



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

FR: Oregon District Attorneys Association

RE: SB 1122 – Oppose language in Section 1

March 6, 2025

Thank you for the opportunity to offer our concerns in regard to SB 1122.

SB 1122 allows for a significant change to the methodology the State Board of Parole and Post-Prison Supervision may consider when classifying sex offenders. Under Section 1, the new language provides that the Parole Board “may consider exclusively the risk the sex offender presented at the time the sex offender was released from custody, sentenced or otherwise discharged from the jurisdiction of a court of this state, or another United States court, for the crime or act for which the sex offender is required to report.”

This language appears to exclude any other important historical information, such as the nature of the crime, the age and number of victims, the violence associated with the crime, or any other behavioral information from the past. It also does not include any information or opportunity for the victim to be a part of the process, which would likely include information about the original sexual offense.

Under Section 2, the bill also provides language under ORS 163A.105(6)(b) that allows the Parole Board to consider any sexually motivated rule violations that may have occurred while in custody, on probation, parole or post-prison supervision, or if the offender has been arrested for or charged with a sex crime. ODAA agrees this language is helpful to the Parole Board’s ongoing assessment of a sex offender’s registration classification and should be added.

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information or opportunity for the victim to be a part of the process, which would likely include information about the original sexual offense.

ODAA has serious concerns about narrowing the Parole Board's inquiry and source of information when making such an important decision about registered sex offenders. Many years ago, the legislature significantly changed the manner in which registered sex offenders were classified and regulated. This included a large workgroup with members from the Oregon State Police, the legislature, sex offender treatment professionals, criminal defense attorneys, and prosecutors (ODAA), among others. This thoughtful workgroup created the comprehensive system for classifying and regulating the registered sex offenders in Oregon today.

Currently, under ORS 163A.100, the Parol Board shall, in consultation with community corrections agencies, adopt by rule a sex offender risk assessment methodology for use in classifying sex offenders. The application of this process must then result in classifying the sex offender as a level one (lowest risk to reoffend), level two (moderate risk to reoffend), or level three (highest risk to reoffend) sex offender. This is the statute SB 1122 seeks to amend in Section 1. ODAA believes this methodology should consider much more than just the risk the sex offender presents at the time they are released from custody, sentenced or otherwise released from the jurisdiction of the court.

For instance, the detailed criteria the Parol Board shall consider under ORS163A.125(5) when reclassifying a registered sex offender or considering a sex offender for relief from registration includes several important things, such as:

- (a) The nature of and degree of violence involved in the offense that requires reporting;
- (b) The age and number of victims of the offense that requires reporting;
- (c) The age of the person at the time of the offense that requires reporting;
- (d) The length of time since the offense that requires reporting and the time period during which the person has not reoffended;
- (e) The person's performance on supervision for the offense that requires reporting;
- (f) Whether the person has participated in or successfully completed a court-approved sex offender treatment program or any other rehabilitative programs;
- (g) The person's stability in employment and housing;
- (h) The person's community and personal support system;
- (i) Other criminal and relevant noncriminal behavior of the person both before and after the offense that requires reporting; and
- (j) Any other relevant factors.

The above list considers the registered sex offender's current situation, but much of it also includes other criteria from the offense itself and information that would be important to predict future behavior. ODAA believes all this information is critical to the serious decision the Parole Board is required to make when assessing registered sex offenders and their impact on victims and community. For these reasons, we are opposed to the new language in Section 1 of SB 1122 but would support the language in Section 2.