



# Oregon

Tina Kotek, Governor

## Board of Parole and Post-Prison Supervision

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February 27, 2025

The Honorable Senator Prozanski, Chair  
The Honorable Senator Thatcher, Vice-Chair  
Members of the Senate Committee on Judiciary

Re: Testimony in support of SB 820- *Provides that the State Board of Parole is required to classify sex offender registrants convicted before January 1, 2014, into a risk level only in specified circumstances.*

Chair Prozanski, Vice-Chair Thatcher and Members of the Committee:

Oregon's sex offender Registry was initiated in 1989. Pursuant to ORS 163A.010, individuals convicted of certain crimes are required to register as sex offenders (also known as "registrants"). ORS 163A.015 to ORS 163A.025 provides similar reporting obligations depending on whether the individual was discharged or placed on probation by a court, moved to the state of Oregon, or was adjudicated by a juvenile court.

House Bill (HB) 2549, which passed in 2013, created the Sex Offender Notification Leveling Program. In 2015, HB 2320 moved the management of the program to the Board of Parole and Post-Prison Supervision (Board). HB 2549 and HB 2320 changed existing law to require the Board to classify most registrants into one of three Notification Levels:

- Level 1 for registrants who present the lowest risk for reoffending sexually and require a limited range of notification.
- Level 2 for registrants who present a moderate risk for reoffending sexually and require a moderate range of notification.
- Level 3 for registrants who present the highest risk for reoffending sexually and require the widest range of notification.

It is important to note that the requirement to register as a sex offender in Oregon is separate from the notification level process. Accordingly, all registrants convicted of a sex crime listed in ORS 163A.005 or its equivalent in another jurisdiction, are required to register as a sex offender, regardless as to whether they have been classified into a Notification Level. The Oregon State Police manages the sex offender registry. When the Oregon State Police notifies the Board that an individual is being added to the registry after moving into Oregon, the Board initiates the process to classify that registrant. The Board is also notified of registrants scheduled to be released from Department of Corrections custody, and the Board classifies them prior to their release.

To classify registrants into one of the three notification levels, the Board uses the Static99-R (2014) risk assessment for approximately 90% of registrants. The Static99-R is one of the most widely used risk assessment tools in the world to assess risk for sexual recidivism. Completing the Static99-R requires

the collection of numerous documents including police reports, evaluations, supervision records and any other relevant records. Once all documents are collected (which can be time consuming) it takes anywhere from 2-8 hours to review all the records and score the Static99-R. The Board contracts with evaluators to perform assessments on the other 10% of registrants the Board cannot use the Static99-R on (female offenders, those who were juveniles when they committed their offense, as well as those who commit certain specific sex crimes). As of February 1, 2025, 15,458 registrants have been classified into a Notification Level.

The priority for conducting assessments is individuals releasing from custody and those convicted of new sex offenses, as well as those registrants moving into, going to school, or working in Oregon. Oregon adds approximately 100 of these registrants per month. Current law also includes the responsibility for the Board to assess and classify all historically accumulated registrants (also known as "existing registrants") with past convictions. As of February 2025, there remain approximately 12,591 registrants remaining to be classified, who are not incarcerated, and who are living, going to school, or working in Oregon, and the Board is responsible for classifying the majority of them. While there are an additional approximately 5,591 registrants unclassified who do not currently work, go to school, or live in Oregon, the Board will not be classifying them unless they return to Oregon. Those registrants are subject to the laws of the state they currently reside in. The Board has six Board Assessment Specialists who are each able to classify approximately 22 registrants per month. With approximately 100 new registrants entering the system every month, the six Board Assessment Specialists are able to consistently classify all new registrants and make some small progress on classifying the remaining registrants with historical convictions.

SB 820 is a data driven approach to focus the Board's limited resources on the individuals who research shows are more likely to potentially be at higher risk for sexual recidivism. It amends ORS 163A and removes the requirement of classifying registrants whose registration requirement occurred before 1/1/2014, with certain exceptions. Those exceptions include registrants who have multiple separate conviction dates for sex offenses, who are under 35 years old as of 1/1/2026, or who are releasing from DOC custody on any crime. These exceptions were selected as individuals with these characteristics may score higher on the Static99-R. The Board would also classify any registrant who petitions for relief from their obligation to register as a sex offender. Accordingly, no individual will be provided relief from their registration obligation from the Board without first being classified into a Notification Level utilizing the Static99-R or via an in-person evaluation. In 2023 the Criminal Justice Commission provided a report to the Board analyzing the sexual recidivism rates between the unclassified existing registrant population compared to the current level 1 population. Excluding those registrants with multiple separate sex offense conviction dates, existing registrants are at a lower risk to recidivate sexually than current level 1 registrants. This bill does not affect a registrant's obligation to register with the Oregon State Police.

If SB 820 were to pass and be enacted into law, there will still be 3,733 registrants who will need to be classified into a Notification Level. These registrants include those individuals who were required to register prior to January 1, 2014, and meet the above exceptions. They also include a number of individuals whose registrant obligation occurred after January 1, 2014, and have yet to be classified

into a Notification Level. The Board is responsible for approximately 2,166 of these registrants, while community corrections is responsible for an additional 1,567 registrants.

After consultation with the Oregon State Police Sex Offender Registry Unit, the Board is proposing an amendment to SB 820 specifying that the unclassified registrant population will be treated as those registrants classified into Notification Level 1 for purposes of proactive community notification.

Respectfully,



John Bailey, Chairperson



Dylan Arthur, Executive Director