

House Bill 3119

Sponsored by Representative PARRISH

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**.

Permits person in custody of Department of Corrections to enroll or participate in work release program for attendance at community college or private or public post-secondary institution of education, internships and apprenticeship programs. Directs department to provide necessary computer and Internet access for persons enrolled or participating in work release program. Permits contract between department and work release facility to consider using compensation received by person enrolled or participating in work release program as payment for person's housing. Permits department to immediately terminate person's enrollment or participation in work release program for certain violations.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to work release programs; creating new provisions; amending ORS 144.420, 144.430, 144.460
3 and 144.500; and declaring an emergency.

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

5 **SECTION 1.** ORS 144.420 is amended to read:

6 144.420. (1) The Department of Corrections shall establish and administer a work release pro-
7 gram in which a misdemeanor or felon may participate, and if confined, be authorized to leave as-
8 signed quarters for the purpose of:

9 (a) Participating in an inmate work program approved by the Director of the Department of
10 Corrections, including work with public or private agencies or persons, with or without compen-
11 sation.

12 (b) Obtaining in this state additional education, including but not limited to:

13 (A) Vocational, technical [*and*] or general education; or

14 (B) **Enrollment at a community college or private or public post-secondary institution**
15 **of education in this state for at least half of the credit hours required by the community**
16 **college or institution for full-time enrollment.**

17 (c) Participating in alcohol or drug treatment programs.

18 (d) Participating in mental health programs.

19 (e) Specific treatment to develop independent living skills.

20 (f) **Participating in an internship program, with or without compensation.**

21 (g) **Participating in an apprenticeship program.**

22 (2) The Department of Corrections is responsible for the quartering and supervision of persons
23 enrolled in the work release program. The Department of Corrections may house for rehabilitative
24 purposes, in a work release facility, a parolee under the jurisdiction of the State Board of Parole
25 and Post-Prison Supervision, with the written consent of the parolee and the approval of the board,
26 in accordance with procedures established by the department and the board.

27 **SECTION 2.** ORS 144.430 is amended to read:

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.

1 144.430. (1) The Department of Corrections shall administer the work release program by means
 2 of such staff organization and personnel as the director considers necessary. In addition to other
 3 duties, the department shall:

4 (a) Locate employment for qualified applicants;

5 (b) Effect placement of persons under the work release program;

6 (c) Collect, account for and make disbursements from earnings, if any, of persons under the work
 7 release program;

8 (d) Generally promote public understanding and acceptance of the work release program; *[and]*

9 (e) Establish and maintain community centers; **and**

10 (f) **Arrange for use of a computer and the Internet, reasonably restricted by rule of the**
 11 **department, for a person whose participation in the work release program requires the per-**
 12 **son to use a computer and the Internet.**

13 (2) The Department of Corrections may enter into agreements with other public or private
 14 agencies or persons for providing services relating to work release programs.

15 (3) In carrying out the provisions of this section, the Department of Corrections may enter into
 16 agreements with the Department of Human Services to provide such services as determined by the
 17 Department of Corrections and as the Department of Human Services is authorized to provide under
 18 ORS 344.511 to 344.550.

19 **SECTION 3.** ORS 144.460 is amended to read:

20 144.460. The Department of Corrections may contract with the governing bodies of political
 21 subdivisions in this state, with the federal government and with any private agencies approved by
 22 the department for the quartering in suitable local facilities of persons enrolled in work release
 23 programs. **A contract may include provisions for payment for the quartering of a person en-**
 24 **rolled in the work release program that consider whether the person receives financial aid**
 25 **or a stipend during enrollment in the work release program or will receive compensation**
 26 **upon successful completion of the work release program.**

27 **SECTION 4.** ORS 144.500 is amended to read:

28 144.500. (1) *[If a person enrolled, or assigned to participate, in the work release program violates*
 29 *any law, or any rule or specific condition applicable to the person under ORS 144.450,]* The Depart-
 30 ment of Corrections may immediately terminate *[that]* a person's enrollment in, or assignment to, the
 31 work release program and transfer the person to a Department of Corrections institution for the
 32 remainder of the sentence **if the person:**

33 (a) **Violates a law, rule or specific condition applicable to the person under ORS 144.450;**

34 (b) **Fails to comply with rules or guidelines specific to a work release facility;**

35 (c) **Violates the conditions of the person's parole or probation; or**

36 (d) **Fails to comply with requirements of a mandated medical, mental health or addiction**
 37 **treatment program.**

38 (2) Absence, without a reason that is acceptable to the Director of the Department of Cor-
 39 rections, of a person enrolled in, or assigned to, a work release program from the place of employ-
 40 ment, work assignment or designated quarters, at any time contrary to the rules or specific
 41 conditions applicable to the person under ORS 144.450:

42 (a) Immediately terminates the enrollment of the person in, or assignment of the person to, the
 43 work release program.

44 (b) Constitutes an escape from a correctional facility under ORS 162.155.

45 **SECTION 5. The amendments to ORS 144.420, 144.430, 144.460 and 144.500 by sections 1**

1 to 4 of this 2015 Act apply to persons enrolled, or assigned to participate, in the work release
2 program on or after the operative date specified in section 6 of this 2015 Act.

3 **SECTION 6.** (1) The amendments to ORS 144.420, 144.430, 144.460 and 144.500 by sections
4 1 to 4 of this 2015 Act become operative on January 1, 2016.

5 (2) The Department of Corrections may take any action before the operative date speci-
6 fied in subsection (1) of this section that is necessary to enable the department to exercise,
7 on or after the operative date specified in subsection (1) of this section, all of the duties,
8 functions and powers conferred on the department by the amendments to ORS 144.420,
9 144.430, 144.460 and 144.500 by sections 1 to 4 of this 2015 Act.

10 **SECTION 7.** This 2015 Act being necessary for the immediate preservation of the public
11 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect
12 on its passage.
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