

D R A F T

SUMMARY

Digest: The Act makes changes to what parole and probation officers can do. (Flesch Readability Score: 67.7).

Provides that the unlawful departure of a person from the custody of a parole and probation officer constitutes the crime of escape.

Authorizes parole and probation officers to view digital copies of driver license photographs retained by the Department of Transportation.

A BILL FOR AN ACT

1
2 Relating to the authority of supervising officers; amending ORS 162.135 and
3 807.115.

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

5 **SECTION 1.** ORS 162.135 is amended to read:

6 162.135. As used in ORS 162.135 to 162.205, unless the context requires
7 otherwise:

8 (1)(a) “Contraband” means:

9 (A) Controlled substances as defined in ORS 475.005;

10 (B) Drug paraphernalia as defined in ORS 475.525;

11 (C) Except as otherwise provided in paragraph (b) of this subsection,
12 currency possessed by or in the control of [*an adult in custody*] **a person**
13 confined in a correctional facility; or

14 (D) Any article or thing which a person confined in a correctional facil-
15 ity, youth correction facility or state hospital is prohibited by statute, rule
16 or order from obtaining or possessing, and whose use would endanger the
17 safety or security of such institution or any person therein.

18 (b) “Contraband” does not include authorized currency possessed by [*an*

1 *adult in custody*] **a person confined** in a work release facility.

2 (2) “Correctional facility” means any place used for the confinement of
3 persons charged with or convicted of a crime or otherwise confined under a
4 court order and includes but is not limited to a youth correction facility.
5 “Correctional facility” applies to a state hospital or a secure intensive com-
6 munity inpatient facility only as to persons detained therein charged with
7 or convicted of a crime, or detained therein after having been found guilty
8 except for insanity of a crime under ORS 161.290 to 161.373.

9 (3) “Currency” means paper money and coins that are within the
10 correctional institution.

11 (4) “Custody” means the imposition of actual or constructive restraint by
12 a peace officer **or a parole and probation officer as defined in ORS**
13 **181A.355**, pursuant to an arrest or court order, but does not include de-
14 tention in a correctional facility, youth correction facility or a state hospi-
15 tal.

16 (5) “Escape” means the unlawful departure of a person from custody or
17 a correctional facility. “Escape” includes the unauthorized departure or ab-
18 sence from this state or failure to return to this state by a person who is
19 under the jurisdiction of the Psychiatric Security Review Board under ORS
20 161.315 to 161.351. “Escape” does not include failure to comply with pro-
21 visions of a conditional release in ORS 135.245.

22 (6) “Youth correction facility” means:

23 (a) A youth correction facility as defined in ORS 420.005; and

24 (b) A detention facility as defined in ORS 419A.004.

25 (7) “State hospital” means the Oregon State Hospital and any other hos-
26 pital established by law for similar purposes.

27 (8) “Unauthorized departure” means the unauthorized departure of a per-
28 son confined by court order in a youth correction facility or a state hospital
29 that, because of the nature of the court order, is not a correctional facility
30 as defined in this section, or the failure to return to [*custody*] **confinement**
31 after any form of temporary release or transitional leave from a correctional

1 facility.

2 **SECTION 2.** ORS 807.115, as amended by section 4, chapter 63, Oregon
3 Laws 2024, is amended to read:

4 807.115. (1) The Department of Transportation shall retain a digital image
5 of each photograph and signature shown on a driver license under the pro-
6 visions of ORS 807.110 or an identification card under ORS 807.400.

7 (2) The digital images of photographs may not be made available to any-
8 one other than law enforcement officials, **parole and probation officers** and
9 employees of the department acting in an official capacity.

10 (3) As used in this section[,]:

11 (a) "Law enforcement official" includes a humane special agent as defined
12 in ORS 181A.345.

13 (b) "**Parole and probation officer**" has the meaning given that term
14 **in ORS 181A.355.**

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