

# House Bill 2320

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Judiciary for American Federation of State, County, and Municipal Employees)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Provides that corrections officers have powers and authority of peace officers while acting within scope of employment.

## A BILL FOR AN ACT

1  
2 Relating to peace officer status for corrections officers; creating new provisions; and amending ORS  
3 423.076.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Corrections officers, as defined in ORS 181.610, while acting within the scope**  
6 **of employment, have all the powers and authority given by law to peace officers of this state.**

7 **SECTION 2.** ORS 423.076 is amended to read:

8 423.076. *[(1) The Director of the Department of Corrections may grant to an individual corrections*  
9 *officer or classification of corrections officer all the powers and authority of a peace officer over in-*  
10 *mates.]*

11 [(2)] **(1)** A corrections officer *[granted the authority of a peace officer under subsection (1) of this*  
12 *section shall have]* **has** the authority to:

13 (a) Prevent an escape from the grounds of a correctional facility by an inmate; and

14 (b) Go beyond the grounds of a correctional facility to:

15 (A) Pursue an inmate if the inmate is in the act of escaping from a correctional facility;

16 (B) Search for an inmate if the inmate is in the act of escaping from a correctional facility; and

17 (C) Recapture an inmate if the inmate is in the act of escaping from a correctional facility.

18 [(3)] *A corrections officer who has been granted the authority of a peace officer under subsection*  
19 *(1) of this section shall retain the authority until the law enforcement agency having general jurisdic-*  
20 *tion over the area in which the escape or attempted escape of the inmate took place assumes responsi-*  
21 *bility for recapture of the inmate.]*

22 [(4)] **(2)** The Department of Corrections shall inform the appropriate law enforcement agency of  
23 an escape or attempted escape of an inmate as soon as is reasonably practicable.

24 [(5)] **(3)** As used in this section, "inmate" means a person sentenced to a period of incarceration  
25 in a prison or other correctional facility until such time as a lawful release authority authorizes the  
26 release of the person.

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**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.