

SB 767 -1 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

Prepared By: Josh Nasbe, Counsel

Meeting Dates: 4/11

WHAT THE MEASURE DOES:

Directs Oregon Criminal Justice Commission to study rate of recidivism among certain sex offenders and submit report to committee on judiciary.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Replaces the measure. Modifies sex offender classification system. Extends by four years period of time within which State Board of Parole and Post-Prison Supervision and Psychiatric Security Review Board must classify, and Department of State Police must enter into Law Enforcement Data System, sex offenders who were reporting before implementation of classification system on January 1, 2014.

Applies prospectively provisions applicable to sex offenders who were reporting before January 1, 2014, including ability of level two and level three sex offenders to petition for reclassification.

Extends by thirty days period of time within which supervisory authority, boards or Oregon Health Authority must classify sex offenders. Authorizes boards to reclassify registrants based on factual mistake. Authorizes boards to classify offenders who previously failed or refused to participate in assessment. Prohibits sex offender classified at level one from challenging classification.

BACKGROUND:

In 2013, the Legislative Assembly adopted a risk assessment-based sex offender classification system. Sex offenders are placed into three levels, based on risk and the level of public notification required. Because the 2013 legislation applied this system retroactively, criminal justice agencies are obligated to classify sex offenders required to report after the implementation of the system, as well as those required to report before the implementation of the system. Senate Bill 767 directs the Oregon Criminal Justice Commission to study the rates of recidivism of sex offenders classified between January 1, 2014, and January 1, 2017.