



# MEMORANDUM

Prepared for: Oregon State Senate  
Date: February 11, 2021  
By: Leslie Porter, Analyst  
Re: Legislative Review of Executive Appointments

LPRO: LEGISLATIVE POLICY AND RESEARCH OFFICE

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## DIRECTOR OF THE DEPARTMENT OF CORRECTIONS

The Governor has appointed the following individual to serve as the Director of the Department of Corrections subject to Senate confirmation.<sup>1</sup>

### Appointee

Colette Peters of Salem; Reappointment

### Term

February 5, 2020 – February 4, 2024; serves at the pleasure of the Governor.

### Appointment/Confirmation Authority

[ORS 423.075 \(2019\)](#)

### Statement of Economic Interest<sup>2</sup>

Required.

### Statutory Requirements<sup>3</sup>

The director is appointed by the Governor and subject to confirmation by the Senate.<sup>4</sup> The director serves a four-year term and at the pleasure of the Governor.

### Duties and Authority

The Department of Corrections must:<sup>5</sup>

- supervise the management and administration of the Department of Corrections institutions, parole and probation services, community corrections and other functions related to state programs for corrections;
- carry out legally mandated sanctions for the punishment of persons committed to its jurisdiction by the courts of this state;
- exercise custody over those persons sentenced to a period of incarceration until such time as a lawful release authority authorizes their release;

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<sup>1</sup> See [Or. Const. art. III sect. 4](#), [ORS 171.562 \(2019\)](#), [ORS 171.565 \(2019\)](#).

<sup>2</sup> See [ORS 244.050 \(2019\)](#).

<sup>3</sup> See [ORS 182.100 \(2019\)](#) for affirmative action policy and [ORS 236.115 \(2019\)](#) for diversity criteria.

<sup>4</sup> [ORS 423.075 \(2019\)](#).

<sup>5</sup> [ORS 423.020 \(2019\)](#).

- provide adequate food, clothing, health and medical care, sanitation and security for persons confined;
- provide persons who are motivated, capable and cooperative with opportunities for self-improvement and work;
- conduct investigations and prepare reports for release authorities; and
- supervise persons sentenced or placed in the community for the period of time specified and in accordance with conditions of supervision ordered by the release authority.

The director exercises supervision and control of the department, provides for the delivery to the public of the service assigned to the department, and undertakes long-range planning necessary for the effective and efficient delivery of those services.<sup>6</sup>

The director must:<sup>7</sup>

- for purposes of administration and control, and with the approval of the Governor, organize and reorganize the department in whatever manner the director deems necessary to conduct the work of the department;
- appoint all subordinate superintendents, officers and employees, whether classified or unclassified, of the department, prescribe their duties and fix their compensation;
- delegate to departmental employees such responsibilities and authority as the director determines to be necessary;
- provide for the safety of all prisoners in the custody of the department and may adopt rules for the government and administration of the department;
- appoint an unclassified employee to the position of Administrator of Correctional Education with authority over, and responsibility for, statewide corrections education programs;
- adopt rules for the administration of, and verify compliance with, community corrections funds;
- maintain a directory of public and private rehabilitative programs known and available to corrections agencies of the state and of each county and make the directory available to specified parties;
- serve as an ex officio nonvoting member of the State Board of Parole and Post-Prison Supervision;
- jointly with the State Board of Parole and Post-Prison Supervision adopt procedures for a prisoner's access to written materials which the board shall consider with respect to the release of the prisoner on parole;
- act as an advisor to the Advisory Commission on Prison Terms and Parole Standards;
- designate staff to provide technical assistance to local governmental agencies in the planning and operation of local correctional facilities, lockups, temporary holds and juvenile detention facilities, and advice on provisions of state law applicable to these facilities;

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<sup>6</sup> [ORS 423.075 \(2019\)](#).

<sup>7</sup> [ORS 423.075 to 423.540 \(2019\)](#), [135.980 \(2019\)](#), [144.005 \(2019\)](#), [144.775 \(2019\)](#), [169.070 \(2019\)](#), [169.090 \(2019\)](#), [181A.275 \(2019\)](#), [181A.360 \(2019\)](#), [421.344 \(2019\)](#), [421.455 \(2019\)](#).

- publish and distribute a manual of recommended guidelines for the operation of local correctional facilities and lockups as developed by a jail standards committee appointed by the director;
- serve as a member of the Criminal Justice Information Standards Advisory Board and the Board on Public Safety Standards and Training;
- assign or appoint an administrator for Oregon Corrections Enterprises who shall serve at the pleasure of the director; and
- establish at places in state forests recommended by the State Board of Forestry one or more forest work camps at which state adults in custody and local adults in custody may be employed.

The director may:<sup>8</sup>

- appoint a deputy director, whose appointment is subject to approval by the Governor and who shall serve at the pleasure of the director; and
- grant to an individual corrections officer or classification of corrections officer all the powers and authority of a peace officer over adults in custody.

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<sup>8</sup> [ORS 423.075 to 423.076 \(2019\)](#).