

Cliff Richardson
Molalla, OR
Cliff.richardson.1976@gmail.com

March 6, 2025

Senate Judiciary Committee
Oregon State Senate
900 Court St. NE
Salem, OR 97301

RE: Opposition to Senate Bill 820 – A Risk to Public Safety and Victims’ Rights

Dear Chair Senator Floyd Prozanski, Vice-Chair Senator Kim Thatcher, and Members of the Senate Judiciary Committee,

How much longer must victims and their families endure a system that bends over backward for convicted sex offenders while dismissing their suffering? I write to express my firm opposition to Senate Bill 820, which proposes significant changes to the classification and reclassification of convicted sex offenders in Oregon. This bill weakens accountability, undermines public safety, and disregards the voices of victims and their families who have endured the trauma of sexual violence. The implications of SB 820 are deeply concerning, particularly for communities striving to protect their most vulnerable members.

Personal Impact: The Failure of the System in My Own Family

As someone whose family has been directly affected by the failings of our sex offender classification system, I cannot stand by while this bill further weakens accountability. A member of my own family committed a horrific crime—sexually assaulting my niece. The justice system told us that, because he was a juvenile at the time, he would not be required to register upon turning 18. While his petition to avoid registry was denied, we were informed that he could reapply every two years. Then, despite the gravity of his crime, we were told his classification level did not require him to be placed on the registry. This was a slap in the face to my family and every victim who has suffered due to these crimes.

How can a system designed to protect the most vulnerable continually reopen the wounds of trauma for survivors and their families? By further easing restrictions and classifications, SB 820 compounds the injustice victims already face. It prioritizes the interests of offenders over the need for transparency, public safety, and accountability.

Weakening Accountability for Sex Offenders

SB 820 introduces provisions that allow for the reclassification of convicted sex offenders to lower risk categories and, in some cases, complete removal from the sex offender registry. This approach is predicated on the assumption that offenders rehabilitate at predictable rates, despite well-documented evidence that recidivism among sex offenders is highly variable and difficult to assess accurately.

Studies from the Bureau of Justice Statistics indicate that sex offenders, particularly those with multiple convictions, remain at risk of reoffending even years after release. The assertion that a ten-year threshold is sufficient for reclassification is not substantiated by consistent empirical data. SB 820's criteria for classification

rely heavily on procedural mechanisms rather than an individualized, comprehensive risk assessment that prioritizes public safety over administrative convenience.

Endangering Public Safety by Eroding Risk Classification Standards

One of the most alarming aspects of this bill is the automatic downgrade of certain sex offenders based on age or time since conviction rather than an objective, transparent evaluation of their actual risk. The removal of prior "predatory offender" classifications without requiring robust psychological evaluations and behavioral assessments diminishes critical public safety measures designed to prevent repeat offenses.

Oregon has historically maintained stringent classification systems to distinguish the highest-risk offenders from those with a demonstrable capacity for rehabilitation. SB 820 undermines these protections by making arbitrary determinations that fail to account for the long-term behavioral patterns of sex offenders. Without strong safeguards, this bill creates an avenue for offenders to be reclassified or removed from the registry even when they still present a substantial threat.

Failure to Prioritize Victim and Community Impact

This legislation does not adequately consider the impact on survivors of sexual violence. Many victims rely on the registry system to ensure they can maintain distance and personal security from offenders who have harmed them. Allowing offenders to be reclassified or removed from the registry without substantial victim notification and input disregards the very individuals whose lives have been irreparably altered by these crimes.

The notification process described in SB 820 shifts responsibility onto law enforcement agencies to track and classify individuals under shifting standards. The absence of clear procedural safeguards creates an environment where dangerous individuals may be overlooked, increasing the risk to communities.

Recommendations

If the intent of SB 820 is to create a fairer classification system, the following amendments must be considered to ensure public safety remains paramount:

1. **Mandate Comprehensive Risk Assessments** – Any reclassification should require independent, scientifically validated risk evaluations conducted by forensic psychologists specializing in sex offender behavior.
2. **Increase Transparency and Victim Input** – Require victim notification and allow for victim testimony before any offender is reclassified or removed from the registry.
3. **Strengthen Monitoring for Reclassified Offenders** – If an individual is downgraded from Level 3 to Level 2 or Level 1, a mandatory period of supervised monitoring should be required to verify behavioral rehabilitation.
4. **Retain Protections for Predatory Offenders** – Offenders previously designated as predatory should not be eligible for automatic downgrades unless there is overwhelming evidence of reform backed by behavioral science.
5. **Expand Resources for Law Enforcement and Supervision Agencies** – Ensure adequate funding and training for the agencies responsible for tracking and monitoring reclassified offenders. A well-resourced system is necessary to prevent lapses in oversight.
6. **Implement a Victim-First Approach** – Require that before any changes to an offender's classification, victims and their families have an opportunity to be heard, and their concerns given meaningful weight.

7. **Require Mandatory Community Notification for High-Risk Offenders** – If an offender is classified as Level 3, the law should mandate public notification rather than leaving it to administrative discretion.
8. **Conduct Periodic Review of Risk Levels** – Implement a structured and consistent review process that revisits risk classifications based on the latest behavioral science and evidence of rehabilitation, rather than arbitrary timelines.
If the intent of SB 820 is to create a fairer classification system, the following amendments must be considered to ensure public safety remains paramount:
 9. **Mandate Comprehensive Risk Assessments** – Any reclassification should require independent, scientifically validated risk evaluations conducted by forensic psychologists specializing in sex offender behavior.
 10. **Increase Transparency and Victim Input** – Require victim notification and allow for victim testimony before any offender is reclassified or removed from the registry.
 11. **Strengthen Monitoring for Reclassified Offenders** – If an individual is downgraded from Level 3 to Level 2 or Level 1, a mandatory period of supervised monitoring should be required to verify behavioral rehabilitation.
 12. **Retain Protections for Predatory Offenders** – Offenders previously designated as predatory should not be eligible for automatic downgrades unless there is overwhelming evidence of reform backed by behavioral science.

Oregon has a responsibility to balance rehabilitation efforts with unwavering protection for its citizens. While legislative refinements to the sex offender registry may be warranted in certain cases, SB 820 in its current form creates more risks than benefits. It shifts the burden away from offenders to demonstrate meaningful rehabilitation and instead forces communities to take on the responsibility of managing an uncertain level of risk.

I urge you to reject SB 820 and instead champion legislation that strengthens protections for victims, upholds community safety, and ensures that offenders face the full weight of accountability. Your decision on this bill will send a clear message—either Oregon values the safety and justice of its citizens, or it prioritizes bureaucratic leniency for those who have shattered lives. I implore you to make the right choice.

Sincerely,
Cliff Richardson