

House Bill 3388

Sponsored by Representative LIVELY (at the request of Nancy Lashley)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs Judicial Department to establish felony domestic violence offender registry website. Directs department to designate employee to serve as registry coordinator. Directs court to notify registry coordinator, and directs coordinator to create entry on registry website, when person is convicted of felony constituting domestic violence. Creates process by which person may request removal from registry website if person has not been convicted of crime within previous 10 years.

Becomes operative January 1, 2023.

A BILL FOR AN ACT

1
2 Relating to domestic violence offenders.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1)(a) The Judicial Department shall establish a felony domestic violence**
5 **offender registry on a website that is accessible to the public.**

6 **(b) The registry website must contain the name, date of birth, photograph and crime of**
7 **conviction for any person convicted of a felony constituting domestic violence on or after**
8 **January 1, 2023.**

9 **(c) The registry website must allow members of the public to search for a felony do-**
10 **mestic violence offender by name to obtain the person's photograph, date of birth and the**
11 **felony constituting domestic violence for which the person was convicted.**

12 **(2) The department shall designate a department employee as the coordinator of the fel-**
13 **ony domestic violence offender registry.**

14 **(3) When a person is convicted of a felony constituting domestic violence, the sentencing**
15 **court shall notify the registry coordinator. The registry coordinator shall create an entry for**
16 **the person on the registry website described in subsection (1) of this section.**

17 **(4) When requested by the registry coordinator, a law enforcement agency shall make**
18 **available to the department, for the registry website described in subsection (1) of this sec-**
19 **tion, a booking photo of any person convicted of a felony constituting domestic violence.**

20 **(5)(a) If a person on the felony domestic violence offender registry has not been convicted**
21 **within the previous 10 years of a felony or misdemeanor offense, the person may request in**
22 **writing that the registry coordinator remove the person's entry from the registry website.**

23 **(b) Upon receipt of a request under paragraph (a) of this subsection, and after confirming**
24 **that the person has not been convicted within the previous 10 years of a felony or**
25 **misdemeanor offense, the registry coordinator shall remove the person's entry from the**
26 **registry website.**

27 **(6) As used in this section:**

28 **(a) "Booking photo" means a photograph of a person taken by a law enforcement agency**
29 **for identification purposes when the person is booked into custody.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (b) "Domestic violence" has the meaning given that term in ORS 135.230.

2 (c) "Law enforcement agency" has the meaning given that term in ORS 181A.010.

3 **SECTION 2.** (1) Section 1 of this 2021 Act becomes operative on January 1, 2023.

4 (2) The Judicial Department may take any action before the operative date specified in
5 subsection (1) of this section that is necessary to enable the department to exercise, on or
6 after the operative date specified in subsection (1) of this section, all the duties, functions
7 and powers conferred on the department by section 1 of this 2021 Act.

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