscal Impact:
\$766,315

