

INSTRUCTIONS FOR SEEKING RELIEF FROM SEX OFFENDER REGISTRATION UNDER ORS 181.830 (House Bill 2333)

Beginning January 1, 2008, persons residing in Oregon who are currently required to register as sex offenders can be relieved of that requirement under certain circumstances. Additional information on relief from registration under ORS 181.830 (House Bill 2333) can be found at www.oregon.gov/OSP/SOR under the Relief heading.

The Worksheet is designed to aid you in determining if you may be eligible for registration relief under this law change; however, nothing prohibits you from filing for registration relief. **NOTE: Providing false information can lead to a charge of Perjury (see forms).** If you have any questions regarding the Worksheet or these instructions to petition for registration relief under ORS 181.830, please contact the Oregon State Police Sex Offender Registration Unit at (503) 378-3720. The Unit operates Monday through Friday, 8:00 am to 5:00 pm.

Vi Beaty, Unit Manager
Oregon State Police
Sex Offender Registration Unit

Persons convicted in Oregon or adjudicated in Oregon use the “In State Conviction” forms on this website.

STEP 1. Filing with the court of conviction (adult court where conviction occurred) or adjudication (juvenile court where jurisdiction occurred) must be performed in-person by the person seeking relief (petitioner) or their attorney.

In-Person filing with the court–

Prior to arriving at the court the petitioner (person seeking relief) will need to complete the Motion for Relief and the Affidavit of Eligibility. These forms must be filed with the court of conviction (adult court) or court of adjudication (juvenile court) by the petitioner or their attorney. At the time of filing, the court clerk will stamp a case number on the forms.

If the petitioner or their attorney is intending to serve the documents on the district attorney by mail, make two (2) sets of copies of the completed forms. Take all of the sets (original and 2 copies) to the court. At the time of filing, the court clerk will also stamp the case number on the copies.

If the petitioner or their attorney is intending to serve the documents on the district attorney by fax, a court certified copy of both forms will need to be obtained at the time of filing with the court. The approximate cost of a court certified copy is \$5.00.

Court Filing fee –

At the time of filing, the petitioner is required to pay a civil filing fee of approximately \$189.00. As this amount will vary slightly court to court, contact with the court prior to filing to determine the exact amount is advised.

NOTE: If filing without attorney assistance, it is suggested the petitioner keep a copy of all documents for their records.

STEP 2. Serving the district attorney must be performed by mail or by fax.

Serving a copy on the district attorney-

The petitioner or their attorney must serve the Motion for Relief and Affidavit of Eligibility on the district attorney in their county of conviction or adjudication by mail or by fax.

Serving by Mail-

The petitioner or their attorney must write “**I certify that this is a true copy**” on the top of **each** copy **and sign their name next to the statement.**

Important Requirements:

One set of copies must go by first class mail;

The second set of copies must go by certified or registered mail with “Return receipt requested”, or by express mail.

Keep the return receipt, when returned by mail, to prove the copies were received by the district attorney.

Serving by Fax-

The petitioner or their attorney must fax the court certified copy of the forms, obtained from the court clerk upon filing.

Keep the fax acknowledgement that the fax was successfully transmitted to the district attorney.

STEP 3. Once the copy of the documents is served on the district attorney, file the Petitioner’s Affidavit of Service form with the court (same court identified in STEP 1). This must be completed in-person by the petitioner or their attorney.

NOTE: If filing without attorney assistance, it is suggested the petitioner keep a copy of all documents for their records.

Persons convicted in adult courts or adjudicated in juvenile courts from another jurisdiction (not Oregon) use the “Out of State Conviction” forms on this website.

STEP 1. Filing with the court in the county where the petitioner resides must be performed in-person by the person seeking relief (petitioner) or their attorney.

In-Person filing with the court–

Prior to arriving at the court the petitioner (person seeking relief) will need to complete the Petition for Relief and the Affidavit of Eligibility. These forms must be filed with the court of conviction (adult court) or court of adjudication (juvenile court) by the petitioner or their attorney. At the time of filing, the court clerk will stamp a case number on the forms.

If the petitioner or their attorney is intending to serve the documents on the district attorney by mail, make two (2) sets of copies of the completed forms. Take all of the sets (original and 2 copies) to the court. At the time of filing, the court clerk will also stamp the case number on the copies.

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STEP 3.

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NOTE: If filing without attorney assistance, it is suggested the petitioner keep a copy of all documents for their records.

What happens next?

The court will notify the petitioner and district attorney that a hearing has been scheduled. This hearing should be **more than** 90 days from the date the petitioner filed the Motion or Petition and Affidavit of Eligibility.

The district attorney has 90 days to object to the petitioner's request for relief. If the district attorney objects, Oregon Revised Statute 181.833(3)(c) requires the district attorney to notify the petitioner of the objection. The district attorney will then present his/her reason for the objection at the hearing previously scheduled by the court. At the hearing the court (judge) will decide whether the relief requested by the petitioner will or will not be granted.

If the district attorney does not object, an order for relief will be sent to the court with a request the previously scheduled hearing be cancelled.

Important Information:

Once the judge signs the order relieving the petitioner of the requirement to report, the court may or may not automatically send a copy of the order for relief to the petitioner.

It is recommended the petitioner call the court the day before the scheduled hearing. Ask the court clerk if the hearing is still scheduled. If advised the hearing has been cancelled, ask the court clerk if the order for relief has been signed.

If the order has been signed, the petitioner or their attorney will need to go to the court (in-person) and obtain a certified copy of the order for relief. The approximate cost of a court certified copy is \$5.00.

Removal from the Oregon Sex Offender Registry-

Removal from the Registry under ORS 181.833(6)(a) requires the petitioner send the certified copy of the relief order to:

Oregon State Police, Sex Offender Registration Unit
255 Capitol Street N.E., 4th Floor
Salem, OR 97310

Once received, the Oregon State Police shall remove the petitioner's information from the Registry.