

# OREGON SEX-OFFENDER REGISTRATION AND NOTIFICATION

## CONTACT INFORMATION

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## NUMBER OF REGISTERED SEX OFFENDERS

10,311 as of February 2, 2003.

### **1. WHO IS REQUIRED TO REGISTER?**

Sex offenders and predatory sex offenders must register.

### **2. WHAT DOES "SEX OFFENDER" MEAN?**

"Sex offender" means a person who:

- (1) has been convicted of a sex crime;
- (2) has been found guilty except for insanity of a sex crime;
- (3) is within the jurisdiction of the juvenile court for committing an act that, if committed by an adult, would constitute a sex crime; or
- (4) is paroled to Oregon after being convicted in another jurisdiction for an offense that would constitute a sex crime if committed in Oregon.

*(Or. Rev. Stat. § 181.594(3))*

### **3. WHAT DOES "PREDATORY SEX OFFENDER" MEAN?**

"Predatory sex offender" means a person who exhibits characteristics showing a tendency to victimize or injure others and who has been convicted or found guilty except for insanity of:

- (1) rape;
- (2) sodomy;
- (3) unlawful sexual penetration;
- (4) sexual abuse; or
- (5) an attempt to commit an offense listed in (1) through (4) above.

*(Or. Rev. Stat. § 181.585(1))*

### **4. WHAT DOES "SEX CRIME" MEAN?**

"Sex crime" means:

- (1) rape;
- (2) sodomy;
- (3) unlawful sexual penetration;
- (4) sexual abuse;
- (5) incest with a minor victim;
- (6) using a minor in a display of sexually explicit conduct;
- (7) encouraging child sexual abuse;
- (8) transporting child pornography into Oregon;
- (9) paying for viewing a minor's sexually explicit conduct;
- (10) compelling prostitution;

- (11) promoting prostitution;
- (12) kidnapping in the first degree, if the victim was under 18 at the time of the offense;
- (13) contributing to the sexual delinquency of a minor;
- (14) sexual misconduct if the offender is at least 18;
- (15) possession of materials depicting sexually explicit conduct of a minor in the first degree;
- (16) kidnapping in the second degree, if the victim was under 18 at the time of the offense unless the offender is a parent or a person found to be within the jurisdiction of the juvenile court;
- (17) any attempt to commit an offense listed in (1) through (16) above;
- (18) burglary, when committed with the intent to commit:
  - (a) an offense listed in (1) through (17) above; or
  - (b) public or private indecency, if the offender has a prior conviction for an offense listed in (1) through (17) above; or
- (19) public or private indecency, if the offender has a prior conviction for an offense listed in (1) through (18) above.

*(Or. Rev. Stat. § 181.594(2))*

**5. ARE JUVENILE OFFENDERS REQUIRED TO REGISTER?**

An offender who is within the jurisdiction of a juvenile court for committing an act that, if committed by an adult, would constitute a sex crime may be required to register.

*(Or. Rev. Stat. § 181.594(3)(c))*

**6. WHEN AND WHERE DOES AN OFFENDER REGISTER?**

Within 10 days following discharge, release, release on parole, postprison supervision, or other supervised or conditional release, a sex offender must register in person to the Department of State Police, a chief of police, a county sheriff, or a supervising agency. Youth offenders register with a supervising agency.

*(Or. Rev. Stat. § 181.595(3)(a))*

**7. WHAT INFORMATION MUST AN OFFENDER PROVIDE AT THE TIME OF REGISTRATION?**

As part of the registration requirement, the Department of State Police, a chief of police, a county sheriff, or a supervising agency must get all names used by the sex offender, get his or her address, photograph him or her, obtain his or her signature, and may even take his or her fingerprints.

*(Or. Rev. Stat. § 181.595(4); § 181.596(5); § 181.597(3); § 181.598(1))*

**8. WHAT HAPPENS IF AN OFFENDER CHANGES HIS OR HER ADDRESS OR OTHER REGISTRATION INFORMATION DURING THE REGISTRATION PERIOD?**

A sex offender must register in person within 10 days of a change of residence.

*(Or. Rev. Stat. § 181.595(3)(a)(A))*

**9. WHAT HAPPENS IF AN OFFENDER MOVES FROM OREGON TO ANOTHER STATE?**

A sex offender must register in person within 10 days of a change of residence.

*(Or. Rev. Stat. § 181.595(3)(a)(A))*

When the Department of State Police learns that a sex offender who is required to register is moving to another state, the department must notify the appropriate criminal-justice agency of that state. The

department is not responsible for registering and tracking an offender once the offender has moved from Oregon.

*(Or. Rev. Stat. § 181.604)*

**10. IS AN OFFENDER WHO MOVES FROM ANOTHER STATE TO OREGON REQUIRED TO REGISTER?**

An offender who was convicted in another jurisdiction of an offense equivalent to a sex crime if committed in Oregon is required to register in person to the Department of State Police, a city police department, or a county sheriff's office no later than 10 days after moving to Oregon.

*(Or. Rev. Stat. § 181.597(1)(a)(A))*

An offender who was found by a court in another jurisdiction to have committed an act while under 18 that would constitute a sex crime if committed in Oregon by an adult is required to register in person to the Department of State Police, a city police department, or a county sheriff's office no later than 10 days after moving to Oregon.

*(Or. Rev. Stat. § 181.597(1)(a)(A))*

An offender who is required to register in another state for having committed a sex offense in that state regardless of whether the offense would be a sex crime in Oregon is required to register in person to the Department of State Police, a city police department, or a county sheriff's office no later than 10 days after moving to Oregon.

*(Or. Rev. Stat. § 181.597(1)(a)(A))*

**11. WHAT IF AN OFFENDER LIVES IN ANOTHER STATE BUT WORKS OR GOES TO SCHOOL IN OREGON?**

An offender who was convicted in another jurisdiction of an offense that would constitute a sex crime if committed in Oregon and who lives in another state but works or goes to school in Oregon must register in person to the Department of State Police, a city police department, or a county sheriff's office no later than 10 days after the first day of school attendance or the 14th day of employment.

*(Or. Rev. Stat. § 181.597(1)(b)(A))*

An offender who was found by a court in another jurisdiction to have committed an act while under 18 that would constitute a sex crime if committed in Oregon by an adult and who lives in another state but works or goes to school in Oregon must register in person to the Department of State Police, a city police department, or a county sheriff's office no later than 10 days after the first day of school attendance or the 14th day of employment.

*(Or. Rev. Stat. § 181.597(1)(b)(A))*

An offender who is required to register in another state for having committed a sex offense in that state regardless of whether the offense would constitute a sex crime in Oregon and who lives in another state but works or goes to school in Oregon must register in person to the Department of State Police, a city police department, or a county sheriff's office no later than 10 days after the first day of school attendance or the 14th day of employment.

*(Or. Rev. Stat. § 181.597(1)(b)(A))*

**12. IS REGISTRATION A LIFETIME REQUIREMENT?**

No earlier than 10 years after the termination of supervision on probation, conditional release, parole, or postprison supervision, a sex offender who is required to register may file a petition in the circuit court of the county in which he or she resides for an order that relieves him or her of the duty to register if:

- (1) he or she has only one conviction for, or juvenile court finding of jurisdiction based on a sex crime;

- (2) the sex crime was a misdemeanor or Class C felony, or, if committed in another state, it would have constituted a misdemeanor or Class C felony; and
- (3) the offender has not been designated a predatory sex offender.

*(Or. Rev. Stat. § 181.600(1)(a))*

If a court determines that the offender is rehabilitated and he or she does not pose a threat to the safety of the public, the court must enter an order relieving him or her of the duty to register.

*(Or. Rev. Stat. § 181.600(3))*

No later than 90 days after the jurisdiction of juvenile court has terminated over a juvenile who is required to register, the juvenile may file a petition to relieve him or her of the duty to register. The petition must be filed in the juvenile court in which the juvenile was adjudicated for the act.

*(Or. Rev. Stat. § 181.607(1)(a))*

### **13. ARE THERE ANY PENALTIES FOR FAILING TO REGISTER OR FOR PROVIDING FALSE INFORMATION?**

An offender who is required to register as a sex offender and has knowledge of the registration requirements commits the offense of failure to register as a sex offender if he or she fails to:

- (1) initially register with the appropriate agency or official;
- (2) register following a change of residence, school enrollment, or employment;
- (3) make an annual report; or
- (4) provides complete and accurate information.

Such failures to register are Class A misdemeanors.

*(Or. Rev. Stat. §§ 181.599(1)-(2))*

Failure to register as a sex offender is a Class C felony if the offender fails to:

- (1) initially register with the appropriate agency or official; or
- (2) register following a change of residence, school enrollment, or employment and the offense for which the offender is required to register is a felony.

*(Or. Rev. Stat. § 181.599(3))*

### **14. WHAT INFORMATION IS RELEASED TO THE PUBLIC ABOUT REGISTERED OFFENDERS?**

#### **A. Sex Offenders**

##### **1. Adult**

When a person is under supervision for the first time based on a conviction for an offense that requires registration as a sex offender, the Department of State Police, a chief of police, or a county sheriff must release, upon request, only the following information about the sex offender:

- (1) his or her name and date of birth;
- (2) a physical description of the offender and photograph;
- (3) the city and zip code where the sex offender resides; and
- (4) the name and telephone number of a contact person at the agency that supervises the sex offender.

*(Or. Rev. Stat. § 181.592(2)(a))*

An agency that supervises a sex offender must release, upon request, any information that may be necessary to protect the public.

*(Or. Rev. Stat. § 181.592(2)(c))*

For persons who are under supervision for the first time as sex offenders, the Department of State Police, a chief of police, or a county sheriff must release, upon request, any information that may be necessary to protect the public concerning sex offenders who reside in a specific area or concerning a specific sex offender.

*(Or. Rev. Stat. § 181.592(3))*

## **2. Juvenile**

If a sex offender is under the supervision of the Oregon Youth Authority or a county juvenile department, the Department of State Police, chief of police, or county sheriff can release only:

- (1) the sex offender's name and year of birth;
- (2) the city and zip code where the sex offender resides; and
- (3) the name and telephone number of a contact person at the agency that supervises the sex offender.

*(Or. Rev. Stat. § 181.592(2)(b))*

The Department of State Police may make information regarding adult and juvenile sex offenders available to the public, without the need for a request, by electronic or other means. The department must make information about a person who is under supervision for the first time because of a conviction for an offense that requires registration as a sex offender accessible only by the use of the sex offender's name. For all other sex offenders, the department may make the information accessible in any chosen manner.

*(Or. Rev. Stat. § 181.592(4)(a))*

## **B. Adult Predatory Sex Offenders**

### **1. Supervised**

The agency supervising a predatory sex offender must notify anyone whom the agency determines is appropriate. In making a determination to notify, the agency must consider notifying:

- (1) the person's family;
- (2) the person's sponsor;
- (3) residential neighbors and churches, community parks, schools, convenience stores, businesses, and other places that children or other potential victims may frequent; and
- (4) any prior victim of the offender.

*(Or. Rev. Stat. §§ 181.586(1)(a), (2))*

When a predatory sex offender is subsequently convicted of another offense and is on supervision for that offense, the agency supervising him or her may notify anyone whom the agency determines is appropriate that he or she is a predatory sex offender, regardless of the nature of the offense for which he or she is supervised.

*(Or. Rev. Stat. § 181.586(1)(b))*

When an agency determines that notification regarding a predatory sex offender is necessary, the agency may use any method of communication that the agency determines is appropriate. The notification may include, but is not limited to, distribution of the following information:

- (1) the offender's name and address;
- (2) a physical description of the offender including his or her:

- (a) age;
- (b) height and weight; and
- (c) hair and eye color;
- (3) the type of vehicle the offender is known to drive;
- (4) any conditions or restrictions upon the offender's probation, parole, postprison supervision, or conditional release;
- (5) a description of the offenders:
  - (a) primary and secondary targets; and
  - (b) method of offense;
- (6) a current photograph of the offender; and
- (7) the name or telephone number of the offender's parole and probation officer.

*(Or. Rev. Stat. § 181.586(3))*

When the Department of State Police receives information regarding a predatory sex offender, the department, upon request, may make the information available to the public.

*(Or. Rev. Stat. § 181.586(5))*

Unless the supervising agency determines that release of the information about a predatory sex offender would substantially interfere with his or her treatment or rehabilitation, the agency must make any information regarding him or her that the agency determines is appropriate available to any other person upon request.

*(Or. Rev. Stat. § 181.587(1))*

## **2. Unsupervised**

When a predatory sex offender who has been under supervision by the Department of Corrections or a community corrections agency is no longer under supervision, the Department of State Police, the chief of police of a city police department, or a county sheriff may notify the public that the offender is a predatory sex offender if:

- (1) while the offender was under supervision, he or she was determined to be a predatory sex offender and notification was made to someone other than the offender's family; and
- (2) the offender's last primary supervising authority has notified the Department of State Police that he or she was under a high level of supervision at the termination of his or her most recent period of supervision.

*(Or. Rev. Stat. § 181.588(1))*

## **C. Juvenile, Predatory Sex Offenders**

The Department of State Police, the chief of police of a city police department, or a county sheriff may notify the public that a juvenile offender is a predatory sex offender if:

- (1) within the jurisdiction of the juvenile court, the offender is subject to registration requirements because of committing an act that if committed by an adult would be a sex crime;
- (2) the offender is not under the supervision of the juvenile court; and
- (3) the Department of State Police, chief of police, or sheriff, after consulting with the offender's last primary supervising agency, determines that he or she is a predatory sex offender.

*(Or. Rev. Stat. § 181.589(1))*

Notification regarding the presence of a juvenile predatory offender may include any of the following information:

- (1) the offender's name and address;
- (2) a physical description of the offender including his or her:
  - (a) age;
  - (b) height and weight; and
  - (c) hair and eye color;
- (3) type of vehicle the offender is known to drive;
- (4) any conditions or restrictions upon offender's release;
- (5) a description of offender's:
  - (a) primary and secondary victims of choice; and
  - (b) method of offense;
- (6) current photograph of the offender; and
- (7) the name or work telephone number of the offender's parole or probation officer.

*(Or. Rev. Stat. § 181.589(2))*

**15. CAN I SEARCH THE INTERNET FOR OFFENDERS IN MY AREA?**

The Internet may only be used to make the information available about predatory sex offenders or sexually violent dangerous offenders.

*(Or. Rev. Stat. § 181.592(4)(b))*

Please check with local law enforcement to find out what information is available over the Internet.