



Board of Parole and Post-Prison Supervision

2021 Report on Rulemaking

TO: Legislative Assembly

February 1, 2022

FROM: Board of Parole and Post-Prison Supervision (Board)
Dylan Arthur, Executive Director

RE: 183.403 Agency report to Legislative Assembly regarding rules.

House Bill 4106 (2016) directs state agencies to report annually on their rulemaking actions during the previous year. In 2021 the Board processed 4 temporary rulemaking adoptions and 1 temporary rule amendment. Table 1 below gives details on what was accomplished and the reasoning behind proceeding with the temporary rule process. The Board also processed 17 permanent rulemaking actions that amended a rule or corrected a statutory reference and are referenced in Table 2.

Table 1: Temporary Rulemaking in 2021

Date	None
Description	
Action taken	
Rule numbers	
Need Statement	
Justification	

Table 2: Permanent Rule Amendments in 2021

Description of Rulemaking	Action taken	Rule number
Update county of residence to comply with statute and allow for release into county last supervised. Allow for modification of supervision conditions up to 60 days post release. Language clean-up and modernize terms.	Amended -Filed and Permanent Effective 07/16/2021	255-070-0003 Offender Return to County of Residence
Amend rule to allow conditions to be imposed up to 60 days after release. Clean up language. Modernize term "inmate" to "adult in custody".	Amended -Filed and Permanent Effective 07/16/2021	255-070-0015 Establishing Conditions of Parole and Post-Prison Supervision
The Board is adopting rules to carry out the provisions of ORS 144.397. (<i>ORS 144.397: Release eligibility for juvenile offenders after 15 years of imprisonment; board hearing; rules. (1)(a) A person convicted of an offense or offenses committed when the person was under 18 years of age, who is serving a sentence of imprisonment for the offense or offenses, is eligible for release on parole or post-prison supervision as provided in this section after the person has served 15 years of imprisonment.</i>) The Board will incur increased costs in: holding hearings; psychological evaluations; Attorney General fees; additional staffing of a victims specialist, hearing specialist and hearings officer; and appointing attorneys to represent adults in custody at the hearing.	Filed 11/29/21 Hearing held 12/16/21 Adoption pending	255-033 Release hearings rules for AICs when offense was committed as a juvenile