

DIVISION 90

PAROLE SUPERVISION AND DISCHARGE
FOR INMATES WITH CRIMES PRIOR TO DECEMBER 4, 1986
ORS 144.310

Effective Date of Discharge
255-90-005

When the Board grants discharge prior to the maximum expiration date of the paroled prisoner's sentence, the discharge shall be effective on the date the chairperson or chairperson's designee signs the certificate of discharge.]

History: (2/1/79; 5/20/80; 2/15/81; 11/4/81, temporary; 5/19/82; 5/31/85; 12/6/88;
10/9/92; 7/26/93, suspended)

Parole Supervision & Discharge

Temporarily suspended 8/18/93 to 1/25/94
Permanently repealed 10/15/93

DIVISION 90

PAROLE SUPERVISION AND DISCHARGE
FOR INMATES WITH CRIMES PRIOR TO DEC. 4, 1986
(ORS 144.310)

Effective Date of Discharge

255-90-005

When the Board grants discharge [is granted by the Board] prior to the maximum expiration date of the paroled prisoner's sentence, the discharge shall be effective on the date the chairperson or chairperson's designee signs the certificate of discharge.

History: (2/1/79; 5/20/80; 2/15/81; 11/4/81, temporary; 5/19/82; 5/31/85;
12/6/88; 10/9/92)

10/9/92

Parole Supervision & Discharge
Permanent effective 10/9/92

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

Procedure: Approving or Denying Discharge
255-90-005

When discharge is granted by the Board prior to the maximum expiration date of the paroled prisoner's sentence, the discharge shall [not be considered effective until the certificate of discharge is received by the paroled prisoner] be effective on the date the chair or chair's designee signs the certificate of discharge.

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

255-90-005 Procedure: Approving or Denying Discharge [Effective Date of Discharge]

When discharge is granted by the Board prior to the maximum expiration date of the paroled prisoner's sentence, the discharge shall not be considered effective until the certificate of discharge is received by the paroled prisoner.

Permanent effective 5/31/85

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

Effective Date of Discharge [Generally]

255-90-005 [The guidelines set forth in Exhibit H-1 shall govern the establishment of conditional discharge dates. The date shall be set at the parole release interview and shall be written on the Order of Parole. For the conditional discharge date to become effective, the parolee must display acceptable parole performance during the term of supervised parole.]

When discharge is granted by the Board prior to the maximum expiration date of the paroled prisoner's sentence, the discharge shall not be considered effective until the certificate of discharge is received by the paroled prisoner.

Stat. Auth.: ORS Ch. 144

Hist: 2PB 1-1979, f. & ef. 2-1-79; 2PB 2-1980, f. & ef. 5-20-80

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

Discharge [Generally] and Supervision Term

255-90-005 [The guidelines set forth in Exhibit H-1 shall govern the establishment of conditional discharge dates. The date shall be set at the parole release interview and shall be written on the Order of Parole. For the conditional discharge date to become effective, the parolee must display acceptable parole performance during the term of supervised parole.]

A prisoner who discharges a sentence imposed after November 3, 1981 shall be released upon the condition that the prisoner be subject to a period of supervision in the same manner as a parolee. However the maximum period of supervision shall be six months and upon violation of the terms imposed upon the conditional discharge, the maximum period of incarceration shall be ninety (90) days. The period of supervision, reincarceration or both shall in no case cause the length of the inmate's term to exceed the maximum term imposed by the court.

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

Discharge Generally

255-90-005 The guidelines set forth in [Exhibit H] Exhibit H-1 shall govern the establishment of conditional [tentative] discharge dates. The date shall be set at the parole release interview, and shall be written on the Order of Parole. For the conditional discharge date to become effective, the parolee must display acceptable performance during the term of supervised [active] parole.

Permanent effective 2/15/81

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

Discharge Generally

255-90-005 The guidelines set forth in Exhibit H shall govern the establishment of conditional [tentative] discharge dates. The date shall be set at the parole release interview, and shall be written on the Order of Parole. For the conditional discharge date to become effective, the parolee must display acceptable parole performance during the term of supervised [active] parole.

Permanent effective 5/20/80

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

Discharge Generally

255-90-005 The guidelines set forth in Exhibit H shall govern the establishment of tentative discharge dates. The date shall be set at the parole release interview and shall be written on the Order of Parole. For the discharge date to become effective, the parolee must display acceptable parole performance during the term of active parole.

Stat. Auth.: ORS Ch. 144

Hist: 2PB 1-1979, f. & ef. 2-1-79

Permanent effective 2/1/79

DIVISION 90

PAROLE SUPERVISION AND DISCHARGE
FOR INMATES WITH CRIMES PRIOR TO DECEMBER 4, 1986
ORS 144.310

[Closing Summary; Extension of Supervision; Approving or Denying Discharge
255-90-010

- (1) Prior to the expiration of the parolee's period of supervision the supervising parole officer shall send to the Board a closing summary. This summary shall include:
 - (a) an evaluation of the parolee's performance; ,
 - (b) the status of the parolee's restitution obligation, if any;
 - (c) the parolee's employment status; and
 - (d) the parolee's residence;
 - (e) any fines or fees;
 - (f) treatment programs; and
 - (g) any new criminal activity.
- (2) The summary shall recommend one of two courses:
 - (a) that the Board discharge the parole and issue a certificate of discharge; or
 - (b) that the Board not grant discharge, with supporting reasons for this action in the recommendation.
- (3) When the Board does not grant discharge, the Board's designated representative shall conduct a parole revocation hearing to determine if the Board should revoke parole and/or extend the parole period.
- (4) The Board shall send the parolee written notice of the extension of the parole supervision period, setting forth the reasons for the extension. The Board review date is the beginning date of the extension.
- (5) When the Board grants discharge, the Board shall send the parolee written notice of the discharge.
- (6) Notwithstanding sections (1) to (5) of this rule, the supervising parole officer may submit a written recommendation to the Board for early discharge at any time after six months of supervised parole, providing that fees and restitution are paid in full.]

History: (2/1/79; 5/20/80; 2/15/81; 11/4/81, temporary; 5/19/82; 5/31/85; 5/19/88;
10/9/92; 7/26/93, suspended)

Parole Supervision & Discharge

Temporarily suspended 8/18/93 to 1/25/94
Permanently repealed 10/15/93

DIVISION 90

PAROLE SUPERVISION AND DISCHARGE
FOR INMATES WITH CRIMES PRIOR TO DEC. 4, 1986
(ORS 144.310)

Closing Summary; Extension of Supervision; Approving or Denying Discharge
255-90-010

- (1) Prior to the expiration of the parolee's period of supervision the supervising parole officer shall send to the Board a closing summary. This summary shall include:
 - (a) an evaluation of the parolee's performance;
 - (b) the status of the parolee's restitution obligation, if any;
 - (c) the parolee's employment status; and
 - (d) the parolee's residence;
 - (e) any fines or fees;
 - (f) treatment programs; and
 - (g) any new criminal activity.
- (2) The summary shall recommend one of two courses:
 - (a) that the Board discharge the parole [parolee be discharged] and issue a certificate of discharge [be issued]; or
 - (b) that the Board not grant discharge [not be granted], with supporting reasons for this action in the recommendation;
- (3) When the Board does not grant discharge [is not granted], the Board's designated representative shall conduct a parole revocation hearing [shall be conducted] to determine if the Board should revoke parole [should be revoked] and/or [if] extend the parole period [should be extended].
- (4) The Board shall [notify] send the parolee [in writing] written notice of the extension of the parole supervision period, setting forth the reasons for the extension. The [date of extension shall be from the] Board review date [of the Board's review] is the beginning date of the extension.
- (5) When the Board grants discharge [is granted], the Board shall [notify] send the parolee [in writing] written notice [that the parolee has been discharged] of the discharge.
- (6) Notwithstanding sections (1) to (5) of this rule, the supervising parole officer may submit a written recommendation to the Board for early discharge at any time after six months of supervised parole, providing that fees and restitution are paid in full.

10/9/92

Parole Supervision & Discharge

Permanent effective 10/9/92

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

Extension of [Parole Discharge Date] Period of Supervision;
Procedure: Approving or Denying Discharge; Further Proceedings
255-90-010

- (1) Prior to the expiration of the parolee's period of supervision [discharge date on the Order of Parole,] the supervising parole officer shall send to the Board a closing summary. This summary shall include:
 - (a) an evaluation of the parolee's performance;
 - (b) the status of the parolee's restitution obligation, if any;
 - (c) the parolee's employment status; and
 - (d) the parolee's residence;
 - (e) any fines or fees;
 - (f) treatment programs; and
 - (g) any new criminal activity.
- (2) The summary [and] shall recommend one of two courses:
 - (a) [T] that the parolee be discharged and a certificate of discharge be issued; or
 - (b) [T] that the discharge not be granted, with supporting reasons for this action in the recommendation;
- (3) [(c)] When discharge is not granted, a parole revocation hearing shall be conducted to determine if parole should be revoked [the recommendation for] or if the parole period should be extended[sion shall be executed].
- (4) [(d)] The Board shall notify the parolee in writing of the extension of the parole supervision period [new discharge date if mandated with stated] setting forth the reasons for the extension. The date of extention shall be from the date of the Board's review. [or reasons]
- (5) When discharge is granted, the Board shall [or] notify the parolee in writing that the parolee [he] has been discharged.
- (6) [(2)] Notwithstanding subsections (1) to (5) of this rule, the supervising parole officer may submit a written recommendation to the Board [with written reasons] for early [conditional] discharge at any time after six months of supervised parole, providing that fees and restitution are paid in full.

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

255-90-010 Extension of Parole Discharge Date; Procedure:
Approving or [and] Denying Discharge; Further Proceedings

(1) [A minimum of 30 days] P[p]rior to the discharge date on the Order of Parole, the supervising parole officer shall send to the Board a closing summary [supervisory report]. This summary [report] shall include the parolee's performance and shall recommend one of two courses:

(a) That the parolee be discharged[;] and certificate of discharge issued.

(b) That the discharge not be granted[;] with supporting reasons in the recommendation.

(c) When discharge is not granted, a hearing shall be conducted to determine if the recommendation for extension shall be executed.

(A) In this case, the supervisory report shall contain information showing why discharge is not warranted and recommend a new discharge date in accordance with OAR 255-90-015.

(B) The case shall receive a Board review.

(C) After consideration of the parole officer's recommendation, the Board shall either discharge the parolee or issue a written explanation for denial of the request.]

(d)[(D)]The Board [supervising officer] shall [either] notify the parolee of the new discharge date if mandated with stated reasons for the extension or [and] notify the parolee in writing that he has been discharged.

[(2) If the Board desires further information on which to base its decision, it may conduct a hearing according to the procedures in Division 75]

(2)[(3)] Notwithstanding section (1) of this rule, the supervising officer may submit a recommendation with written reasons for early conditional discharge at any time after six months supervised parole.

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

Procedure: Approving and Denying Discharge: Further Proceedings

255-90-010 (1) A minimum of 30 days prior to the [conditional] discharge date on the Order of Parole, the supervising parole officer shall send to the Board a supervisory report. This report shall recommend one of two courses:

(a) That the parolee be [conditionally] discharged [on the conditional date:]

(b) That the [conditional] discharge not be granted.

(A) In this case, the supervisory report shall contain information showing why [conditional] discharge is not warranted and recommend a new [conditional] discharge date[.] in accordance with OAR 255-90-015.

(B) The case shall receive a Board review. [under the procedures of section 255-30-015(3).]

(C) After consideration of the parole officer's recommendation, the Board shall either [conditionally] discharge the parolee or issue a written explanation for denial of the request.

(D) The supervising officer shall either notify the parolee of the new [conditional] discharge date and reasons or notify the parolee in writing that he has been [conditionally] discharged.

(2) If the Board desires further information on which to base

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

its decision, it may conduct a hearing according to the procedures in Division 75.

(3) Notwithstanding section (1) of this rule, the supervising officer may submit a recommendation with written reasons for early conditional discharge at any time after [one year] six months supervised parole.

Stat. Auth.: ORS Ch. 144

Hist: 2PB 1-1979, f. & ef. 2-1-79; 2PB 2-1980, f. & ef.
5-20-80

Temporary effective 11/4/81 to 5/2/82
became permanent 5/19/82

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

255-90-010(1) A minimum of 30 days prior to the conditional [tentative] discharge date on the Order of Parole, the supervising parole officer shall send to the Board a supervisory report. This report shall recommend one of two courses:

(a) That the parolee be conditionally discharged on the conditional [tentative] date:

[(A) Upon approval by the Board, the supervising officer shall be forwarded the discharge certificate for presentation to the parolee on the tentative discharge date or the first prior business day.]

[(B) Provided that no facts are discovered between the submission of the supervising officer's report and the discharge date which indicate discharge should occur, the supervising officer shall present the certificate in person or by certified mail at a confirmed address and shall return proof of presentation directly to the Board.]

(b) That the conditional discharge not be granted [on the tentative date.]

(A) In this case, the supervisory report shall contain information showing why conditional discharge is not warranted and recommend a new conditional discharge date.

(B) The case shall receive a Board review under procedures of section 255-30-015(3).

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

- (C) After consideration of the parole officer's recommendation, the Board shall either conditionally discharge the parolee or issue [forward a discharge certificate or] a written explanation for denial of the request.
- (D) The supervising officer shall either [present the discharge certificate as in (a) above or shall] notify the parolee of the new conditional discharge date and reasons [whichever is applicable] or notify the parolee in writing that he has been conditionally discharged.
- (2) If the Board desires further information on which to base its decision, it may conduct a hearing according to the procedures in division 75.
- (3) Notwithstanding section (1) above, the supervising officer may submit a recommendation with written reasons for early conditional discharge at any time after one year [active] supervised parole.

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

255-90-010(1) A minimum of 30 days prior to the conditional [tentative] discharge date on the Order of Parole, the supervising parole officer shall send to the Board a supervisory report. This report shall recommend one of two courses:

(a) That the parolee be conditionally discharged on the conditional [tentative] date:

[(A) Upon approval by the Board, the supervising officer shall be forwarded the discharge certificate for presentation to the parolee on the tentative discharge date or the first prior business day.]

[(B) Provided that no facts are discovered between the submission of the supervising officer's report and the discharge date which indicate discharge should occur, the supervising officer shall present the certificate in person or by certified mail at a confirmed address and shall return proof of presentation directly to the Board.]

(b) That the conditional discharge not be granted [on the tentative date].

(A) In this case, the supervisory report shall contain information showing why conditional discharge is not warranted and recommend a new conditional discharge date.

(B) The case shall receive a Board review under procedures of section 255-30-015(3).

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

- (C) After consideration of the parole officer's recommendation, the Board shall either conditionally discharge the parolee or issue [forward a discharge certificate or] a written explanation for denial of the request.
- (D) The supervising officer shall either [present the discharge certificate as in (a) above or shall] notify the parolee of the new conditional discharge date and reasons [whichever is applicable] or notify the parolee in writing that he has been conditionally discharged.
- (2) If the Board desires further information on which to base its decision, it may conduct a hearing according to the procedures in division 75.
- (3) Notwithstanding section (1) above, the supervising officer may submit a recommendation with written reasons for early conditional discharge at any time after one year [active] supervised parole.

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

Procedure: Approving and Denying Discharge; Further Proceedings

255-90-010 (1) A minimum of 30 days prior to the tentative discharge date on the Order of Parole, the supervising parole officer shall send to the Board a supervisory report. This report shall recommend one of two courses:

(a) That the parolee be discharged on the tentative date:

(A) Upon approval by the Board, the supervising officer shall be forwarded the discharge certificate for presentation to the parolee on the tentative discharge date or the first prior business day.

(B) Provided that no facts are discovered between the submission of the supervising officer's report and the discharge date which indicate discharge should occur, the supervising officer shall present the certificate in person or by certified mail at a confirmed address and shall return proof of presentation directly to the Board.

(b) That the discharge not be granted on the tentative date.

(A) In this case, the supervisory report shall contain information showing why discharge is not warranted and recommend a new discharge date.

(B) The case shall receive a Board review under the procedures of section 255-30-015(3).

(C) After consideration of the parole officer's recommendation, the Board shall either forward a discharge certificate or a written explanation for denial of the request.

(D) The supervising officer shall either present the discharge certificate as in (a) above or shall notify the parolee of the new discharge date and reasons, whichever is applicable.

(2) If the Board desires further information on which to base its decision, it may conduct a hearing according to the procedures in division 75.

(3) Notwithstanding section (1) above, the supervising officer may submit a recommendation with written reasons for early discharge at any time after one year active parole.

Stat. Auth.: ORS Ch. 144

Hist: 2PB 1-1979, f. & cf. 2-1-79

Permanent effective 2/1/79

DIVISION 90

PAROLE SUPERVISION AND DISCHARGE
FOR INMATES WITH CRIMES PRIOR TO DECEMBER 4, 1986
ORS 144.310

[Discharge Limitation
255-90-015

These rules shall not be interpreted to preclude more than one extension of a discharge date by the Board. However, no extension of parole shall exceed the maximum term of sentence imposed by the court.]

History: (2/1/79; 5/20/80; 2/15/81; 11/5/81, temporary; 5/19/82; 5/31/85; 10/9/92;
7/26/93, suspended)

Parole Supervision & Discharge

Temporarily suspended 8/18/93 to 1/25/94
Permanently repealed 10/15/93

DIVISION 90

PAROLE SUPERVISION AND DISCHARGE
FOR INMATES WITH CRIMES PRIOR TO DEC. 4, 1986
(ORS 144.310)

Discharge Limitation

255-90-015

[Nothing contained in this rule] These rules shall not be interpreted to preclude more than one extension of a discharge date by the Board. However, no extension of parole shall exceed the maximum term of sentence imposed by the court.

History: (2/1/79; 5/20/80; 2/15/81; 11/5/81, temporary; 5/19/82; 5/31/85;
10/9/92)

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

255-90-015 Discharge [Extension of Parole Discharge Dates]

[(1) In addition to the power of the Board to revoke parole, it may extend a discharge date one time for six months without a hearing and thereafter up to a one-year period if the Board finds, after a hearing pursuant to Division 75, that the parolee has violated the conditions of parole.]

(1)[(2)] Nothing contained in this rule shall be interpreted to preclude more than one extension of a discharge date by the Board. However, no extension of parole shall exceed the maximum term of sentence imposed by the court.

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

Extension of [Tentative] Parole Discharge Dates [; When Good Time Under Forfeiture]

255-90-015 [Conditional discharge dates may be extended according to the following procedures:

(1) An extension of a conditional discharge date shall be made by the Board when notified that an inmate has good time under forfeiture.

(3) The Order of Parole will specify the amount of good time under forfeiture.

(4) The Board may rescind the extension upon recommendation of the supervising parole officer after six months of satisfactory parole adjustment.]

Stat. Auth.: ORS Ch. 144

Hist: 2PB 1-1979, f. & ef. 2-1-79; 2PB 2-1980, f. & ef. 5-20-80

In addition to the power of the Board to revoke parole, it may extend a discharge date one time for six months without a hearing and thereafter up to a one year period if the Board finds, after a hearing pursuant to Division 75, that the parolee has violated the conditions of parole. (2) Nothing contained in this rule shall be interpreted to preclude more than one extension of a discharge date by the Board. However, no extension of parole shall exceed the maximum term of sentence imposed by the Court.

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

255-90-015 [Tentative] Conditional discharge dates may be extended according to the following procedures:

- (1) An extension of a [tentative] conditional discharge date shall be made by the Board when notified that an inmate has good time under forfeiture at the time of parole release.
- (2) A prisoner with good time under forfeiture shall have his/her [tentative] conditional discharge date extended by the amount of good time under forfeiture.
- (3) The Order of Parole will specify the amount of good time under forfeiture.
- (4) The Board may rescind the extension upon recommendation of the supervising parole officer after six months of satisfactory parole adjustment.

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

255-90-015 [Tentative] Conditional discharge dates may be extended according to the following procedures:

- (1) An extension of a [tentative] conditional discharge date shall be made by the Board when notified that an inmate has good time under forfeiture at the time of parole release.
- (2) A prisoner with good time under forfeiture shall have his/her [tentative] conditional discharge date extended by the amount of good time under forfeiture.
- (3) The Order of Parole will specify the amount of good time under forfeiture.
- (4) The Board may rescind the extension upon recommendation of the supervising parole officer after six months of satisfactory parole adjustment.

Permanent effective 5/20/80

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

Extension of Tentative Parole Discharge Dates: When Good Time Under Forfeiture

255-90-015 Tentative discharge dates may be extended according to the following procedures:

(1) An extension of a tentative discharge date shall be made by the Board when notified that an inmate has good time under forfeiture at the time of parole release.

(2) A prisoner with good time under forfeiture shall have his/her tentative discharge date extended by the amount of good time under forfeiture.

(3) The Order of Parole will specify the amount of good time under forfeiture.

(4) The Board may rescind the extension upon recommendation of the supervising parole officer after six months of satisfactory parole adjustment.

Stat. Auth.: ORS Ch. 144
Hist: 2PB 1-979, f. & ef. 2-1-79

Permanent effective 2/1/79

DIVISION 90

DISCHARGE

[255-90-001 Definitions

- (1) "Active Parole Supervision": Supervision requiring periodic contact with the supervision officer or monitoring by supervising officer to assure that parolee has committed no new crimes or monitoring by supervising officer to assure repayment of a restitution amount.
- (2) "Active Supervision" will not include:
 - (a) Period of confinement in local, state, or federal correctional facilities during the parole.
 - (b) The period of time between suspension of parole and the date parole is reinstated.
- (2) "Intensive Parole Supervision":
 - (a) Supervision requiring at least monthly contact with the supervising officer; or
 - (b) Monitoring of parole by the supervising officer to assure adherence to special conditions of parole by the parolee which are by direction of the Board and not left to the discretion of the supervising officer.
- (3) "Major Technical Violation": A violation of parole condition involving the possession of a weapon or firearm, absconding supervision by leaving the State of Oregon without permission, a new law violation not resulting in a new felony sentence, or a finding pursuant to a hearing conducted under Division 75 that new criminal activity has occurred which constitute a Class "A" misdemeanor or felony.
- (4) "Minor Technical Violation": "Violations" as described by ORS 161.565 and 161.575 and all parole violations except major technical violations and law violations.]

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

Definitions

255-90-001

"Active Parole Supervision": Supervision requiring periodic contact with the supervising officer or monitoring by supervising officer to assure that parolee has committed no new crimes or monitoring by supervising officer to assure re-payment of a restitution amount.

"Intensive Parole Supervision": (1) Supervision requiring at least monthly contact with the supervising officer; or (2) monitoring of parole by the supervising officer to assure adherence to special conditions of parole by the parolee which are by direction of the Board and not left to the discretion of the supervising officer.

Major Technical Violation": A violation of a parole condition involving the possession of a weapon or firearm, absconding supervision by leaving the state of Oregon without permission, a new law violation not resulting in a new felony sentence, or a finding pursuant to a hearing conducted under Division 75 that new criminal activity has occurred which would constitute a class "A" misdemeanor or felony.

"Minor Technical Violation": 'Violations' as described by ORS 161.565 and 161.575 and all parole violations except major technical violations and law violations.

Temporary effective 11/4/81 to 5/2/82
became permanent 5/19/82

DIVISION 90

**PAROLE SUPERVISION AND DISCHARGE
FOR INMATES WITH CRIMES PRIOR TO DECEMBER 4, 1986
ORS 144.310**

**[Period of Parole Supervision; Effect of Restitution Obligation
255-90-002**

- (1) The Board shall establish a period of active supervised parole as shown in Exhibit I. The Board may order an extended supervision period if it finds that such an extension is appropriate.
- (2) Notwithstanding section (1) of this rule, active supervision shall continue until restitution or compensatory fines are paid.
- (3) Division 92 of these rules shall govern discharge for inmates who committed crimes on or after December 4, 1986.]

History: (5/20/80; 2/15/81; 11/4/81, temporary; 5/19/82; 5/31/85; 5/19/88; 7/1/88;
10/18/88; 4/5/90; 10/9/92; 7/26/93, suspended)

Parole Supervision & Discharge

Temporarily suspended 8/18/93 to 1/25/94
Permanently repealed 10/15/93

DIVISION 90

PAROLE SUPERVISION AND DISCHARGE
FOR INMATES WITH CRIMES PRIOR TO DEC. 4, 1986
(ORS 144.310)

Period of Parole Supervision; Effect of Restitution Obligation
255-90-002

- (1) The Board shall establish a period of active supervised parole as shown in Exhibit I. The Board may order an extended supervision period if it finds that such an extension is appropriate.
- (2) Notwithstanding section (1) of this rule, active supervision shall continue until restitution or compensatory fines are paid.
- (3) Division 92 of these rules shall govern [D]discharge for inmates who committed crimes on or after December 4, 1986 [shall be governed by Division 92 of the Board's rules].

History: (5/20/80; 2/15/81; 11/4/81, temporary; 5/19/82; 5/31/85; 5/19/88;
7/1/88; 10/18/88; 4/5/90; 10/9/92)

Permanent effective 10/9/92

10/9/92

Parole Supervision & Discharge

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

Establishing the Period of Parole Supervision; Effect of Restitution
Obligation; Effect of Ballot Measure 10.

255-90-002 (5/20/80; 2/15/81; 11/4/81, temporary; 5/19/82; 5/31/85;
5/19/88; 7/1/88; 110/18/88; 12/5/89; 4/5/90)

- (1) The Board shall establish a period of active supervised parole as shown in Exhibit I. The Board may order an extended supervision period if it finds that such an extension is appropriate.
- (2) Notwithstanding subsection (1) of this rule, active supervision [, as shown in the Exhibit I, shall extend until the maximum expiration of the prison sentence if restitution remains unpaid] shall continue until restitution or compensatory fines are paid.
- (4) Discharge for inmates who committed crimes on or after December 4, 1986 shall be governed by Division 92 of the Board's rules.

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

PAROLE SUPERVISION AND DISCHARGE
FOR INMATES WITH CRIMES PRIOR TO DEC. 4, 1986

Establishing the Period of Parole Supervision [Conditional Discharge Date]; Effect of Restitution Obligation; Effect of Ballot Measure 10.
255-90-002

- (1) The Board shall establish a [conditional discharge date. It shall also set a] period of active supervised parole as shown in [the conditional discharge matrix,] Exhibit I. The Board may order an extended supervision period [after a hearing] if it finds that such an extension is appropriate [mandated]. [That extended supervision shall in no case exceed thirty-six (36) months.]
- (2) Notwithstanding subsection (1) of this rule, active supervision, as shown in the [conditional discharge matrix] Exhibit E, shall extend until the maximum expiration of the prison sentence if restitution remains unpaid.
- Must be I*
- (3) Discharge for inmates who committed crimes on or after December 4, 1986 shall be governed by Division 92 of the Board's rules.

Permanent effective 5/19/88

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

255-90-002 Establishing Conditional Discharge Date; Effect of
Restitution Obligation [Discharge of Parolees]

- (1) The Board shall establish a conditional discharge date. It shall also set a period of active supervised parole as shown in the conditional discharge Matrix, Exhibit I. The Board may order an extended supervision period after a hearing if it finds that such an extension is mandated. That extended supervision shall in no case exceed thirty-six (36) months. [Pursuant to ORS 144.310, the Board shall establish a discharge date from active supervised parole. The period of supervised parole shall be as shown in the guideline matrix, Exhibit H-1, unless the Board [provides written reasons for an extended supervision period. Extended supervision periods shall not exceed thirty-six (36) months.]
- (2) Notwithstanding section (1) of this rule, active supervision as shown in the conditional discharge Matrix shall extend until the maximum expiration of the prison sentence if restitution remains unpaid. [Notwithstanding section (1) of this rule, active supervision, shall extend until expiration of the sentence if restitution remains unpaid.]

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

Discharge of Parolees

255-90-002 [The Board shall establish a conditional discharge date from supervised parole within the range for the appropriate offense severity rating and history/risk score shown in the guideline matrix, Exhibit H-1. A parolee shall remain on unsupervised parole and shall not be given final discharge from parole until five (5) years after his placement on unsupervised parole, or until the occurrence of his goodtime date, whichever first occurs.]

(1) Pursuant to ORS 144.310 the Board shall establish a discharge date from active supervised parole. The period of supervised parole shall be as shown in the guideline matrix, Exhibit H-1, unless the Board provides written reasons for an extended supervision period. Extended supervision periods shall not exceed thirty six (36) months.

(2) Notwithstanding the above, active supervision, shall extend until expiration of the sentence if restitution remains unpaid.

Permanent effective 5/19/82

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

Discharge of parolees

255-90-002 [The Board shall establish a conditional discharge date from supervised parole within the range for the appropriate offense severity rating and history/risk score shown in the guideline matrix, Exhibit H-1. A parolee shall remain on unsupervised parole and shall not be given final discharge from parole until five (5) years after his placement on unsupervised parole, or until the occurrence of his good time date, whichever first occurs.]

255-90-005; 255-65-015 Pursuant to ORS 144.310 the Board shall establish a discharge date from active supervised parole. The period of supervised parole shall be as shown in the guideline matrix, Exhibit H-2, unless the Board provides written reasons for an extended supervision period. Extended supervision periods shall not exceed 36 months. (2) Notwithstanding the above, active supervision, shall extend until expiration of the sentence if restitution remains unpaid.

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

255-90-002. The Board shall establish a conditional discharge date from supervised parole within the range for the appropriate offense severity rating and history/risk score shown in the guideline matrix, Exhibit H-1. A parolee shall remain on unsupervised parole and shall not be given final discharge from parole until five (5) years after his placement on unsupervised parole, or until the occurrence of his good time date, whichever first occurs.

Permanent effective 2/15/81

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

255-90-002. The Board shall establish a conditional discharge date from supervised parole within the range for the appropriate offense severity rating and history/risk score shown in the guideline matrix, Exhibit H-1. A parolee shall remain on unsupervised parole and shall not be given final discharge from parole until five (5) years after his placement on unsupervised parole, or until the occurrence of his good time date, whichever first occurs.

Permanent effective 5/20/80

DIVISION 90

PAROLE SUPERVISION AND DISCHARGE
FOR INMATES WITH CRIMES PRIOR TO DECEMBER 4, 1986
ORS 144.310

[Length of Supervised Parole; Findings
255-90-003

- (1) The guidelines set forth in Exhibit I shall govern the period of supervised parole. The Board may set the period of supervision by administrative file pass or at any hearing, personal review, or postponement action and shall write it on the Order of Parole.
- (2) Before discharge, the Board shall find that the parolee's final release is not incompatible with the parolee's welfare and that of society.
- (3) The Board may find final release compatible with the welfare of society when:
 - (a) the court vacates or alters a sentence so that it is discharged;
 - (b) the sentence expires;
 - (c) the Board loses the authority to revoke parole; or
 - (d) the parolee dies.
- (4) During the pendency of any parole violation proceeding, the running of the parole period is stayed and the Board shall retain jurisdiction over the parolee until the proceedings are resolved.]

History; (5/20/80; 2/15/81; 11/4/81, temporary; 5/19/82; 5/31/85; 5/19/88; 11/1/89;
10/9/92; 7/26/93, suspended)

7/26/93

Parole Supervision & Discharge

Temporarily suspended 8/18/93 to 1/25/94
Permanently repealed 10/15/93

DIVISION 90

PAROLE SUPERVISION AND DISCHARGE
FOR INMATES WITH CRIMES PRIOR TO DEC. 4, 1986
(ORS 144.310)

Length of Supervised Parole; Findings
255-90-003

- (1) The guidelines set forth in Exhibit I shall govern the period of supervised parole. The Board may set the period of supervision [may be set] by administrative file pass or at any hearing, personal review, or postponement action and shall [be written] write it on the Order of Parole.
- (2) Before discharge, the Board [must] shall find that the parolee's final release is not incompatible with the parolee's welfare and that of society.
- (3) The Board may find [F]final release [may be found to be] compatible with the welfare of society when:
 - (a) the court vacates or alters a sentence so that it is discharged;
 - (b) the sentence expires;
 - (c) the Board loses the authority to revoke parole; or
 - (d) the parolee dies.
- (4) During the pendency of any parole violation proceeding, the running of the parole period is stayed and the Board shall retain jurisdiction over the parolee until the proceedings are resolved.

Permanent effective 10/9/92

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

Period of Time to Serve on Supervised Parole
255-90-003

- (1) The guidelines set forth in Exhibit I shall govern the period of supervised parole. The period of supervision may be set by administrative file pass or at any hearing, personal review, or postponement action and shall be written on the Order of Parole.
- (2) Before discharge, the Board must find that the parolee's final release is not incompatible with the parolee's welfare and that of society.
- (3) Final release may be found to be compatible with the welfare of society when:
 - (a) the court vacates or alters a sentence so that it is discharged;
 - (b) the sentence expires;
 - (c) the Board loses the authority to revoke parole; or
 - (e) the parolee dies.

11/01/89

Parole Supervision & Discharge

Permanent effective 11/1/89

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

Period of Time to Serve on Supervised Parole
255-90-003

- (1) The guidelines set forth in Exhibit I shall govern the period of supervised parole. [establishment of discharge dates.] The period of supervision [date] may be set by administrative file pass or at any hearing, personal review, or postponement action and shall be written on the Order of Parole.
- (2) [For] Before discharge, the Board must find that the parolee's final release is not incompatible with the parolee's welfare and that of society. [to be effective, the parolee must display acceptable parole performance during the term of active parole supervision.]
- (3) [(2)] During the pendency of any parole violation proceeding, the running of the parole period is stayed and the Board shall retain jurisdiction over the parolee until the proceedings are resolved.

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

255-90-003 Period of Time to Serve on Supervised Parole

- (1) The guidelines set forth in Exhibit I [H-1] shall govern the establishment of discharge dates. The date may [shall] be set at any [the prison term] hearing, personal [periodic] review, or postponement [rescission] action; and shall be written on the Order of Parole. For discharge to be effective, the parolee must display acceptable parole performance [as indicated by Exhibit H-1] during the term of active parole supervision.
- (2) During the pendency of any parole violation proceeding, the running of the parole period is stayed and the Board shall retain jurisdiction over the parolee until the proceedings are resolved.

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

Period of Time to Serve on Supervised Parole

255-90-003 [The Board may revoke parole, extend or deny a conditional discharge date, a final discharge or place a person back on supervised parole after his placement on conditional discharge for a period equal to the sentence expiration date when the parolee has been found, after hearing pursuant to Division 75 of these rules, to have violated the conditions of parole.]

- (1) The guidelines set forth in Exhibit H-1 shall govern the establishment of discharge dates. The date shall be set at the prison term hearing, periodic review, or rescission action and shall be written on the Order of Parole. For discharge to be effective, the parolee must display acceptable parole performance as indicated by Exhibit H-1 during the term of active parole supervision.
- ~~.....~~ (2) During the pendency of any parole violation proceeding, the running of the parole period is stayed and the Board shall retain jurisdiction over the parolee until the proceedings are resolved.

Permanent effective 5/19/82

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

Period of Time to Serve on Supervised Parole

255-90-003 [The Board may revoke parole, extend or deny a conditional discharge date, a final discharge or place a person back on supervised parole after his placement on conditional discharge for a period equal to the sentence expiration date when the parolee has been found, after hearing pursuant to Division 75 of these rules, to have violated the conditions of parole.]

The guidelines set forth in Exhibit H-1 shall govern the establishment of discharge dates. The date shall be set at the prison term hearing, periodic review, rescission action or by the Revocation Panel and shall be written on the Order of Parole. For discharge to be effective, the parolee must display acceptable parole performance as indicated by Exhibit H-1 during the term of active parole supervision.

255-90-011 During the pendency of any parole violation proceeding, the running of the parole period is stayed and the Board shall retain jurisdiction over the parolee until the proceedings are resolved.

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

255-90-003. The Board may revoke parole, extend or deny a conditional discharge date, a final discharge or place a person back on supervised parole after his placement on conditional discharge for a period equal to the sentence expiration date when the parolee has been found, after hearing pursuant to Division 75 of these rules, to have violated the conditions of parole.

Permanent effective 2/15/81

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 90 — BOARD OF PAROLE

DIVISION 90

DISCHARGE

255-90-003. The Board may revoke parole, extend or deny a conditional discharge date, a final discharge or place a person back on supervised parole after his placement on conditional discharge for a period equal to the sentence expiration date when the parolee has been found, after hearing pursuant to Division 75 of these rules, to have violated the conditions of parole.

Permanent effective 5/20/80