

# **JUVENILE SEX OFFENDER REGISTRATION**

## **Requirements, Penalties & Relief**

Oregon law requires a juvenile found to be within the jurisdiction of the juvenile court of certain sex offenses to register as a sex offender. This requirement is permanent unless the criteria for relief are satisfied or a juvenile's adjudication is reversed, overturned, or set aside.

A juvenile may be required to register for the duration of his or her life unless relief is sought and obtained. Potential difficulties posed by reporting requirements are extensive, and include being denied housing or employment due to public knowledge of one's status as a registered sex offender. Thus, a juvenile subject to reporting requirements is well advised to seek relief if he or she is eligible.

Prepared by:  
Youth, Rights & Justice. Inc.  
401 NE 19<sup>th</sup> Avenue, Suite 200  
Portland, Or 97232  
(503) 232-2540  
[www.youthrightsandjustice.org](http://www.youthrightsandjustice.org)

## About this Booklet

This Booklet covers **Oregon law**. It is current as of January 2012, and it does not include changes in the law made after that date.

Youth, Rights, & Justice (YRJ) has done its best to ensure the accuracy of the information in this booklet, but you should always consult an attorney to obtain answers to specific questions regarding your particular circumstances and case. This booklet is meant to be informative; **it is not designed to provide legal advice.**

Included is a Glossary of Legal Terms in Appendix B to assist you in understanding some of the legal terms used in this booklet and in court. The words and phrases underlined in this booklet are defined in the Glossary of Legal Terms.

The Appendix of this booklet also includes copies of the law, a sample petition for relief from reporting requirements, and a sample affidavit (i.e., statements). Please remember that these materials are provided for your information only, and should not be used as official documents.

## Table of Contents

Requirements.....	3
Penalties.....	5
Relief.....	6
Appendix A: State of Oregon Sex Offender Registration Form.....	8
Appendix B: Glossary of Terms.....	10
Appendix C: Selected Oregon Revised Statutes.....	11

# Requirements

## Where and when am I required to register?

You must report **in person** when you register. You will report to the Department of State Police, a city police department or the county sheriff's office.

Registration requires you fill out a form with you personal information. This must occur **no later than 10 days after:**

- Discharge or release from a juvenile correctional or detention facility;
- Placement on probation; or,
- Other form of supervised or conditional release.

## Do I have to register if I was adjudicated of a misdemeanor sex offense?

No. Juveniles who have been adjudicated of a sex offense that would only constitute a misdemeanor, if committed by an adult, no longer have to register. Furthermore, no later than January 1, 2013, the Department of State Police will remove from the Law Enforcement Data System (LEDS) the sex offender information obtained from sex offender registration forms submitted for any person who has reported as a sex offender solely as the result of a juvenile adjudication for an act that if committed by an adult in this state would constitute a misdemeanor.

## What if I am moving into this state?

If you are moving into this state you must report **in person** to the Department of State Police, a city police department or the county sheriff's office. This must occur **no later than:**

- 10 days after you move into this state if you were adjudicated for either a Class A or Class B felony sex crime.
- 6 months after you move into this state if you were adjudicated for a Class C felony Sex crime.

**NOTE:** Before you report in person, it is a good idea to call the office(s) where you will register. Some law enforcement agencies have designated days and hours for taking registrations. Also note that even if you are not required to register in the state you are moving from, **YOU MAY** still be required to register in Oregon.

## Requirements Continued

### **Are there any other circumstances which may require me to register in Oregon?**

In addition to the above requirements, you must also report **in person** to your supervising agency **within 10 days** of:

- Any change in residence (e.g., a physical location if you are homeless or transient), including any move out of state.
- Your birthday, each year.
- Your first day of school at an institution of higher education
- Your first day of vocation at an institution of higher education
- Your first day of work at an institution of higher education
- A change in work, vocation, or attendance status at an institution of higher education.

### **What if I reside in another state, how do I determine if and when I have to register?**

If you live in another state but you work or attend school in Oregon you are required to register in Oregon if you have been adjudicated of a Felony sex crime. You must register **in person**:

- Within 10 days of your first day of school attendance in Oregon
- Within 14 days of your first day of employment in Oregon
- Within 10 days of a change in school enrollment or employment.

**NOTE:** You are only required to register in Oregon if your adjudicated sex offense which would constitute a Felony sex crime in Oregon.

### **What information must I provide when I register?**

You must complete the State of Oregon Sex Offender Registration form. *See Appendix A.* This form will require that you provide information including:

- Your name, address, and phone number.
- Other addresses if you have multiple residences.
- Your social security number.
- Employer and/or school information.
- Out-of-State work information.

**NOTE:** This is a sample. You must fill-out an original form provided at your place of registration.

# Penalties

## What are the penalties if I do not register when required?

There are penalties if you do not register when you are required to. There is information on the back of your registration form concerning your obligation to register as a sex offender, when you are obligated to register and the penalties for failing to register.

If you do not register when you are required to, you may be committing a Class C Felony or a Class A Misdemeanor:

- If you do not make an initial report, it is a Class C Felony.
- If you do not report annually within 10 days of your birthday is it a Class A Misdemeanor.
- If you do not report a change of residence, vocation, school enrollment, or employment, it is:
  - A Class C Felony if the crime you were convicted of is a felony.
  - A Class A Misdemeanor if the crime you were convicted of is a misdemeanor (will no longer apply after January 2013).
- If you fail to provide complete and accurate information it is a Class A Misdemeanor.
- If you fail to submit to fingerprinting or to having a photograph taken of your face, identifying scars, marks or tattoos it is a Class A Misdemeanor.

**IMPORTANT:** These are **very serious consequences** for disregarding your reporting requirements. If you are unsure if the requirements apply to you, contact your attorney.

# Relief

## **Am I eligible for relief from the registration requirements?**

You may be able to obtain relief from reporting requirements (i.e., having to register as a sex offender). The opportunity for relief in Oregon begins either 30 days before juvenile court jurisdiction ends (if convicted of a Class C Felony sex crime) or 2 years (if convicted of a Class A or Class B Felony sex crime) after the successful completion of your probation, or parole.

## **What does relief mean?**

Relief means you no longer have to register and your name/picture will no longer appear in the sex offender registry; however relief does not mean your record is expunged. Additionally, persons who are convicted of a sex crime listed in ORS § 137.707 (Measure 11) have different eligibility requirements for relief. ORS § 181.820

## **How can I get relief from sex offender registration?**

Under certain circumstances, you may ask (petition) the court for relief from the requirement that you must register as a sex offender. You may file a petition for relief **no sooner than 2 years** (for Class A and Class B Felony sex crimes) **or 30 days** (for Class C Felony sex crimes), after you have been discharged or released from probation, parole or incarceration. To ask (petition) for relief, you must contact the Juvenile Court where you were adjudicated and/or placed on probation, complete any necessary paperwork, authorize a petition to release necessary information to the District Attorney's Office, and pay the filing fees. You may want to consider getting an attorney to assist you with this process.

**STEP 1: Get Your Records.** Gather all of your court records (including the contents of your legal file) and treatment records related to your adjudication and/or probation. Also, get copies of all letters that indicate that you have completed treatment. This will help you or your attorney prepare your petition for relief.

**STEP 2: Filing and Serving Paperwork.** You or your attorney must file a complete *Motion for Relief* and *Affidavit of Eligibility* with the Juvenile Court where you were adjudicated. You will need to make **2 sets of copies** of these documents before bringing them to court. The court clerk will keep one and file the original. Additionally, copies of these documents must be delivered to the District Attorney's Office and the Juvenile Department. After you or your attorney has served the District Attorney

with copies of your documents, he/she must file the *Petitioner's Affidavit of Service*. This must be delivered to the court clerk's office.

## **Relief Continued**

**NOTE:** These are procedures for **juvenile sex offenders**. If you were over 18, or you were convicted as an adult, these procedures do not apply.

### **What will the court consider?**

The court may consider various things at your hearing, including but not limited to:

- The extent and impact of any physical or emotional injury to your victim(s).
- The nature of the crime for which you are required to register.
- If you used or threatened to use force.
- Whether the act was premeditated.
- If you took advantage of a position of authority or trust.
- The age of your victim(s) and the age difference between you and your victim(s).
- The number of victims.
- The vulnerability of your victim(s).
- Other criminal conduct you have been involved in.
- Statements, documents and recommendations by or on behalf of your victim(s) or their parents.
- Your ability to pay the victims' counseling or medical expenses.
- Your willingness to take responsibility for your actions.
- Whether you have successfully completed sex offender treatment and the quality of that treatment.
- *Anything else the court feels is important to consider.*

*You should be prepared to address each issue that applies to you.*

### **What are the costs associated with petitioning the court for relief?**

The filing fee for a petition for relief from reporting requirements in Multnomah County is \$ 240. This cost may vary in other jurisdictions, and fees are subject to change. You should consult with the court clerk in whatever jurisdiction applies to you to determine applicable filing fees. You may also need to pay for an updated psycho-sexual evaluation, and/or polygraph. If the juvenile court grants you relief, it is your responsibility to send a certified copy of the court's order to all offices where you were required to register, and to the Oregon Department of State Police. If you are not granted relief, you must continue to register.



**APPENDIX A: STATE OF OREGON SEX OFFENDER REGISTRATION FORM**



**SEX OFFENDER REGISTRATION FORM**  
 (FOR COMPLIANCE WITH ORS 181.594 THROUGH 181.599)  
**PRINT in INK**

Date \_\_\_\_\_ Time \_\_\_\_\_

Initial:  Non-Oregon Resident – Worker:   
 Annual:  Non-Oregon Resident – Student:

Registering Agency \_\_\_\_\_

**Higher Ed:** Worker  Student  Start Date: \_\_\_\_\_  
 End Date: \_\_\_\_\_

ORI \_\_\_\_\_

Change of Residence:  Date of Move: \_\_\_\_\_

Agency Phone # \_\_\_\_\_

List State/County of Conviction/Adjudication: \_\_\_\_\_

OFFENDER: \_\_\_\_\_

On Supervision for Sex Crime:

\_\_\_\_\_  
Last Name First Name Middle Name

ALIASES: \_\_\_\_\_

DOB: \_\_\_\_\_ Sex: \_\_\_\_\_ Race: \_\_\_\_\_ Eye Color: \_\_\_\_\_ Hair Color: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_

Physical Identifiers (Scars, Marks, Tattoos, Etc.): \_\_\_\_\_

OLN State: \_\_\_\_\_ Number: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

OR SID #: \_\_\_\_\_ FBI #: \_\_\_\_\_ SOC #: \_\_\_\_\_

If no Oregon SID, F fingerprint on Red FBI Card

Residential Address: \_\_\_\_\_  
(Physical location if homeless or transient) Street Address Apt# City State Zip County

Mailing Address: \_\_\_\_\_  
Street Address or PO Box Apt# City State Zip

Home Phone: \_\_\_\_\_ Message/Cell Phone: \_\_\_\_\_

Occupation: \_\_\_\_\_ Employer: \_\_\_\_\_

School: \_\_\_\_\_

Work Address: \_\_\_\_\_ Work Phone: \_\_\_\_\_

School Address: \_\_\_\_\_ School Phone: \_\_\_\_\_

Vehicle(s): \_\_\_\_\_ State: \_\_\_\_\_ License Plate(s): \_\_\_\_\_

**I have read and I understand the reporting requirements as outlined on the back of this form. Under penalty of perjury, I certify the above information is true and correct.**

Offender's Signature (**Required**) \_\_\_\_\_

Printed Name and Title of Witness \_\_\_\_\_

Date \_\_\_\_\_

Signature of Witness \_\_\_\_\_

In accordance with ORS 181.598, send original within 3 working days to:

Oregon State Police, Sex Offender Registration Unit  
 255 Capitol St. NE, 4<sup>th</sup> Floor, Salem, OR 97310

Attach photo

# APPENDIX A: STATE OF OREGON SEX OFFENDER REGISTRATION FORM

## NOTICE OF OBLIGATION TO REGISTER AS SEX OFFENDER

Oregon Revised Statutes 181.595, 181.596, and 181.597 require sex offender registration **for life** for persons who are: convicted in Oregon of certain registerable offenses, **OR** found guilty except for insanity of one of those offenses, **OR** found to be within the jurisdiction of the juvenile court for having committed an act that if committed by an adult would constitute a sex crime, **OR** paroled to or otherwise placed in this state after having been convicted of a sex crime or adjudicated in juvenile court for an act that if committed in this state would constitute a sex crime.

**If you are in one or more of the above categories**, you are required to report **in person** to your supervising official or to an Oregon law enforcement agency:

- ◆ no later than **ten (10) days** after discharge or release from jail, prison, or other correctional or detention facility
- ◆ no later than **ten (10) days** after placement on probation; or
- ◆ no later than **ten (10) days** after parole or discharge to this state from another state.

---

**If you have moved to Oregon, OR you will be working in Oregon more than 14 days in a calendar year\*, OR you are attending school in Oregon on a part-time or full-time basis\***, (\*while maintaining a residence in another state),

**AND**

you were convicted of a crime that would constitute a sex crime in Oregon, **OR** were adjudicated in a juvenile court in another jurisdiction for an act that would constitute a sex crime in Oregon, **OR** you were required to register in another state for having committed a sex crime in that state, you are required to report **in person** to an Oregon law enforcement agency:

- ◆ no later than **ten (10) days** after your arrival in Oregon;
- ◆ no later than **ten (10) days** after your 14th day of employment in a calendar year (non-Oregon resident);
- ◆ no later than **ten (10) days** after your first day of school attendance (non-Oregon resident);
- ◆ no later than **ten (10) days** after any change in employment or school enrollment (non-Oregon resident);

---

**IN ADDITION TO THE ABOVE REPORTING REQUIREMENTS, ALL OREGON RESIDENT REGISTERED SEX OFFENDERS MUST ALSO REPORT IN PERSON AT THE FOLLOWING TIMES:**

- ◆ within **ten (10) days** of any change in residence (a physical location if you are homeless or transient), **includes moving out of state**; and
- ◆ within **ten (10) days** of your birthday.
- ◆ no later than **ten (10) days** after your 14<sup>th</sup> day of employment (paid or unpaid) at an **institution of higher education (public or private institution that provides a program of post-secondary education)**;
- ◆ no later than **(10) days** after the first day you attend an **institution of higher education (public or private institution that provides a program of post-secondary education)**; and
- ◆ no later than **ten (10) days** after a change in work, vocation or attendance status at an institution of higher education.

Upon termination of supervision for your first sex offense, you must report at the above times **to law enforcement only**.

Your home address must represent where you actually reside (a physical location if you are homeless or transient). A post office box is not acceptable as a home address.

---

If you plan to **move out of Oregon**, you must report your prospective out-of-state address in person to your supervising official or an Oregon law enforcement agency by completing a change of address registration within ten (10) days of your date of move. Pursuant to federal law, you must also contact the appropriate agency in the state to which you have moved within ten (10) days of arriving in that state. Oregon resident registered sex offenders who work in or attend school in another state must contact the appropriate agency in that state within ten (10) days for registration requirements.

---

## PENALTIES

- ◆ Failure to make an initial report is a Class C Felony
- ◆ Failure to report once each year within ten (10) days of your birthday is a Class A Misdemeanor (residents)
- ◆ Failure to report a change of residence (residents), school enrollment (nonresidents), employment (nonresidents), or attendance/employment at institution of higher education (residents) is a Class C Felony, if you have been convicted of a felony registerable crime; **OR** Class A Misdemeanor, if you have been convicted of a misdemeanor registerable crime
- ◆ Failure to provide complete and accurate reporting information is a Class A Misdemeanor

For information, call **OREGON STATE POLICE, SEX OFFENDER REGISTRATION UNIT, 503-378-3720**

Offender's Signature (**REQUIRED**) \_\_\_\_\_

Date \_\_\_\_\_

## **APPENDIX B: GLOSSARY OF TERMS**

The following is a list of terms and their meanings, as used in this booklet and in relation to sex offender registration and relief from registration.

Adjudication: A person under the age of 18 is found to be within the jurisdiction of the juvenile court for an act committed that would constitute a crime if committed by an adult. An adjudication by a juvenile court that a youth is within its jurisdiction is not a conviction of a crime or offense.

Supervising Official: Your supervising official may be your juvenile court counselor (JCC), probation officer (PO), or Oregon Youth Authority (OYA) worker (i.e., your parole officer).

Discharge or release from probation, parole, or incarceration: The lawful termination of state supervision regarding the crime you were adjudicated for.

Class A Misdemeanor: These crimes carry a maximum sentence of 1 year, and a maximum fine of \$6,250.

Class C Felony: These crimes carry a maximum sentence of 5 years, and a maximum fine of \$125,000.

Multiple Residences: This applies to persons who actually reside at more than one address. For example, if you spend part of the week at your apartment, and spend the rest of your time living with your significant other, you are considered to have multiple residences.

## **APPENDIX C: LINKS TO SELECTED OREGON REVISED STATUTES**

The 2011 Legislature made changes to the statutes related to relief from registration for juveniles adjudicated of a sex offense. The Enrolled version of Senate Bill 408 is available online:

<http://www.leg.state.or.us/11reg/measpdf/sb0400.dir/sb0408.en.pdf>

(In general the changes enacted through SB 408 are effective January 1, 2012.)

Chapter 181 of the Oregon Revised Statutes can be found here:

<http://www.leg.state.or.us/ors/181.html>

This chapter includes the following sections that are relevant to sex offender registration:

**ORS § 181.592: Sex Offender Information; release to public.**

**ORS § 181.594: Definitions.**

**ORS § 181.595: Reporting Requirements for Sex Offender Discharged, Paroled or Released on Supervised Release; Procedure for Change of Residence.**

**ORS § 181.596: Report by Sex Offender Released or Discharged; Procedure for Change of Residence.**

**ORS § 181.597: Reporting Requirement for Certain Persons Moving into State; Certain Nonresidents Required to Report.**

**ORS § 181.598: Registration Forms.**

**ORS § 181.599: Crime of Failure to Report as Sex Offender.**

**ORS § 181.601: Access to Sex Offender Information for Victims.**

**ORS § 181.603: Notice of Reporting Requirement.**

**ORS § 181.604: Notice Requirement upon Moving to Another State.**

**ORS § 181.820 Relief From Reporting Requirement Generally; Procedure.**

**ORS § 181.823: Juvenile Offender Relief from Reporting Requirement.**

**APPENDIX C: LINKS TO SELECTED OREGON REVISED STATUTES  
(Continued)**

**Chapter 181 of the Oregon Revised Statutes can be found here:**  
<http://www.leg.state.or.us/ors/181.html>

**ORS § 181.826: Juvenile Offender Relief from Reporting Requirement;  
Foreign Adjudications.**

**ORS § 181.830: Sex Offender Reporting; When Not Required.**

**ORS § 181.832: Determination of Reporting Requirement Eligibility.**

**ORS § 181.833: Relief from Reporting Requirement; Hearing; Order.**