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March 6, 2025

Senate Judiciary Committee

Subject: Opposition to SB 821 – Risk Level Classification for Sex Offenders

Dear Members of the Senate Judiciary Committee,

How much longer must victims and their families endure a system that prioritizes bureaucratic ease over real justice? Senate Bill 821 proposes to strip away critical safeguards, further tilting the scales in favor of convicted sex offenders at the expense of public safety. As a parent, I prioritize the safety of all children as the utmost importance. This bill will remove accountabilities by the state set in place to hold offenders accountable. As someone who has witnessed firsthand the devastating impact of these crimes, this bill threatens to make it even easier for offenders to avoid accountability.

I am writing to express my strong opposition to SB 821, which proposes to eliminate the deadline for classifying sex offenders into risk levels and to repeal the biennial reporting requirement to the Legislature. Implementing this bill would likely compromise public safety, diminish accountability, and reduce transparency in the management of sex offenders.

### **Concerns Regarding SB 821:**

#### **1. Potential Threat to Public Safety**

Timely classification of sex offenders is essential for effective monitoring and community protection. Removing the existing deadline could result in delays, allowing individuals who may pose significant risks to remain unclassified and inadequately supervised. Such postponements could increase the likelihood of reoffending, thereby endangering public safety. According to the SMART Office (Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking), sexual recidivism rates range from about 5% after three years to approximately 24% after 15 years, highlighting the necessity for continuous monitoring and classification.

#### **2. Erosion of Accountability and Transparency**

The current mandate for biennial reporting ensures that the Legislature and the public are informed about the progress and efficacy of sex offender risk assessments. Repealing this requirement would reduce oversight, making it more challenging to evaluate the performance of the State Board of Parole and Post-Prison Supervision. This lack of transparency could undermine public trust in the system designed to protect them. A backlog of 20,000 unclassified offenders remains unresolved, as highlighted in recent community testimony, further emphasizing the need for deadlines, not their removal.

#### **3. Risk of Administrative Inefficiencies**

Without a specified timeframe, there is a risk of accumulating backlogs in the

classification process. Such inefficiencies could lead to delays in assigning appropriate risk levels to offenders, hindering effective monitoring and potentially compromising community safety. A delay in classification means potential threats in neighborhoods remain unidentified, putting residents and particularly children at risk.

### **Importance of Comprehensive Registration, Including Juvenile Offenders:**

As someone whose family has been destroyed by a family member who sexually assaulted my niece, to only be told that because he was a juvenile when he turned 18, he could petition to not have to register—which he did—and while his petition was denied, we were told that every two years he could reapply. To then be told that his level did not deem him necessary to add to the registry is a slap in the face to all victims. Making these added changes is even more of a slap in the face to the victims of such horrific crimes. **How can a system designed to protect our most vulnerable populations continually reopen the wounds of trauma inflicted upon them by these individuals?**

Comprehensive registration of all sex offenders, irrespective of their age at the time of the offense, is crucial for several reasons:

- **Public Safety:** Research indicates that sex offenders have varying rates of recidivism over time. While juvenile offenders may have different recidivism patterns, it remains essential to monitor all individuals who have committed sexual offenses to mitigate potential risks. As stated in multiple testimonies, victims deserve to know who is in their community, and offenders should be monitored continuously.
- **Consistency and Fairness:** Applying registration requirements uniformly ensures that all offenders are held to the same standards, preventing potential loopholes that could be exploited by individuals who offended as juveniles but pose risks as adults. Failing to register all offenders is a direct slap in the face to victims.
- **Deterrence:** Mandatory registration serves as a deterrent by establishing clear consequences for sexual offenses, regardless of the offender's age at the time of the crime. Delays in classification and potential gaps in registration only serve to weaken this deterrent effect.

### **Recommendations:**

Instead of removing the classification deadline and reporting requirements, I urge the Legislature to consider the following actions:

- **Allocate Additional Resources:** Provide the State Board of Parole and Post-Prison Supervision with the necessary resources to ensure timely and accurate risk assessments.
- **Enhance Reporting Requirements:** Maintain and potentially strengthen the biennial reporting mandate to ensure ongoing oversight and public transparency.
- **Implement Comprehensive Registration Policies:** Ensure that all sex offenders, including those who committed offenses as juveniles, are subject to registration requirements to protect public safety effectively.

Rejecting SB 821 is not just a policy decision—it is a commitment to protecting those who have already suffered and preventing future harm. Upholding strict timelines, ensuring transparency, and enforcing comprehensive registration are vital components in the effective management and monitoring of sex offenders.

The stakes could not be higher. The passage of SB 821 would send a chilling message to victims and their families—that their suffering is secondary to bureaucratic convenience. I urge you to stand against this bill and instead advocate for stronger protections, better oversight, and a justice system that prioritizes the safety of our communities. The families of Oregon are counting on you to reject SB 821 and uphold the integrity of our laws. I appreciate your commitment to safeguarding our communities and am available to provide further information or support as needed.

Sincerely,

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