



Oregon

Tina Kotek, Governor

Board of Parole and Post-Prison Supervision

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2024 Report on Sex Offender Notification Leveling Program

TO: Legislative Assembly

January 30, 2025

FROM: Board of Parole and Post-Prison Supervision (Board)
Dylan Arthur, Executive Director

RE: This is a report to the legislature on assessing and classifying existing sex offender registrants and efforts to reduce the cost and increase the efficiency and accuracy of the assessments. This report is also available on the Board's website: <https://www.oregon.gov/boppps/Pages/Statistics.aspx>.

Executive Summary: The law requires the Board to assess all new registrants (approximately 100/month), plus all historical registrants. Currently, 1 FTE can consistently complete about 20-25 assessments a month. Current staffing level can keep up with new registrants and make small headway on historical registrants. The Board continues to make some progress in assessing registrants whose crimes occurred before January 1, 2014, but will not meet the December 1, 2026, deadline in Section 7, chapter 708, Oregon Laws 2013.

Background: Pursuant to the passing of HB 2549 (2013) and HB 2320 (2015), the Board conducts or contracts for risk assessments and classifies sex offenders into a notification level. In addition, the Board determines qualifications and makes decisions for reclassification and relief from registration. Sex offenders are placed into three levels based on risk to reoffend sexually, and the level of public notification required. Due to HB 2549 (2013) applying this system retroactively, criminal justice agencies are obligated to classify all sex offenders who were required to report before the implementation of the system (historic registrants), as well as those required to report in the future. Assessments of adult males are completed by Board staff (utilizing the Static-99R) while assessment of females, juveniles, and registrants convicted of non-contact offenses are conducted by contractors using in-person interviews.

"Historical" and "New" Registrants: Historical registrant means a person for whom the conviction triggering the obligation to make an initial report occurs before January 1, 2014. Classification of historical registrants are to be completed by the Board no later than December 1, 2026. New registrants are those whose initial registration was after January 1, 2014. The Board is statutorily required to classify registrants prior to their release from DOC custody and within 90 days of being notified by the Oregon State Police that a registrant has moved into Oregon.

Methodologies: With input from partners and academic advice from experts, the Board adopted two separate methodologies for assessing registrants for risk of sexual recidivism. These methodologies are evidence based and used around the world.

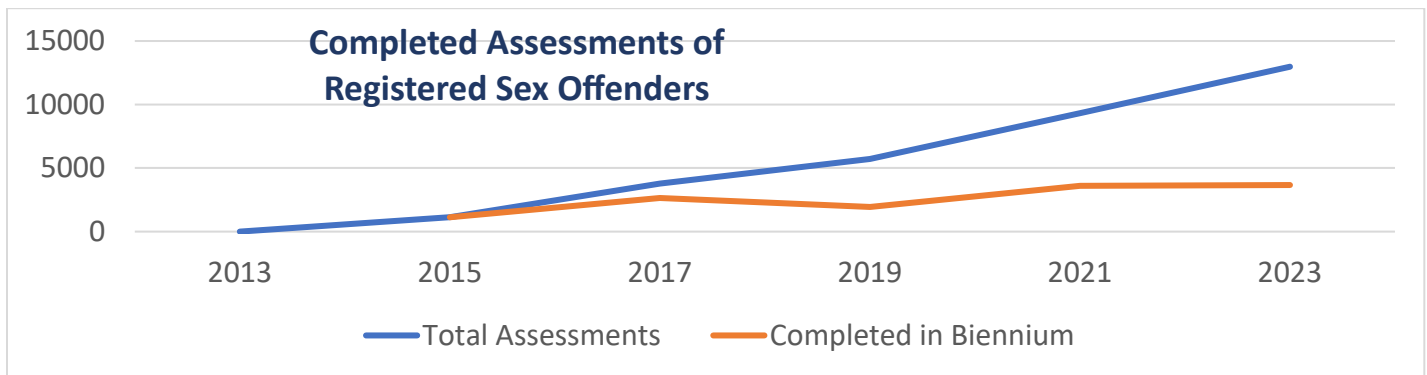
- **Static-99R:** The Static-99R is normalized for use on adult males and is used by Board staff to conduct an assessment. Each Assessment Specialist on our staff is trained and certified by academic experts, which requires about 6 months of training to begin conducting assessments.

Note: Sections 2 and 22, chapter 430, Oregon Laws 2019, provide:

Sec. 2. Beginning February 1, 2021, and biennially thereafter, the State Board of Parole and Post-Prison Supervision shall report to the Legislative Assembly, in the manner provided in ORS 192.245, on: (1) The progress made in assessing and classifying existing registrants as defined in section 7, chapter 708, Oregon Laws 2013, and other sex offenders the board is directed to assess and classify under ORS 163A.105, 163A.110 and 163A.115; and (2) Efforts to reduce the cost and increase the efficiency and accuracy of the assessments. [2019 c.430 §2]. Sec. 22. Section 2 of this 2019 Act is repealed on December 1, 2026. [2019 c.430 §22]

- **LS/CMI:** The LS/CMI and personal evaluation is used on females, juveniles and some individuals convicted of non-contact sex offenses. These assessments are performed by licensed professionals on contract with the Board. These contractors must be licensed by the Oregon Board of Psychologist Examiners or the Oregon Board of Licensed Professional Counselors or certified by the Oregon Sex Offender Treatment Board.
- **Female Registrants:** Females are assigned Level 1 unless evidence-based risk factors for sexually reoffending are present (see OAR 255-085-0020(4)(b) below).

Assessments Data: The Board has completed approximately 15,394 assessments and leveling of registrants. There were approximately 25,000 historical registrants when the program was created, and 12,636 (not incarcerated and living in Oregon) not assessed as of January 1, 2025. At current staffing levels, the Board will not meet the December 1, 2026, deadline for completing all historical registrants.



Hearings Data: The Board completed 220 Relief and Reclassification Hearings in 2023-24. Only low risk individuals are eligible to apply to end their reporting requirement. For each application the Board will review the entire history of the applicant, including police reports, risk assessments, polygraphs, treatment records, supervision records, and any records submitted by the registrant. The number of applicants petitioning for a hearing has increased every year since inception of the program on January 2, 2019.

Steps taken to reduce costs and increase accuracy and efficiency.

- Converted paper assessment documents to electronic reduce paperwork.
- Worked with county community corrections to help assess individuals on supervision.
- Created auto-level process for registrants who are crime-free for 10 years or longer.
- Converted all Board records to a paperless Electronic Records Management system. This will save staff time from having to scan files.
- Increased our ability to collect, analyze, and report data.
- Maintained staffing levels to ensure consistent workflow and continue to train with content experts.
- Created a modernization plan, which is included in the Governor’s Request Budget.

Respectfully,

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OAR 255-085-0020(4)(b): ...Evidence-based risk factors for sexually reoffending for a female registrant may include: (A) The registrant has an arrest, charge, or conviction for a child abuse offense; (B) The registrant has an arrest, charge, or conviction for promoting prostitution or compelling prostitution; (C) The registrant has a conviction for a person felony or Class A person misdemeanor as defined by the rules of the Oregon Criminal Justice Commission, subsequent to the registrant’s initial conviction that required sex offender registration; (D) The registrant has an arrest, charge, or conviction for a crime that would require registration as a sex offender in addition to the registrant’s conviction that required sex offender registration; or (E) The registrant has repeated (2 or more) criminal convictions for any offense resulting from separate criminal episodes in the five years preceding the classification.