



## STATUTORY MINOR CORRECTION

**PAR 15-2025**

CHAPTER 255

**BOARD OF PAROLE AND POST-PRISON SUPERVISION**

**FILED**

10/27/2025 1:29 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE  
& LEGISLATIVE COUNSEL

FILING CAPTION: Correct rule reference in rule attachment.

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Rules Coordinator

AGENCY ATTESTS THE FOLLOWING CHANGES HAVE BEEN MADE, ACCORDING TO ORS 183.335(7):

Correcting statutory or rule references

AMEND: 255-085-0020

RULE TITLE: Sex Offender Risk Assessment Methodology

RULE SUMMARY: Correct rule reference in rule attachment.

Item 2 in attachment references OAR 255-085-0020 (4)(c) and this is incorrect.

The correct reference is OAR 255-085-0020 (4)(b).

The subsection should be "b" not "c".

No change to rule itself.

RULE TEXT:

(1) Classifying agencies shall place each registrant into one of the following levels:

(a) Notification Level 1: A registrant who presents, or presented at the time of release, sentencing or discharge, the lowest risk of reoffending and requires a limited range of notification;

(b) Notification Level 2: A registrant who presents, or presented at the time of release, sentencing or discharge, a moderate risk of reoffending and requires a moderate range of notification; or

(c) Notification Level 3: A registrant who presents, or presented at the time of release, sentencing or discharge, the highest risk of reoffending and requires the widest range of notification.

(2) For classification and community notification for adult male registrants, classifying agencies shall use the Static-99R actuarial instrument with the coding manual, Exhibit STATIC-99R, unless otherwise provided by law. This methodology 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. Classifying agencies may score registrants using information from previous Static-99 or Static-99R assessments. Classifying agencies shall score and place each registrant into a notification level:

(a) Notification Level 1: Static-99R score of -3 to 3;

(b) Notification Level 2: Static-99R score of 4 to 5; or

(c) Notification Level 3: Static-99R score of 6 or higher.

(3) For classification and communication notification of all other registrants, classifying agencies shall assess registrants using the Level of Services/Case Management Inventory (LS/CMI) as supplemented by an independent sexual offense-specific evaluation report, unless otherwise provided by law. This methodology may consider exclusively the risk the registrant presented at the time the registrant 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 registrant is required to report. This assessment shall be performed by an independent evaluator who is a licensed mental health provider or Sexual Offense Treatment Board-certified provider qualified to conduct sexual offense risk assessments. The independent evaluator will provide the classifying agency with a written report and will provide information regarding the registrant's risk for sexual re-offense as low, moderate, or high. Classifying agencies shall place the registrant into a notification level according to risk, giving due consideration to the evaluator's assessment.

(4) Targeted Assessments for Certain Registrants:

(a) For a classification using the methodology in OAR 255-085-0020(2), a classifying agency may use the targeted risk assessment methodology described in this subsection, provided that, prior to January 1, 2014, the unclassified registrant was released from custody, was 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 was required to report as a sex offender in Oregon.

(b) Registrants are not eligible for a targeted assessment under the subsection if the registrant:

(A) was convicted of a person felony or Class A person misdemeanor as defined by the rules of the Oregon Criminal Justice Commission, after the event that triggered the registrant's initial obligation to register as a sex offender; or

(B) has, other than the conviction that required the initial sex offender registration, committed any additional sex crimes or sexual misbehaviors as defined in Exhibit Static-99R.

(c) A classifying agency may conduct a targeted assessment by utilizing the Exhibit Targeted Assessment Tally Sheet.

(A) If a registrant scores "No" on all items on the Targeted Assessment Tally Sheet, the registrant may be classified as a Level 1 registrant.

(B) If a registrant scores "Yes" on any of the items on the Exhibit Targeted Assessment Tally Sheet, they shall be classified using the methodology as provided in OAR 255-085-0020(2).

(d) The targeted methodology described in this subsection, requires that registrants who were classified as a Level 1 registrant using the Targeted Assessment methodology will be assessed using the methodology as provided in OAR 255-085-0020(2), at the time the registrant petitions under ORS 163A.125.

(5) Assessment Methodology for Female Registrants: Classifying agencies may classify a female registrant into Level 1, without using the methodologies listed in OAR 255-085-0020 (2) or (3) or (4)(a), unless evidence-based risk factors exist to indicate that the female registrant is at a higher risk to reoffend sexually, and a higher level of notification may be appropriate. 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.

(f) The methodology described in OAR 255-085-0020(4) shall not be used for assessments conducted for relief from registration or reclassification of level hearings described in ORS 163A.125. Assessments conducted for relief from registration or reclassification of level hearings shall be conducted using the methodology listed in OAR 255-085-0020 (2), (3), or (6).

(6) For classification of registrants petitioning under ORS 163A.125(2), the Board shall use the methodologies under OAR 255-085-0020 (2) or OAR 255-085-0020 (3).

STATUTORY/OTHER AUTHORITY: ORS 163A.100, ORS 163A.105, ORS 163A.110, ORS 163A.115, ORS 163A.125, SB 1122 (2025)

STATUTES/OTHER IMPLEMENTED: ORS 163A.100, ORS 163A.105, ORS 163A.110, ORS 163A.115, ORS 163A.125, Oregon Laws 2013, chapter 708, section 7 as amended by Oregon Laws 2015, chapter 820, section 27, Oregon Laws 2017, chapter 488, section 1, Oregon Laws 2017, chapter 442, section 31, SB 1122 (2025)



# Oregon

Tina Kotek, Governor

## Board of Parole and Post-Prison Supervision

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### Sex Offender Notification Level Program Exhibit Targeted Assessment Tally Sheet for conducting risk assessments under OAR 255-085-0020(4)

Registrant: \_\_\_\_\_ SID: \_\_\_\_\_ Assessment Date: \_\_\_\_\_

Address: \_\_\_\_\_

Registrant Email: \_\_\_\_\_ Registrant Phone: \_\_\_\_\_

Index Sex Offense: \_\_\_\_\_

Disposition: \_\_\_\_\_

| Item Number                                                                                                 | Item                                                                                                             | Answer    | Comments |
|-------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|-----------|----------|
| Any "Yes" answer disqualifies the registrant for a Level 1 classification based on the Targeted Assessment. |                                                                                                                  |           |          |
| 1                                                                                                           | Did the registrant's first obligation to register as a sex offender in Oregon occur on or after January 1, 2014? | No<br>Yes |          |
| 2                                                                                                           | Is registrant ineligible under OAR 255-085-0020 (4)(b)?                                                          | No<br>Yes |          |
| 3                                                                                                           | Any convictions for index non-sexual violence?                                                                   | No<br>Yes |          |
| 4                                                                                                           | Any prior convictions for non-sexual violence?                                                                   | No<br>Yes |          |
| 5                                                                                                           | Any prior sex offenses?                                                                                          | No<br>Yes |          |
| 6                                                                                                           | 4 or more prior sentencing dates excluding index offense?                                                        | No<br>Yes |          |

|          |                                               |                             |  |
|----------|-----------------------------------------------|-----------------------------|--|
| <b>7</b> | Any convictions for non-contact sex offenses? | <b>No</b><br><br><b>Yes</b> |  |
|----------|-----------------------------------------------|-----------------------------|--|

The definitions for “non-sexual violence”, “prior sex offenses”, “prior sentencing dates” and “convictions for non-contact sex offense” can be found in Board OAR Exhibit “ExhibitStatic99”. Other definitions can be found in OAR 255-005-0005.

Additional Comments:

\_\_\_\_\_  
Evaluator

\_\_\_\_\_  
Evaluator Signature

\_\_\_\_\_  
Date