

DRAFT

SUMMARY

Digest: The Act tells DOC to do many things to improve the experience of adults in custody. (Flesch Readability Score: 68.9).

Requires the Department of Corrections to implement a list of policies for adults in custody, including policies related to gender-responsive, evidence-based and trauma-informed practices at the Coffee Creek Correctional Facility.

A BILL FOR AN ACT

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Relating to adults in custody; creating new provisions; and amending ORS 144.102.

Whereas the Gender Informed Practices Assessment report commissioned by the state in 2022 found widespread dysfunction in the operations and management of Coffee Creek Correctional Facility;

Whereas Coffee Creek Correctional Facility uses a traditional carceral approach that is neither gender-responsive nor trauma-informed; and

Whereas the Gender Informed Practices Assessment report recognized that the traditional carceral approach used by the Department of Corrections throughout its prisons is dominated by a paramilitary, punitive and retaliatory culture and is not trauma-informed, evidence-based, human-centered or appropriate for any justice-involved individual; and

Whereas the traditional carceral approach is antithetical to efforts of an adult in custody to rehabilitate and reform; and

Whereas about 95 percent of adults in custody will be released from prison and return to live in Oregon communities; and

Whereas for the health, well-being and safety of Oregon communities, the

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.

1 Department of Correction's prison culture, systems and operations must shift
2 from the traditional carceral approach to an approach that is gender-
3 responsive, trauma-informed and evidence-based and that prioritizes rehabil-
4 itation and reformation over retribution; and

5 Whereas substance use disorders, behavioral health issues, houselessness
6 and difficulties in education negatively impact adults in custody at a signif-
7 icantly greater frequency than they impact nonincarcerated individuals in
8 the community; and

9 Whereas recognizing and addressing these issues during incarceration
10 further improves the health and well-being of Oregon communities; and

11 Whereas inadequate nutrition negatively impacts the mental, physical and
12 behavioral health and wellness of adults in custody; and

13 Whereas providing healthy and nutritional meals will support the long-
14 term health and rehabilitation of adults in custody and reduce health care
15 costs for the Department of Corrections; and

16 Whereas the Department of Corrections shall prioritize forms of discipline
17 that are rooted in positive reinforcement and incentives, rather than nega-
18 tive reinforcement and fear; and

19 Whereas a significant percentage of adults in custody are survivors of
20 abuse or trauma, and the vast majority of women and transgender adults in
21 custody are survivors of domestic abuse, intimate partner violence, sexual
22 assault or other trauma; and

23 Whereas it is the responsibility of the state of Oregon to appropriately
24 care for adults in custody who are survivors of abuse, trauma or violence
25 and not to perpetrate further abuse, trauma or violence against adults in
26 custody; and

27 Whereas an estimated 80 percent of adults in custody at Coffee Creek
28 Correctional Facility are mothers, and prior to incarceration most of these
29 mothers were the primary caregivers for their children, and many plan to
30 resume their parenting role upon release; and

31 Whereas maintaining meaningful contact with an incarcerated parent is

1 essential to a child’s well-being and can mitigate the negative impacts of
2 separation; and

3 Whereas ensuring adults in custody have positive connections with chil-
4 dren and family members during incarceration reduces recidivism rates, en-
5 hances behavioral health outcomes and promotes successful reentry and
6 reintegration; and

7 Whereas pursuant to Article 1, sections 13 and 14, of the Oregon Consti-
8 tution, the Department of Corrections shall recognize in rule and policy that
9 reentry planning and rehabilitation for each adult in custody starts on the
10 day of admission into custody and remains the highest priority until the re-
11 lease date of the adult in custody; now, therefore,

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

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14

LEADERSHIP

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16 **SECTION 1. (1) The Department of Corrections shall create a com-**
17 **prehensive leadership development, training and retention program to**
18 **provide staff with the essential knowledge on women who are adults**
19 **in custody, including research and evidence-based practices that are**
20 **needed to properly manage a women’s correctional facility.**

21 **(2) The department shall adopt rules to address department policies**
22 **that create barriers to gender-responsive practices.**

23 **(3) The department shall adopt by rule trauma-informed and**
24 **gender-responsive policies that address the unique needs of women**
25 **who are adults in custody, including rules:**

26 **(a) Implementing gender-responsive management, security and op-**
27 **erations across the department.**

28 **(b) Addressing the needs of diverse, historically underserved popu-**
29 **lations.**

30 **(c) Ensuring that departmental initiatives are implemented in ac-**
31 **cordance with a gender-responsive and trauma-informed philosophy.**

1 (d) Ensuring policies and procedures related to commissary and
2 clothing are gender-specific and culturally responsive and accommo-
3 date the gender identity of all adults in custody.

4 (e) Resolving conflicting philosophies and disjointed communication
5 among security and all other sections of the department through the
6 development of gender-responsive and trauma-informed operational
7 policies and procedures, cross-training programs and team-building
8 exercises.

9 (f) Ensuring visibility and accessibility of facility leadership and
10 managers to adults in custody.

11 (g) Implementing diverse and robust feedback methods for staff and
12 adults in custody to communicate with leadership and management.

13 **SECTION 2.** As soon as practicable after the effective date of this
14 2025 Act, the Department of Corrections shall:

15 (1) Adopt the rules described in section 1 of this 2025 Act; and

16 (2) Ensure that the rules described in section 1 (3) of this 2025 Act
17 are implemented and enforced at Coffee Creek Correctional Facility.

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19 **STAFFING AND TRAINING**
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21 **SECTION 3.** (1) The Department of Corrections shall improve hiring
22 protocols for corrections officers who work with women, by taking
23 actions that include:

24 (a) Defining the knowledge, attitudes, skills and competencies re-
25 quired to work with women and incorporating these elements into
26 hiring and screening procedures.

27 (b) Ensuring the hiring process identifies candidates with aptitude,
28 interest and experience in working with women.

29 (c) Developing and implementing a pre-employment screening tool
30 to gauge whether a candidate will be able to appropriately work with
31 women.

1 **(2) The department shall take proactive steps to implement a cul-**
2 **ture of respect and dignity, including:**

3 **(a) Ensuring that staff are adhering to the zero-tolerance policy**
4 **described in subsection (1) of this section, including refraining from**
5 **the use of derogatory language, swearing, yelling and the use of racist,**
6 **sexist, misogynistic, homophobic and transphobic language.**

7 **(b) Informing staff of the consequences of failing to adhere to the**
8 **zero-tolerance policy.**

9 **(c) Actively addressing the code of silence regarding the mistreat-**
10 **ment of adults in custody.**

11 **(d) Requiring the leadership of the facility to address facility cul-**
12 **ture annually by distributing an action plan to all staff and adults in**
13 **custody that reinforces a culture of respect and dignity and the zero-**
14 **tolerance policy described in subsection (1) of this section.**

15 **(e) Eliminating any element of paramilitary culture or philosophy,**
16 **including but not limited to:**

17 **(A) Titles and rankings.**

18 **(B) Uniforms.**

19 **(C) Language.**

20 **(D) Imagery, symbols and signage.**

21 **(3) Within the first six months of hiring and every 18 months**
22 **thereafter, all corrections officers shall participate in meetings be-**
23 **tween adults in custody and corrections officers that are facilitated**
24 **by a community-based organization for the purpose of cultivating an**
25 **understanding of the unique experiences and difficulties of incarcer-**
26 **ation.**

27 **(4)(a) The Department of Public Safety Standards and Training**
28 **shall review all complaints received about a certified corrections offi-**
29 **cer, as defined in ORS 181A.355, to determine whether the allegations**
30 **in the complaint, if proven, would lead an objectively reasonable per-**
31 **son to conclude that the corrections officer violated employment,**

1 **training or certification standards for public safety professionals es-**
2 **tablished by the Board on Public Safety and Standards and Training.**

3 **(b) When a complaint is made against a employed corrections offi-**
4 **cer or a certified corrections officer who is not employed in a**
5 **certifiable position for conduct that, if proven, would violate the cer-**
6 **tification requirements under ORS 181A.410 or any rules adopted under**
7 **ORS 181A.410, the department shall present the complaint to the Cor-**
8 **rections Policy Committee described in ORS 181A.375 for disposition.**

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10 **ACCESS TO COURTS**

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12 **SECTION 6. (1)(a) The Judicial Department shall establish, manage**
13 **and administer a law library at each Department of Corrections insti-**
14 **tution that is modeled after the Multnomah Circuit Court Legal Re-**
15 **source Center.**

16 **(b) The Judicial Department shall provide to each adult in custody**
17 **at a Department of Corrections institution access to the courts and**
18 **legal resources to the same extent enjoyed by the general public.**

19 **(2) The Department of Corrections shall provide to each adult in**
20 **custody at a Department of Corrections institution access to the fol-**
21 **lowing at no cost:**

22 **(a) The courts and legal resources to the same extent enjoyed by**
23 **the general public.**

24 **(b) The law library established under subsection (1) of this section**
25 **at the facility in which the adult in custody is incarcerated regardless**
26 **of the claim or legal issue, during regular business hours, evenings**
27 **and at least one weekend day per week.**

28 **(c) Legal research materials on tablet computers available from**
29 **housing units or on kiosks.**

30 **(d) Computers and printers for word processing, copying and print-**
31 **ing of documents related to legal issues, during regular business**

1 **hours, evenings and at least one weekend day per week.**

2 **(e) Telephones for the purpose of calling courts to inquire about**
3 **court processes or the court case of the adult in custody.**

4 **(f) The Internet to conduct legal research, including access to**
5 **websites for state and federal courts and the Oregon State Bar.**

6 **(g) Information about the court case of the adult in custody**
7 **through electronic state and federal databases.**

8 **(h) Forms through the Judicial Department Forms Center website.**

9 **(i) Printed legal forms in the law library free of charge.**

10 **(j) Document copying, envelopes and postage in the law library to**
11 **mail any documents necessary to address any legal issues concerning**
12 **and identified by the adult in custody.**

13 **(k) Access to private and comfortable rooms that conform to any**
14 **applicable requirements of the Americans with Disabilities Act of 1990**
15 **(42 U.S.C. 12101 et seq.) for making legal telephone calls, appearing**
16 **remotely at hearings and taking notes. For purposes of making legal**
17 **telephone calls, an adult in custody must have access within seven**
18 **days of requesting use of the telephone.**

19 **(L) Any court proceeding by telephone or video conference for the**
20 **entirety of the hearing.**

21 **(3) The Judicial Department shall:**

22 **(a) Develop and publish detailed policies and procedures for use by**
23 **court staff to ensure consistent and proper processing of fee waiver**
24 **and deferral requests submitted by adults in custody.**

25 **(b) Allow filings to be accepted pending the processing of a fee**
26 **waiver or deferral request.**

27 **(c) Develop and deliver ongoing training for judicial staff at all**
28 **courts in this state, including:**

29 **(A) An overview of the policies and procedures of the Judicial De-**
30 **partment and Department of Corrections related to the ability of an**
31 **adult in custody to attend court proceedings and communicate with**

1 **the court.**

2 **(B) Information related to access to justice issues experienced by**
3 **adults in custody, including barriers to communication with courts,**
4 **challenges of remote attendance at court proceedings and the negative**
5 **consequences to adults in custody associated with missing a court**
6 **proceeding or attending a court proceeding in person.**

7 **(C) How to identify and secure the appearance of adults in custody.**

8 **(d) Ensure that each adult in custody appears by telephone or video**
9 **at each court proceeding unless the adult in custody or the attorney**
10 **for the adult in custody voluntarily communicates another preference**
11 **to the court.**

12 **(e) Schedule cases involving telephone or video appearances by**
13 **adults in custody to begin at a specific time and last for a specific**
14 **duration.**

15 **(4) The Department of Corrections shall establish a dedicated point**
16 **person at each Department of Corrections institution to provide the**
17 **following services:**

18 **(a) Be available for adults in custody, attorneys, legal staff or court**
19 **staff to contact with questions or concerns regarding legal matters.**

20 **(b) Coordinate court appearances for an adult in custody or trou-**
21 **bleshoot issues concerning the ability of an adult in custody to par-**
22 **ticipate in a hearing.**

23 **(c) Contact the court if an adult in custody is unable to appear or**
24 **missed the hearing.**

25 **(d) Be available for the court to contact if the court experiences**
26 **connection issues leading up to or during a hearing.**

27 **(5) The Judicial Department shall modify hearing notices to include**
28 **information about what types of appearances are permitted and how**
29 **to request each type of appearance.**

30 **(6) If an adult in custody is transported for an in-person court ap-**
31 **pearance, the Department of Corrections may not cause the adult in**

1 custody to lose their housing or job assignments and shall ensure that
2 necessary personal care items, paperwork and medications are trans-
3 ported with the adult in custody.

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5 **OPERATIONAL AND FACILITY IMPROVEMENTS**

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7 **SECTION 7. Feasibility study; report.** (1) The Department of Cor-
8 rections shall conduct a feasibility study and prepare a report on cre-
9 ating a system of women’s regional justice centers across this state
10 to function as an alternative model of caring for adults in custody.

11 (2) The department shall submit the report in the manner provided
12 by ORS 192.245, and may include recommendations for legislation, to
13 the interim committees of the Legislative Assembly related to the ju-
14 diciary no later than September 15, 2027.

15 (3) The department shall publish the report on a public-facing
16 website no later than September 15, 2027.

17 **SECTION 8. Grievances.** (1) The Department of Corrections may not
18 deny a grievance for reasons of form if the content of the grievance
19 is clear. If a grievance is denied, the department shall explain the
20 reason for the denial in person and in writing to the adult in custody.

21 (2) The department shall liberally extend the timelines for filing and
22 appealing grievances.

23 (3) Unless an adult in custody can demonstrate a reasonable basis
24 for being untimely, an adult in custody shall submit grievances and
25 appeals to the Department of Corrections institution grievance coor-
26 dinator or designee on the following timelines:

27 (a) A grievance within 90 calendar days from the date on which the
28 incident or issue giving rise to the grievance occurred.

29 (b) An initial appeal within 45 calendar days from the date that the
30 grievance coordinator or designee sent the initial grievance response
31 to the adult in custody.

1 (c) A final appeal within 45 calendar days from the date that the
2 grievance coordinator or designee sent the initial appeal response to
3 the adult in custody.

4 (4) The department shall:

5 (a) Provide grievance forms in the preferred language of an adult
6 in custody.

7 (b) Establish and maintain an electronic system for adults in cus-
8 tody to access and submit grievances on tablet computers.

9 (c) Ensure anonymous reporting options.

10 (d) Revisit grievance protocols every three years, including re-
11 quirements and timelines for filing grievances and appeals.

12 (e) Provide semiannual in-service training to staff on the compo-
13 nents of the grievance protocol and their duties within that protocol.

14 (f) Ensure that adults in custody know their rights and responsi-
15 bilities regarding grievances, including the process and timelines for
16 filing and appeals.

17 (g) Establish a monitoring protocol to identify when staff retaliate
18 against adults in custody who file grievances and a corresponding
19 disciplinary protocol for staff who engage in retaliation.

20 (h) Formally monitor and track staff adherence to grievance pro-
21 tocols, especially during the rollout of improved protocols, through
22 measures such as meeting with adults in custody and staff regularly
23 and distributing anonymous surveys.

24 (i) Establish an electronic system to track data related to griev-
25 ances, including but not limited to:

26 (A) Staff performance.

27 (B) Trends and issues.

28 (C) Reasons for accepting or denying each filed grievance.

29 (D) Disciplinary, medical and mental health metrics.

30 (j) Collect and digitize all previously filed grievances in its pos-
31 session for the purpose of generating usable data to inform future

1 **improvements to the grievance process.**

2 **(5) The department may not:**

3 **(a) Forward or otherwise make available a filed grievance to the**
4 **individual who is the subject of the grievance.**

5 **(b) Prevent an adult in custody from filing a tort claim notice under**
6 **ORS 30.275 because the adult in custody filed a grievance.**

7 **(c) Retaliate against an adult in custody for assisting another adult**
8 **in custody with filing a grievance.**

9 **SECTION 9. Intake. (1) The Department of Corrections may use the**
10 **Coffee Creek Corrections Facility to conduct intake exclusively for**
11 **adults in custody who will serve the entire length of their sentence**
12 **at the facility.**

13 **(2) The department shall conduct intake for all other adults in**
14 **custody at another Department of Corrections institution.**

15 **(3) The department shall provide women with a gender-responsive**
16 **and trauma-informed intake process, space and orientation.**

17 **SECTION 10. Basic conditions and needs. (1) The Department of**
18 **Corrections, in consultation with independent health experts, shall**
19 **establish fresh food and nutrition requirements, support enhanced**
20 **food quality, variety and portion size and expand the performance re-**
21 **cognition award system for kitchen workers.**

22 **(2) The department shall:**

23 **(a) Accommodate special diets and ensure that all adults in custody**
24 **with specific nutritional needs are able to get those needs met.**

25 **(b) Provide more nutritious food choices to adults in custody.**

26 **(c) Ensure work crews have larger sack lunches to provide the**
27 **adults in custody on the work crew with the necessary caloric energy**
28 **and nutrition to support their work while away from the Department**
29 **of Corrections institution.**

30 **(d) Offer a kitchen program at each Department of Corrections in-**
31 **stitution that provides vocational education and enrichment beyond**

1 the food handler card, supported by staff and adults in custody with
2 professional culinary experience.

3 **SECTION 11. Maintenance and repair.** (1)(a) The Department of
4 Corrections shall contract with an independent third party to audit
5 and prepare a report on the infrastructure at each Department of
6 Corrections institution every three years. The report must include a
7 timeline for addressing outstanding issues and a schedule for follow-up
8 reporting.

9 (b) The department shall submit the report, and may include rec-
10 ommendations for legislation, to the interim committees of the Leg-
11 islative Assembly related to the judiciary no later than September 15
12 of each year the audit occurs.

13 (2) At all Department of Corrections institutions, the department
14 shall:

15 (a) Provide modernized HVAC systems with HEPA filtration sys-
16 tems to ensure all adults in custody have access to appropriate heat-
17 ing, cooling and smoke filtration during wildfire season.

18 (b) Ensure that the temperature of housing units is between 68 de-
19 grees and 76 degrees Fahrenheit.

20 (c) Provide adequate shaded or covered areas outside for adults in
21 custody to recreate safely and comfortably.

22 (d) Ensure that all bunk beds are designed to prevent adults in
23 custody from falling off.

24 **SECTION 12.** The Department of Corrections shall comply with
25 section 11 (2)(a) of this 2025 Act by May 1, 2028.

26 **SECTION 13. Facility design and structure.** The Department of
27 Corrections shall:

28 (1) Ensure all cells include a privacy curtain for the cell toilet.

29 (2) Study and implement mitigation measures to reduce noise levels
30 from cell doors opening and closing, including modifications to door
31 mechanisms and permitting adults in custody to control their own cell

1 doors during specified hours.

2 (3) Ensure that lights do not impact or inhibit the ability of adults
3 in custody to sleep.

4 (4) Make immediate improvements to the current facility space to
5 ensure that it reflects a more human-centered, gender-responsive and
6 trauma-informed atmosphere.

7 (5) Enhance and create opportunities for safe areas for adults in
8 custody to engage in wellness and self-care apart from their cells.

9 (6) Implement at all Department of Corrections institutions visual
10 enhancements in all units, common spaces and program spaces to
11 improve the mental health and well-being of adults in custody and
12 staff, including placing items on the walls that offer hope and en-
13 couragement.

14 (7) Ensure visiting spaces in all Department of Corrections insti-
15 tutions support productive and nurturing visits with family, children
16 or other approved individuals, including ensuring that the space:

17 (a) Allows for private conversations.

18 (b) Is child friendly with toys, a changing table and access to
19 healthy and affordable snacks in a vending machine.

20 (c) Provides the adult in custody sufficient access to their children,
21 family or other approved individuals.

22 (8) Establish dignified, gender-responsive and trauma-informed
23 spaces on the units where adults in custody can de-escalate.

24 (9) Implement improvements to the Special Housing Unit space and
25 protocols, including:

26 (a) Installing frosted films for coverage in all cells to ensure that
27 no one can look into the cell when an adult in custody is showering.

28 (b) Removing the floor to ceiling closet-size cages and removing
29 shackles from the wall.

30 (c) Ending the use of tethers or similar items to walk adults in
31 custody around the segregation units and implementing alternative

1 approaches to safe and secure movement or transfer practices within
2 the Special Housing Unit that are more human-centered, dignified,
3 gender-responsive and trauma-informed.

4 (d) Allowing adults in custody with a level 3 classification to visit
5 another adult in custody who is in segregation.

6 (10) Redesign the housing units to eliminate open-dorm style hous-
7 ing and replace that housing with divided rooms where small groups
8 of adults in custody can be housed.

9 SECTION 14. The Department of Corrections shall comply with
10 section 13 (9) of this 2025 Act within six months after the effective date
11 of this 2025 Act.

12 SECTION 15. Technology. The Department of Corrections shall:

13 (1) Rescind the current telephone validation requirement.

14 (2) Provide telephone calls and video visits free of charge.

15 (3) Install additional video call kiosks to ensure one kiosk for every
16 four adults in custody.

17 (4) Allow adults in custody to make video calls on tablet computers.

18 (5) Provide each adult in custody with their own tablet computer
19 at all Department of Corrections institutions.

20 (6) Provide Internet access related to websites, applications and
21 other digital resources for adults in custody through a secondary
22 wireless network subject to reasonable restrictions.

23 (7) Provide access to the computer lab during regular business
24 hours, evenings and at least one weekend day per week for adults in
25 custody to independently work on legal, educational or occupation-
26 related work, including using office, presentation and word-processing
27 software applications that are commonly employed in professional and
28 school settings.

29 SECTION 16. Unclothed body searches. The Department of Cor-
30 rections:

31 (1) May not use routine or randomized unclothed body searching.

1 **(2) May use an unclothed body search only upon a determination**
2 **that probable cause exists and with written approval from a supervi-**
3 **sor.**

4 **(3) May use body scanning devices prior to conducting any un-**
5 **clothed body searches subject to the following policies:**

6 **(a) A body scanner search may not occur without probable cause**
7 **to warrant the body scan and prior written approval from a supervisor.**

8 **(b) The outcome of any body scan must be documented.**

9 **(c) Refusal of a body scan by an adult in custody does not constitute**
10 **probable cause.**

11 **(d) The number of body scans each adult in custody is subjected to**
12 **must be monitored.**

13 **(e) The department shall implement a maximum limit on the use**
14 **of body scans on each adult in custody to ensure safe levels of radi-**
15 **ation.**

16 **(f)(A) The department shall establish medical exemptions by which**
17 **adults in custody may elect not to undergo a body scan.**

18 **(B) Invocation of a medical exemption under subparagraph (A) of**
19 **this paragraph does not alter the probable cause and written approval**
20 **requirements for conducting an unclothed body search described in**
21 **paragraph (a) of this subsection.**

22 **(g) The department shall ensure staff are adequately trained to read**
23 **body scans accurately, to avoid false identification of contraband and**
24 **to enforce safe radiation limits.**

25 **(4) The department may not discipline, retaliate against or coerce**
26 **an adult in custody for refusing a body scan or unclothed body search**
27 **that lacks probable cause.**

28 **(5) The department shall:**

29 **(a) Post guidance in areas where unclothed body searches are con-**
30 **ducted to remind corrections staff what is appropriate and not appro-**
31 **priate.**

1 (b) Ensure staff explain each step of the unclothed body search and
2 its purpose to an adult in custody before conducting the search, using
3 professional language and a respectful tone and without additional
4 commentary.

5 (c) Limit punitive responses when unclothed body searches reveal
6 addiction-related contraband or harmless items.

7 (d) Ensure that if an unclothed body search is conducted, staff shall
8 keep accurate records of the information regarding the search, in-
9 cluding:

10 (A) The name, race and ethnicity of the adult in custody subjected
11 to the search.

12 (B) The name of the officer who ordered or conducted the unclothed
13 body search.

14 (C) When and where the unclothed body search transpired.

15 (D) What alternatives to an unclothes body search were considered.

16 (E) The detailed reason that the unclothed body search was war-
17 ranted.

18 (F) Any contraband that was recovered from the unclothed body
19 search.

20 (e) Report on a monthly basis to the Corrections Ombudsman the
21 information described in paragraph (d) of this subsection.

22 (f) Record, maintain and analyze data on the race and ethnicity of
23 adults in custody who are subjected to unclothed body searches to
24 identify potential discrimination in unclothed body searching prac-
25 tices.

26 (6) The information described in subsection (5)(d) of this section is
27 a public record for purposes of ORS 192.311 to 192.478.

28
29 **DISCIPLINE**

30
31 **SECTION 17. (1) The Department of Corrections shall implement a**

1 **comprehensive gender-responsive, evidence-based and trauma-**
2 **informed discipline and sanctions system for adults in custody.**

3 **(2) The system described under subsection (1) of this section must**
4 **incorporate policies and practices that:**

5 **(a) Promote positive reinforcement and positively state expectations**
6 **alongside basic facility rules that highlight important concepts for**
7 **women, such as self-care, relational aggression and emotional and**
8 **physical safety.**

9 **(b) Encourage circle processes and other restorative approaches**
10 **that safely and effectively utilize peer mediation or support.**

11 **(c) Balance support and accountability by acknowledgment of the**
12 **strengths or assets of adults in custody as often as challenges.**

13 **(d) Utilize affirmations, reinforcers and encouragers instead of**
14 **confrontation.**

15 **(e) Relay positive behaviors in log books and during shift changes.**

16 **(f) Set a positive tone at each shift change and utilize collaborative**
17 **problem-solving techniques to prevent and de-escalate problems.**

18 **(g) Develop a discipline protocol and misconduct grid that is specific**
19 **for women given their research-based risks, strengths and needs.**

20 **(h) Ensure that disciplinary hearings are intentionally designed and**
21 **facilitated to be trauma-informed, including taking trauma into ac-**
22 **count as part of any review, analysis or decision-making and incorpo-**
23 **rating mental health support protocols into the process.**

24 **(i) Limit the punitive use of segregation and cell-ins by requiring**
25 **prior exhaustion of all other alternatives.**

26 **(j) Address the over-broad discretion of officers to impose sanctions.**
27 **The department shall adopt rules to limit the amount of discretion**
28 **officers have in determining discipline and to update and expand poli-**
29 **cies and procedures regarding progressive discipline to ensure the dis-**
30 **cipline is gender-responsive, trauma-informed, easily understandable**
31 **and consistently utilized.**

1 (k) Prioritize the least punitive discipline possible for each type of
2 sanction, including writing essays or performing cleaning tasks.

3 (L) Require the development of training videos to educate cor-
4 rections officers in reducing inconsistency and utilizing the lease pu-
5 nitive actions.

6 (m)(A) Minimize use of punitive cell-ins and other lockdowns to
7 allow adequate exercise, mental stimulation, access to natural light
8 and socializing.

9 (B) Utilize cell-ins only when low-level responses have been inef-
10 fective in motivating change.

11 (C) Provide that progressive discipline may not be based on infrac-
12 tions that are more than 60 days old and that face sheets are replaced
13 every 60 days.

14 (n) Limit the number of discipline reports that can be attributed to
15 an adult in custody for a single infraction-related event to one disci-
16 pline report.

17 (3) The department shall:

18 (a) Adopt rules modifying hearings protocols for adults in custody
19 with a behavioral health diagnosis to allow behavioral health staff to
20 evaluate the ability of an adult in custody to understand an alleged
21 infraction and the hearing process.

22 (b) Dismiss infractions for cases where the alleged infraction is di-
23 rectly associated with an act of self-harm or a suicide attempt.

24 (c) Identify whether the mental health status of the adult in cus-
25 tody contributed to the alleged violation, and, if so, determine whether
26 sanctions should be modified because of the mental health status of
27 the adult in custody.

28 (d) Track conduct orders and misconduct reports.

29 (e) Implement a process for tracking misuse of the discipline pro-
30 cess, broken out for each issuing officer, including whether the disci-
31 pline imposed was appropriate for the misconduct. The assistant

1 **superintendent of security and the gender-responsive manager shall**
2 **review the tracking information for compliance with policy. Any mis-**
3 **use of discipline by an officer must be recorded in the officer’s per-**
4 **sonnel file. If a pattern of misuse exists, the department shall impose**
5 **corrective measures on the officer. The department shall use data de-**
6 **scribed in this paragraph to work collaboratively with behavioral**
7 **health staff and other staff to address potential underlying causes for**
8 **misconduct.**

9 **(f) Adopt rules allowing for the inclusion of positive entries in face**
10 **sheets.**

11 **(g) Eliminate the use of disciplinary segregation units or, at mini-**
12 **imum, ensure that disciplinary segregation is a last resort and never**
13 **exceeds 15 consecutive days.**

14 **(4) The department may not hold adults in custody in segregation**
15 **during disciplinary investigations.**

16 **(5) The department shall ensure that:**

17 **(a) Within two hours of being placed in restrictive housing, an adult**
18 **in custody receives any requested book, a pen or pencil, paper, envel-**
19 **opes, the personal address book of the adult in custody, soap, a**
20 **toothbrush, toothpaste, shampoo and deodorant.**

21 **(b) Adults in custody in restrictive housing are allowed to access,**
22 **within 24 hours of confinement, three 25-minute visitation periods per**
23 **week to be conducted via live audiovisual technology.**

24 **(c) Adults in custody in restrictive housing are provided with at**
25 **least 15 hours per week of structured in-cell programming, which must**
26 **include visits of at least 30 minutes at least twice per week from the**
27 **case manager of the adult in custody and at least five times per week**
28 **from representatives for a variety of other services.**

29 **SECTION 18. Lockdowns. (1) The Department of Corrections shall**
30 **provide all adults in custody, other than adults in custody with a dis-**
31 **ciplinary status, a minimum of eight hours out of cell per day.**

1 (b) Adopt rules incorporating the identification of survivors into the
2 intake assessment process.

3 (c) Adopt rules to identify adults in custody who did not disclose
4 prior abuse or trauma at intake and to provide the adults in custody,
5 once they are identified, with appropriate services, including coun-
6 seling and advocacy programs.

7 (d) Establish a position to oversee survivor services. This position
8 shall conduct ongoing outreach to ensure survivors are able to access
9 and are receiving appropriate services.

10 (4) The department shall engage a consultant or community-based
11 organizations with expertise in gender-responsive and trauma-
12 informed correctional practices to implement a training protocol for
13 all existing and new staff that is designed improve staff
14 professionalism and address any issues regarding accountability for
15 unprofessional, disrespectful or dehumanizing staff behaviors.

16 (5) The department shall adopt rules requiring:

17 (a) All staff members to be trained specifically on trauma-informed
18 and gender-responsive principles at least once per year.

19 (b) Mandated regular review sessions.

20
21 **BEHAVIORAL HEALTH SERVICES**

22
23 **SECTION 20.** (1) The Department of Corrections shall:

24 (a) Implement mental health screening for all adults in custody
25 during intake and conduct in-depth assessments where indicated.

26 (b) Offer mental health treatment immediately upon intake.

27 (c) Adopt rules establishing a continuum of mental health re-
28 sources.

29 (d) Ensure that all mental health screenings, assessments, treat-
30 ments and resources are gender-responsive, culturally specific and
31 designed to address underlying trauma.

1 **(2) The department shall:**

2 **(a) Implement drug and alcohol screening for all adults in custody**
3 **during intake and conduct in-depth assessments where indicated.**

4 **(b) Offer detox support and substance use disorder treatment im-**
5 **mediately upon intake.**

6 **(c) Adopt rules establishing a continuum of resources, including**
7 **twelve-step meetings and other tools, to address substance use disor-**
8 **der.**

9 **(d) Ensure that substance use disorder screenings, assessments,**
10 **treatments and resources are gender-responsive, culturally-specific**
11 **and designed to address underlying trauma rather than to simply**
12 **achieve abstinence.**

13 **(3) The department shall ensure all adults in custody have access**
14 **to various self-help materials, including but not limited to books,**
15 **music, digital content, aural tools and supports and sensory accom-**
16 **modations.**

17 **(4) The department shall:**

18 **(a) Maintain a portal containing a comprehensive list of available**
19 **supports, services and programs at each Department of Corrections**
20 **institution, including a description of services and their respective**
21 **time commitment and eligibility requirements, detailed information**
22 **about how to enroll or gain access on a tablet computer and a portal**
23 **to view appointments, send inmate communications and request ser-**
24 **vices.**

25 **(b) Ensure that work schedules for an adult in custody do not in-**
26 **terfere with the ability of the adult in custody to access behavioral**
27 **health supports, either by allowing the adult in custody to miss work**
28 **for appointments, classes and support groups or by ensuring that these**
29 **activities are offered and accessible during nonwork hours.**

30 **(c) Ensure that behavioral health sessions, groups, crisis inter-**
31 **vention and dayrooms operate as usual when a prison is on lockdown**

1 or modified operations.

2 (5) The department shall develop a robust, facility-wide data col-
3 lection and management system that consolidates comprehensive in-
4 formation from each department of the facility into an organized,
5 exportable database. The database must track individual service data
6 while maintaining the ability to provide aggregate, deidentified infor-
7 mation to agency partners, as well as disaggregated data to assess
8 racial disparities and promote equity.

9 (6)(a) The department shall partner with Trauma Informed Oregon
10 or other trauma subject matter experts to conduct and publish an as-
11 sessment every three years to identify strategies to make the prison
12 environment trauma-informed.

13 (b) The published assessment must be provided within three months
14 of publication to the committees or interim committees of the Legis-
15 lative Assembly related to the judiciary.

16 (c) Within 30 days following publication of the assessment, the de-
17 partment shall submit an action plan to carry out the recommen-
18 dations in the assessment to the committees or interim committees
19 of the Legislative Assembly related to the judiciary.

20

21

PRISON RAPE ELIMINATION ACT

22

23 SECTION 21. (1) There is created in the office of Corrections Om-
24 budsman established in ORS 423.400 the position of compliance man-
25 ager to ensure all operations of the Department of Corrections comply
26 with best practices of the Prison Rape Elimination Act of 2003 (P.L.
27 108-79, 117 Stat. 972, 34 U.S.C. 30301 to 30309) and related regulations.

28 (2)(a) The department, in collaboration with outside experts, shall
29 develop and implement specialized training and education for staff and
30 adults in custody, including skills demonstration requirements,
31 follow-up assessments and gender-responsive and trauma-informed

1 **implementation of the Prison Rape Elimination Act.**

2 **(b) The specialized training and education for implementation of the**
3 **Prison Rape Elimination Act must include:**

4 **(A) Appropriate investigation practices.**

5 **(B) Confidentiality practices.**

6 **(C) The dynamics of custodial sexual abuse for women and gender**
7 **diverse populations.**

8 **(D) Components of institutional culture and its effects on predatory**
9 **behaviors.**

10 **(E) Immediate and long-term medical and mental health care needs**
11 **of survivors of sexual abuse.**

12 **(F) Professional boundaries and ethics.**

13 **(3) The department shall ensure that all adults in custody have**
14 **confidential and anonymous opportunities to share concerns about**
15 **safety, reporting, responses or investigations with the Corrections**
16 **Ombudsman.**

17 **(4) The department shall establish an oversight board to support**
18 **compliance with the Prison Rape Elimination Act. The board must**
19 **meet at least quarterly to assess all matters related to compliance**
20 **with the Prison Rape Elimination Act, including existing policies, best**
21 **practices, audit documents, reports, disaggregated data, retaliation**
22 **monitoring records and any statutorily required post-incident review**
23 **reports.**

24 **(5) Upon request by the board, the department shall provide to the**
25 **board additional reports or data that would be conducive to promoting**
26 **safety, accountability, transparency and equity.**

27 **(6) The Governor shall appoint members to the board, including but**
28 **not limited to the Corrections Ombudsman, individuals on the**
29 **Governor's advisory panel on gender responsive practices in cor-**
30 **rections and individuals representing organizations with relevant legal**
31 **and subject matter expertise.**

1 **(7) The board shall regularly submit its findings and recommen-**
2 **ations as a report in the manner provided by ORS 192.245, and may**
3 **include recommendations for legislation, to the committees or interim**
4 **committees of the Legislative Assembly related to the judiciary.**

5 **(8) The department shall:**

6 **(a) Adopt rules establishing ongoing, automated monitoring to flag**
7 **issues related to compliance with the Prison Rape Elimination Act and**
8 **particular staff members or facilities. Upon identification, all relevant**
9 **information must be subject to internal and external review, including**
10 **information regarding progressive discipline or other steps that have**
11 **been taken in response to issues. This data must be included in the**
12 **reports submitted under subsection (7) of this section.**

13 **(b) Establish more comprehensive data collection regarding reports**
14 **related to compliance with the Prison Rape Elimination Act, including**
15 **demographically disaggregated information and qualitative analysis**
16 **using report narratives.**

17 **(c) Establish an on-site presence for adults in custody to receive**
18 **counseling services from professionals who are not employees of the**
19 **department related to violations of the Prison Rape Elimination Act.**

20 **(d) Ensure that adults in custody who report a violation of the**
21 **Prison Rape Elimination Act have ongoing and documented input re-**
22 **garding their preference for safe housing options.**

23 **(e) Establish a reporting mechanism to identify and track adults in**
24 **custody who have made reports related to the Prison Rape Elimination**
25 **Act. The reporting mechanism must collect and maintain the follow-**
26 **ing information:**

27 **(A) Whether the adult in custody was placed in segregation follow-**
28 **ing the report.**

29 **(B) If the adult in custody was placed in segregation following the**
30 **report, what alternative options staff considered.**

31 **(C) What periodic reviews have been conducted.**

1 (D) Disaggregated data to allow for any racial, demographic or
2 other disparities to be identified and remedied.

3
4 **SUPPORT FOR PARENTS AND FAMILIES**

5
6 **SECTION 22.** (1) The Department of Corrections shall adopt rules
7 to expand opportunities for parents, children and families to connect
8 with an adult in custody, including rules establishing that:

9 (a) Children have a presumptive right to visit a parent who is an
10 adult in custody.

11 (b) Individuals having difficulty being approved to visit a family
12 member who is an adult in custody must be assigned a dedicated point
13 of contact within the visiting services unit for individualized assist-
14 ance.

15 (c) The visiting services unit shall track and report data regarding
16 family members' visitation applications that are approved or denied,
17 as well as those for which an administrative review is requested, in-
18 cluding processing times and outcomes.

19 (d) The visiting services unit shall maintain the data described in
20 paragraph (c) of this subsection in disaggregated form to identify and
21 address disparities and promote equity.

22 (e) The department shall allow a teenage child to visit a parent who
23 is an adult in custody without an accompanying adult if a guardian
24 or caregiver of the child consents.

25 (f) The department shall hold at least four family events per year,
26 including those that can be attended by adult children and other
27 family members.

28 (g) Staff who oversee visitation must receive specialized training
29 regarding trauma-informed interactions with children and families.

30 (2) The department shall:

31 (a) Establish a point of contact for visitors with special needs to

1 **arrange for accessibility items in advance.**

2 **(b) Ensure that the visiting alerts website is updated daily and es-**
3 **tablish a text alerts system to provide notifications.**

4 **(c) Allow families who live far from the facility the opportunity to**
5 **make appointments for visitation, so that they are not turned away**
6 **if a visitation session has reached maximum capacity.**

7 **(d) Ensure there are at least two family advocates or an advocate**
8 **program at each Department of Corrections institution.**

9 **(e) Adopt rules, in collaboration with the Department of Human**
10 **Services child welfare division and the Judicial Department, to develop**
11 **a process to facilitate the ability of adults in custody to participate in**
12 **mediation related to juvenile dependency or family law matters.**

13 **(3) The Department of Corrections, in cooperation with the De-**
14 **partment of Human Services, shall ensure that adults in custody have**
15 **meaningful opportunities to participate in cases under the jurisdiction**
16 **of the Department of Human Services, including but not limited to**
17 **programs, demonstrating parenting skills, effectively planning for re-**
18 **unification, communication with the Department of Human Services,**
19 **communication with their juvenile dependency attorney and partic-**
20 **ipation in related court hearings.**

21 **SECTION 23. The Department of Corrections shall establish a**
22 **prison nursery program at Coffee Creek Correctional Facility.**

23

24 **TRANSGENDER, NONBINARY AND GENDER DIVERSE ADULTS IN**
25 **CUSTODY**

26

27 **SECTION 24. (1) The Department of Corrections, in collaboration**
28 **with individuals with lived experience, advocacy organization and**
29 **other agencies or parties with subject matter expertise, shall adopt**
30 **rules to develop a comprehensive set of policies and procedures in the**
31 **areas of medical care, behavioral health services, housing and oper-**

1 ations for transgender, nonbinary and gender diverse adults in cus-
2 tody. At a minimum, the rules must include:

3 (a) A global policy that addresses staff responsibilities, disclosure
4 of information, facility and agency multidisciplinary teams, housing
5 and training.

6 (b) Procedures to implement the policy provisions.

7 (c) A detailed policy regarding body searches;

8 (d) An employee manual.

9 (e) A guide for transgender, nonbinary and gender diverse adults in
10 custody.

11 (2) At least every three years, the department shall convene the
12 interested parties described in subsection (1) of this section to review
13 the rules and identify opportunities for improvement.

14 (3) The department shall designate a transgender care specialist at
15 each Department of Corrections institution to provide coordination of
16 efforts and training across staff and adults in custody on best practices
17 for supporting transgender, nonbinary or gender diverse adults in
18 custody. Each transgender care specialist shall have relevant expertise
19 and authority to resolve barriers to care and address issues of non-
20 compliance.

21 (4) The existing Transgender and Intersex Committee at the de-
22 partment shall be expanded to include individuals with lived experi-
23 ence and subject matter expertise.

24 (5) The department shall expand training for staff, contractors,
25 volunteers and adults in custody and ensure that training is developed
26 and delivered in collaboration with individuals with lived experience
27 and subject matter expertise. Training for staff, contractors and vol-
28 unteers must address the following topics:

29 (a) An overview of medically necessary gender-affirming treatment
30 pursuant to best practices and guidelines established by the Oregon
31 Health Authority in accordance with chapter 228, Oregon Laws 2023,

1 and delivered by an independent provider of gender-affirming treat-
2 ment and a representative from the Oregon Health Authority.

3 (b) Best practices for staff to support transgender, nonbinary and
4 gender diverse adults in custody, with respect to matters including
5 mental health assessments, housing, grievances, work assignments
6 and non-discrimination.

7 (c) Harmful stereotypes.

8 (d) Preventing, identifying and responding to bullying, harassment
9 and discrimination.

10 (e) Appropriate ways to intervene in misconduct by staff or other
11 adults in custody.

12 (f) Techniques to recognize and intervene when adults in custody
13 are experiencing mental health challenges.

14 (6) The department shall create clear, transparent and flexible
15 gender-affirming treatment policies for staff and adults in custody
16 pursuant to guidelines established by the Oregon Health Authority in
17 accordance with chapter 228, Oregon Laws 2023.

18 (7) The department shall ensure:

19 (a) Staff responsible for making decisions regarding housing, med-
20 ical care or behavioral health have specialized training to address the
21 needs of transgender, nonbinary and gender-diverse adults in custody.

22 (b) Training for behavioral health staff includes a focus on con-
23 ducting mental health assessments for transgender, nonbinary and
24 gender-diverse adults in custody.

25 (8) The department shall invite additional independent gender-
26 affirming care providers to sit on the Gender Nonconforming-
27 Therapeutic Levels of Care Committee to inform and assist with
28 decision-making.

29 (9) The department shall move oversight of gender-affirming care
30 to the medical services division from the behavioral health services
31 division.

1 (10) The department shall make electrolysis and other gender-
2 affirming care services and resources available at all Department of
3 Corrections institutions.

4 (11) The department shall collect the following data and provide it
5 to the Corrections Ombudsman:

6 (a) The amount of time between when an adult in custody submits
7 a form to the department identifying the adult in custody as
8 transgender and making a housing request to when a housing decision
9 is made.

10 (b) The amount of time between when an adult in custody submits
11 a form to the department identifying the adult in custody as
12 transgender, nonbinary or gender-nonconforming to when the adult in
13 custody receives a response from the department.

14 (c) The amount of time between when an adult in custody receives
15 a medical recommendation for gender-affirming surgery or treatment
16 to when the recommendation is implemented.

17
18 **RESEARCH-BASED PROGRAMS**

19
20 **SECTION 25.** (1) The Department of Corrections shall conduct a
21 comprehensive analysis of available programs for adults in custody on
22 an annual basis.

23 (2) The department shall view addiction as a serious public health
24 issue, the treatment of which is a necessity, not a privilege or an in-
25 centive.

26 (3) The department shall eliminate punitive responses to drug use
27 that pose barriers to substance use treatment, ensure all adults in
28 custody have access to substance use treatment and eliminate proto-
29 cols that punish adults in custody for drug use.

30 (4) The department shall ensure the availability of and access to
31 culturally responsive programs that address women's diverse, inter-

1 **secting identities and experiences.**

2

3 **SUPPORTS FOR REENTRY INTO THE COMMUNITY**

4

5 **SECTION 26. (1) The Department of Corrections shall ensure that**
6 **comprehensive safety planning resources are made available to survi-**
7 **vors of domestic violence, intimate partner violence or sexual assault,**
8 **including personalized risk assessments, information about emergency**
9 **resources and connections to community support services.**

10 **(2) The department shall ensure that all adults in custody have ac-**
11 **cess to reentry planning and a gender-responsive and trauma-informed**
12 **continuum of care from incarceration through reentry.**

13 **(3) The department shall develop and implement a gender-**
14 **responsive and trauma-informed continuum of care with interested**
15 **community parties to ensure that basic and other needs of adults in**
16 **custody are addressed well in advance of their release.**

17 **(4) The department shall ensure case and reentry plans are cul-**
18 **turelly responsive and address the diverse, intersecting identities of**
19 **each adult in custody.**

20 **(5) The department shall assist each adult in custody with ongoing**
21 **development of a reentry plan, which must include but need not be**
22 **limited to:**

23 **(a) Arrangements for short-term and long-term housing.**

24 **(b) Contact with children, family members and community sup-**
25 **ports.**

26 **(c) Parenting needs and supports.**

27 **(d) Employment assistance.**

28 **(e) Transportation needs.**

29 **(f) Information regarding accessing resources within the commu-**
30 **nity.**

31 **(g) Medical care planning.**

1 (h) Safety planning.

2 (i) Technology proficiency.

3 (6) The department shall provide basic necessities to all adults in
4 custody upon release, including:

5 (a) Clothing that does not clearly identify people as being newly
6 released from prison.

7 (b) Hygiene items.

8 (c) Safe transportation to their community.

9 (d) State identification.

10 (e) Choice of luggage or bag.

11 (7) The department shall ensure that adults in custody have neces-
12 sary medical appointments scheduled prior to release.

13 (8) The department shall ensure that, where there is an identified
14 need, wrap-around teams create comprehensive care plans for higher-
15 needs adults in custody. These teams must regularly convene and in-
16 clude providers of behavioral health and medical services, prescribers
17 and correctional counseling staff.

18 (9) The department shall increase work furlough opportunities for
19 adults in custody.

20
21 **DASHBOARD**

22
23 **SECTION 27.** (1) The Department of Corrections shall add the fol-
24 lowing information to the existing public-facing disciplinary segre-
25 gation dashboard:

26 (a) Placements in segregated housing related to post-report Prison
27 Rape Elimination Act of 2003 (P.L. 108-79, 117 Stat. 972, 34 U.S.C. 30301
28 to 30309) safety concerns.

29 (b) The number of unclothed body searches conducted in each De-
30 partment of Corrections institution, whether any contraband was re-
31 covered, the nature of the recovered contraband and the race and

1 ethnicity of the adult in custody who is subjected to an unclothed body
2 search.

3 (c) A list and description of all programs and services offered within
4 each Department of Corrections institution, how many adults in cus-
5 tody are served annually by each program or service, the eligibility
6 requirements for each program or service, the number of available
7 spots in each program or service, whether there is a waitlist for each
8 program or service and how long the average wait time is to partic-
9 ipate in each program or service.

10 (d) The number of lockdowns and modified operations per week, the
11 reason for each lockdown and modified operation and the duration of
12 each lockdown and modified operation.

13 (2) The department shall expand the unusual incident report
14 dashboard to track metrics that are important for adults in custody,
15 including but not limited to metrics related to:

16 (a) Medical or mental health.

17 (b) Grievances.

18 (c) Discipline.

19 **SECTION 28.** As used in sections 1 to 27 of this 2025 Act, “Depart-
20 ment of Corrections institution” has the meaning given that term in
21 **ORS 421.005.**

22

23 **CONDITIONS OF POST-PRISON SUPERVISION**

24

25 **SECTION 29.** ORS 144.102 is amended to read:

26 144.102. (1) The State Board of Parole and Post-Prison Supervision or lo-
27 cal supervisory authority responsible for correctional services for a person
28 shall specify in writing the conditions of post-prison supervision imposed
29 under ORS 144.096. A copy of the conditions must be given to the person
30 upon release from prison or jail.

31 (2) The board or the supervisory authority shall determine, and may at

1 any time modify, the conditions of post-prison supervision, which may in-
2 clude, among other conditions, that the person shall:

3 (a) Comply with the conditions of post-prison supervision as specified by
4 the board or supervisory authority.

5 (b) Be under the supervision of the Department of Corrections and its
6 representatives or other supervisory authority and abide by their direction
7 and counsel.

8 (c) Answer all reasonable inquiries of the board, the department or the
9 supervisory authority.

10 (d) Report to the parole officer as directed by the board, the department
11 or the supervisory authority.

12 (e) Not own, possess or be in control of any weapon.

13 (f) Respect and obey all municipal, county, state and federal laws, and in
14 circumstances in which state and federal law conflict, obey state law.

15 (g) Understand that the board or supervisory authority may, at its dis-
16 cretion, punish violations of post-prison supervision.

17 (h) Attend a victim impact treatment session in a county that has a vic-
18 tim impact program.

19 (i) For crimes constituting delivery of a controlled substance, as those
20 terms are defined in ORS 475.005, or for telephonic harassment under ORS
21 166.090, or for crimes involving domestic violence, as defined in ORS 135.230,
22 be prohibited from using Internet websites that provide anonymous text
23 message services.

24 (3) If the person is required to report as a sex offender under ORS
25 163A.010, the board or supervisory authority shall include as a condition of
26 post-prison supervision that the person report with the Department of State
27 Police, a city police department, a county sheriff's office or the supervising
28 agency:

29 (a) When supervision begins;

30 (b) Within 10 days of a change in residence;

31 (c) Once each year within 10 days of the person's date of birth;

1 (d) Within 10 days of the first day the person works at, carries on a vo-
2 cation at or attends an institution of higher education; and

3 (e) Within 10 days of a change in work, vocation or attendance status at
4 an institution of higher education.

5 (4)(a) The board or supervisory authority may establish special conditions
6 that the board or supervisory authority considers necessary because of the
7 individual circumstances of the person on post-prison supervision.

8 (b) If the person is on post-prison supervision following conviction of a
9 sex crime, as defined in ORS 163A.005, the board or supervisory authority
10 shall include all of the following as special conditions of the person's post-
11 prison supervision:

12 (A) Agreement to comply with a curfew set by the board, the supervisory
13 authority or the supervising officer.

14 (B) A prohibition against contacting a person under 18 years of age
15 without the prior written approval of the board, supervisory authority or
16 supervising officer.

17 (C) A prohibition against being present more than one time, without the
18 prior written approval of the board, supervisory authority or supervising of-
19 ficer, at a place where persons under 18 years of age regularly congregate.

20 (D) In addition to the prohibition under subparagraph (C) of this para-
21 graph, a prohibition against being present, without the prior written ap-
22 proval of the board, supervisory authority or supervising officer, at, or on
23 property adjacent to, a school, child care center, playground or other place
24 intended for use primarily by persons under 18 years of age.

25 (E) A prohibition against working or volunteering at a school, child care
26 center, park, playground or other place where persons under 18 years of age
27 regularly congregate.

28 (F) Entry into and completion of or successful discharge from a sex
29 offender treatment program approved by the board, supervisory authority or
30 supervising officer. The program may include polygraph and plethysmograph
31 testing. The person is responsible for paying for the treatment program.

1 (G) A prohibition against direct or indirect contact with the victim, un-
2 less approved by the victim, the person's treatment provider and the board,
3 supervisory authority or supervising officer.

4 (H) Unless otherwise indicated for the treatment required under subpar-
5 agraph (F) of this paragraph, a prohibition against viewing, listening to,
6 owning or possessing sexually stimulating visual or auditory materials that
7 are relevant to the person's deviant behavior.

8 (I) Agreement to consent to a search of the person or the vehicle or res-
9 idence of the person upon the request of a representative of the board or
10 supervisory authority if the representative has reasonable grounds to believe
11 that evidence of a violation of a condition of post-prison supervision will be
12 found.

13 (J) Participation in random polygraph examinations to obtain information
14 for risk management and treatment. The person is responsible for paying the
15 expenses of the examinations. The results of a polygraph examination under
16 this subparagraph may not be used in evidence in a hearing to prove a vio-
17 lation of post-prison supervision.

18 (K) Maintenance of a driving log and a prohibition against driving a
19 motor vehicle alone unless approved by the board, supervisory authority or
20 supervising officer.

21 (L) A prohibition against using a post-office box unless approved by the
22 board, supervisory authority or supervising officer.

23 (M) A prohibition against residing in a dwelling in which another sex
24 offender who is on probation, parole or post-prison supervision resides unless
25 approved by the board, supervisory authority or supervising officer, or in
26 which more than one other sex offender who is on probation, parole or
27 post-prison supervision resides unless approved by the board or the director
28 of the supervisory authority, or a designee of the board or director. As soon
29 as practicable, the supervising officer of a person subject to the requirements
30 of this subparagraph shall review the person's living arrangement with the
31 person's sex offender treatment provider to ensure that the arrangement

1 supports the goals of offender rehabilitation and community safety.

2 (c)(A) If the person is on post-prison supervision following conviction of
3 a sex crime, as defined in ORS 163A.005, or an assault, as defined in ORS
4 163.175 or 163.185, and the victim was under 18 years of age, the board or
5 supervisory authority, if requested by the victim, shall include as a special
6 condition of the person's post-prison supervision that the person not reside
7 within three miles of the victim unless:

8 (i) The victim resides in a county having a population of less than 130,000
9 and the person is required to reside in that county under subsection (7) of
10 this section;

11 (ii) The person demonstrates to the board or supervisory authority by a
12 preponderance of the evidence that no mental intimidation or pressure was
13 brought to bear during the commission of the crime;

14 (iii) The person demonstrates to the board or supervisory authority by a
15 preponderance of the evidence that imposition of the condition will deprive
16 the person of a residence that would be materially significant in aiding in
17 the rehabilitation of the person or in the success of the post-prison super-
18 vision; or

19 (iv) The person resides in a halfway house.

20 (B) A victim may request imposition of the special condition of post-
21 prison supervision described in this paragraph at the time of sentencing in
22 person or through the prosecuting attorney. A victim's request may be in-
23 cluded in the judgment document.

24 (C) If the board or supervisory authority imposes the special condition
25 of post-prison supervision described in this paragraph and if at any time
26 during the period of post-prison supervision the victim moves to within three
27 miles of the person's residence, the board or supervisory authority may not
28 require the person to change the person's residence in order to comply with
29 the special condition of post-prison supervision.

30 (d)(A) If a person is on post-prison supervision following conviction of
31 stalking under ORS 163.732 (2)(b) or violating a court's stalking protective

1 order under ORS 163.750 (2)(b), the board or supervisory authority may in-
2 clude as a special condition of the person's post-prison supervision reason-
3 able residency restrictions.

4 (B) If the board or supervisory authority imposes the special condition
5 of post-prison supervision described in this paragraph and if at any time
6 during the period of post-prison supervision the victim moves to a location
7 that causes the person to be in violation of the special condition of post-
8 prison supervision, the board or supervisory authority may not require the
9 person to change the person's residence in order to comply with the special
10 condition of post-prison supervision.

11 (5)(a) The board or supervisory authority may require the person to pay,
12 as a condition of post-prison supervision, compensatory fines, restitution or
13 attorney fees:

14 (A) As determined, imposed or required by the sentencing court; or

15 (B) When previously required as a condition of any type of supervision
16 that is later revoked.

17 (b) The board may require a person to pay restitution as a condition of
18 post-prison supervision imposed for an offense other than the offense for
19 which the restitution was ordered if the person:

20 (A) Was ordered to pay restitution as a result of another conviction; and

21 (B) Has not fully paid the restitution by the time the person has com-
22 pleted the period of post-prison supervision imposed for the offense for which
23 the restitution was ordered.

24 (6) A person's failure to apply for or accept employment at a workplace
25 where there is a labor dispute in progress does not constitute a violation of
26 the conditions of post-prison supervision.

27 (7)(a) When a person is released from imprisonment on post-prison super-
28 vision, the board shall order as a condition of post-prison supervision that
29 the person reside for the first six months after release in the county that last
30 supervised the person, if the person was on active supervision as an adult
31 for a felony at the time of the offense that resulted in the imprisonment.

1 (b) If the person was not on active supervision as an adult for a felony
2 at the time of the offense that resulted in the imprisonment, the board shall
3 order as a condition of post-prison supervision that the person reside for the
4 first six months after release in the county where the person resided at the
5 time of the offense that resulted in the imprisonment.

6 (c) For purposes of paragraph (b) of this subsection:

7 (A) The board shall determine the county where the person resided at the
8 time of the offense by examining records such as:

9 (i) An Oregon driver license, regardless of its validity;

10 (ii) Records maintained by the Department of Revenue;

11 (iii) Records maintained by the Department of State Police;

12 (iv) Records maintained by the Department of Human Services;

13 (v) Records maintained by the Department of Corrections; and

14 (vi) Records maintained by the Oregon Health Authority.

15 (B) If the person did not have an identifiable address at the time of the
16 offense, or the address cannot be determined, the person is considered to
17 have resided in the county where the offense occurred.

18 (C) If the person is serving multiple sentences, the county of residence is
19 determined according to the date of the last arrest resulting in a conviction.

20 (D) In determining the person's county of residence, the board may not
21 consider offenses committed by the person while the person was incarcerated
22 in a Department of Corrections facility.

23 (d) Upon motion of the board, the supervisory authority, the person, a
24 victim or a district attorney, the board may waive the residency condition
25 under paragraph (b) of this subsection only after making a finding that one
26 of the following conditions has been met:

27 (A) The person provides proof of employment with no set ending date in
28 a county other than the county of residence determined under paragraph (c)
29 of this section;

30 (B) The person is found to pose a significant danger to a victim of the
31 person's crime residing in the county of residence, or a victim or victim's

1 family residing in the county of residence is found to pose a significant
2 danger to the person;

3 (C) The person has a spouse or biological or adoptive family residing in
4 a county other than the county of residence who will be materially signif-
5 icant in aiding in the rehabilitation of the person and in the success of the
6 post-prison supervision;

7 (D) As another condition of post-prison supervision, the person is required
8 to participate in a treatment program that is not available in the county of
9 residence;

10 (E) The person requests release to another state; or

11 (F) The board finds other good cause for the waiver.

12 (e) The board shall consider eligibility for transitional housing programs
13 and residential treatment programs when determining whether to waive the
14 residency condition under paragraph (b) of this subsection, and the accept-
15 ance of the person into a transitional housing program or a residential
16 treatment program constitutes good cause as described in paragraph (d)(F)
17 of this subsection.

18 **(f) Upon motion of the person, the board may waive the residency**
19 **condition under paragraphs (a) or (b) of this subsection if the board**
20 **finds that the person may be at risk of abuse or harm as a result of**
21 **residing in the county.**

22 (8) As used in this section:

23 (a) “Attends,” “carries on a vocation,” “institution of higher education”
24 and “works” have the meanings given those terms in ORS 163A.005.

25 (b)(A) “Dwelling” has the meaning given that term in ORS 469B.100.

26 (B) “Dwelling” does not mean a residential treatment facility or a halfway
27 house.

28 (c) “Halfway house” means a residential facility that provides
29 rehabilitative care and treatment for sex offenders.

30 (d) “Labor dispute” has the meaning given that term in ORS 662.010.

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CAPTIONS

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SECTION 30. The unit and section captions used in this 2025 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2025 Act.
