



**TO: Sen. Floyd Prozanski, Chair
Sen. Kim Thatcher, Vice-Chair
Members of Senate Committee On Judiciary**

FR: Oregon District Attorneys Association

RE: SB 819; SB 820; SB 821 - Oppose

March 6, 2025

Thank you for the opportunity to offer our concerns in regard to SB 819, SB 820, and SB 821.

These three bills all provide proposals from the State Board of Parole and Post-Prison Supervision to modify the process for how the Board can provide relief from or reduce classification for convicted sex offenders who are required to register as sex offenders pursuant to Oregon statute. Currently, when a person is convicted of a sex crime, they are required to register as a sex offender. As a part of this process, these individuals are evaluated and classified as either a level one, a level two, or a level three sex offender.

Level one sex offenders present the lowest risk of reoffending and require a limited range of notification, level two offenders present a moderate risk of reoffending and require a moderate range of notification, and level three offenders present the highest risk of reoffending and require the widest range of notification.

SB 819 seeks to eliminate the requirement to have a hearing when eliminating an offender's requirement to report or modify their classification. The new language of the bill provides the option to make this decision administratively. The Parole Board can still have a hearing if they feel it is necessary, but they are not required to do so. This proposal also provides a mechanism for the Attorney General (AG), the District Attorney (DA), or the victim to request a hearing once they are notified. If this bill were to pass, most of these decisions would likely be made from information in the registered sex offender's petition and any information the AG may provide.

ODAA is concerned that this new approach will not be as thorough as the current process for these important decisions. There are ten statutory criteria the Parole Board is supposed to consider when making these decisions and ODAA is concerned that they may

not be adequately considered in an administrative process. This process may not provide as much detailed information to the Parole Board, will not allow the Board to directly inquire about possible issues or concerns, and may not allow victims to be as involved in the process.

SB 819 does provide for the AG, the DA, or the victim to request a hearing, but ODAA has concerns that resource or notice issues may cause this mechanism to be underutilized. For instance, who is going to be tasked with tracking down all the victims years after these cases have been completed and the offender is seeking to get off the sex offender registration list.

SB 820 appears to try and limit the number of classification decisions the Parole Board is required to make by limiting the criteria on who needs to currently be classified. The bill seeks to limit these criteria to sex offenders who have two or more sex crime conviction dates, are being released from the Department of Corrections, or are under 35 years of age on January 1, 2026. The Parole Board will still classify an existing registrant who has not been classified and who has applied for classification or relief reporting.

Some sex offenders may only have one crime conviction date, or one conviction for a sex crime, or a conviction for a lesser sex crime because of consideration from a plea agreement. This does not mean that they did not engage in serious conduct and have multiple sex crimes, victims, or dates of offense. As a result, ODAA has concerns that serious sex offenders may have their classification delayed, not be adequately classified, or may be relieved of their requirement to register under these new criteria.

SB 821 removes the deadline for the Parole Board to have all existing sex offender registrants classified by December 1, 2026. The bill does not provide another deadline. ODAA understands that handling sex offender relief or classification hearings is only one of the Parole Board's important duties and there are limited resources to get all the work done. At the same time, these are very important decisions for both the victims of these serious crimes and the community. For these reasons, ODAA suggests that the legislature extends the deadline for the Parole Board to complete this important work for three years until December 1, 2029.