

Sex Offender Registration Relief

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The purpose of this packet is to provide information about whether a person may be eligible for sex offender registration relief and how to apply for sex offender registration relief.

Sex offender registration relief (SORR) is the process of asking the Oregon Board of Parole for relief from the obligation to register as a sex offender. If a person is granted relief, that person would no longer have to register.

In Oregon, all people convicted of sex offenses are assigned **sex offender notification levels**. There are three levels – Level 1 (low), Level 2 (moderate), or 3 (high). If a person was convicted before 2015, it is likely that they have not been leveled yet. If a person has not been leveled, they can still move forward with sex offender registration relief. When a person who has not been leveled applies for sex offender registration relief, the Board will assess them and assign a level.

SORR is different than **expungement**. Expungement is the legal process of sealing a record of a criminal arrest or conviction. If a person is granted relief from registering as a sex offender, this does not mean the sex offense is expunged. Expungement is a different process. Most sex offenses are not eligible to be expunged under Oregon law. For more information about whether a sex offense is expungable, see ORS 137.225(6)(f).

The Oregon Board of Parole is responsible for leveling people convicted of sex offenses and uses a risk assessment tool called the “Static-99R.” If a person is assessed at a Level 2 or a Level 3, they can apply for **reclassification**. They can be reclassified as a Level 3 to a Level 2 or a Level 2 to a Level 1. The Oregon Board of Parole’s website provides more information about the requirements for reclassification -

<https://www.oregon.gov/boppps/Pages/SONL.aspx#reclassification>.

Note: This information is for relief from the sex offender registration under the Oregon Board of Parole (ORS 163A.125) for adult sex offense convictions. In very limited cases, a person can petition a court for relief. That process is described in ORS 163A.140. For juvenile sex offense convictions, see ORS 163A.130.

Eligibility Requirements

If a person answers “Yes” to all of the following requirements, then they may be eligible for sex offender registration relief.

Requirements	Yes/No
Classified as a Sex Offender Notification Level 1 If classified as a level 2 sex offender in the past, 5 years have passed since reclassification from a level 2 to a level 1.	
Never been classified as a level 3 sex offender or a Sexually Violent Dangerous Offender (SVDO).	
Not initially classified by the Psychiatric Security Review Board.	
Not convicted of any of the crimes in ORS 163A.115 which are: <ul style="list-style-type: none"> • Rape in the first degree; • Sodomy in the first degree; • Unlawful sexual penetration in the first degree; • Kidnapping in the first degree as described in ORS 163.235(1)(e) or when the victim is under 18 years of age; or • Burglary in the first degree when committed with the intent to commit any of the offenses listed in ORS 163A.005(5)(a) to (w). 	
Never been found guilty of a person felony or a person Class A misdemeanor after the sex offense conviction.	
It has been five years since the date that supervision for the sex crime was terminated.	
Live, work, or go to school in Oregon.	
<u>For out-of-state sex offense convictions ONLY</u> - The sex crime conviction is from a jurisdiction that permits a petition for relief from reporting as a sex offender.	

Relief Process

If a person is eligible for relief, they may apply for sex offender registration relief. There are three parts to the process:

1. Complete and submit an application for sex offender registration relief.
2. The Oregon Board of Parole reviews the application and determines if a person is eligible.
3. If the Board determines that a person is eligible, the Board schedules a hearing.

At the hearing, a hearing officer from the Oregon Board of Parole will determine whether to grant relief. It is the petitioner's burden to show that they are unlikely to reoffend and do not pose a threat to the safety of the public.

The Oregon Board of Parole considers the following factors to determine whether to grant relief:

1. The nature and degree of violence involved in the offense that requires reporting;
2. The age and number of victims of the offense that requires reporting;
3. The age of the person at the time of the offense that requires reporting;
4. The length of time since the offense that requires reporting and the time period during which the person has not reoffended;
5. How long a person has been offense free;
6. The person's performance on supervision for the offense that requires reporting;
7. Whether the person has participated in or successfully completed a court-approved sex offender treatment program or any other rehabilitative programs;
8. The person's stability in employment and housing;
9. The person's community and support system;
10. Other criminal and relevant noncriminal behavior of the person both before and after the offense; and
11. Any relevant factors.

How to Complete and Submit an Application for Sex Offender Registration Relief

Note: It is best to put this application together with the advice and help of an attorney. The Oregon Bar Lawyer Referral Service can provide referrals: 503-684-3763 or toll-free in Oregon at 800-452-7636. If a person cannot afford an attorney, the application can be submitted without the assistance of a lawyer.

1. Locate the “Petition for Relief from Sex Offender Registration or Reclassification of Sex Offender Notification Level” application. It is available on the Oregon Board of Parole’s website here:
<https://www.oregon.gov/boppps/Documents/R%26R/Relief%20Petition.pdf>.
2. Fill out the application.
3. Gather supporting documents listed on Page 4 of the application. The documents listed on page 4 are:
 - a. **Sexual and Non-Sexual Offense History** – For **ALL** arrests and convictions on your criminal record, request police reports and court records (e.g., judgments, indictments, guilty pleas, etc.).
 - b. **Treatment Program Records** – Request records from sex offender treatment programs or other rehabilitative programs you have participated in or successfully completed. Other rehabilitation programs include substance use treatment, anger management, parenting classes, etc.
 - c. **Employment Verification** – Documents verifying employment, which can include W-2’s, pay stubs, letters from HR, letter from a manager, or other verifiable records. If you receive public benefits, include a letter verifying that you receive public benefits. Public benefits include TANF, SNAP (AKA food stamps), social security income, etc.
 - d. **Housing Verification** – Gather documents verifying housing, which can include rental agreements, letters from a rental agency, canceled checks for rent payments, letters from a landlord, property tax records, utility bills, or other verifiable records.
 - e. **Community and Personal Support Verification** – Gather documents verifying community involvement and/or your support system, which can include reference letters from community groups, churches, programs, friends, family members, and other verifiable sources.

- f. **Supervision Records** – Supervision records are available from the Oregon Department of Corrections. There is usually a fee to receive these records. Contact the Oregon Department of Corrections for records at:
 - i. Email: OISCINFO@doc.oregon.gov or docoiscinforequests@doc.oregon.gov
 - ii. Phone: (503) 570-6919
- g. **Other** – Include any other documentation that shows that you are rehabilitated.
 - i. Examples: diplomas or academic transcripts, professional or academic certificates, etc.

Note: If all of the documents mentioned above are not available, you may fill out the “Explanation of Incomplete Documents” on Page 5 of the application.

- 4. On a separate piece of paper, address factors 1 to 11 listed on Page 3 of the application. Responses can be handwritten or typed.
- 5. Complete applications can be sent to the Oregon Board of Parole via postal mail or email. **Make a copy** of the application for yourself.
 - a. Mailing address:
Oregon Board of Parole
Attention: SONL Unit
1321 Tandem Ave. NE
Salem, OR 97301
 - b. Email address: ParoleBoardReliefandReclass@paroleboard.oregon.gov

The Oregon Board of Parole will confirm by email or mail that it has received the application. The Board will review the application, provide a level for individuals who have not been leveled, and determine eligibility. This process can take 4 to 8 months. If the Board finds that a person is eligible for sex offender registration relief, it will set a hearing date. Attendance at the hearing is a necessary part of the process.