

DIVISION 92

PAROLE SUPERVISION UNDER BM10
ORS 144.305

[Application of Division 92
255-92-005

Division 92 applies to parole supervision for all prisoners who committed crimes on or after December 4, 1986 and prior to November 1, 1989. (See Ballot Measure 10, passed November 4, 1986 and HB2250, 1989.)]

History: (12/16/87; 11/1/89; 7/26/93, suspended)

Parole Supervision BM10

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Permanently repealed 10/15/93

DIVISION 92

PAROLE SUPERVISION UNDER BM10

Application of Division 92
255-92-005

Division 92 applies to parole supervision for all prisoners who committed crimes on or after December 4, 1986 and prior to November 1, 1989. (See Ballot Measure 10, passed November 4, 1986 and HB2250, 1989.)

11/01/89

Permanent effective 11/1/89
Parole Supervision/BM10

DIVISION 92

Parole Supervision Under BM10

Application of Division 92
255-92-005

Division 92 applies to parole supervision for all prisoners who committed crimes on or after December 4, 1986. (See Ballot Measure 10, passed November 4, 1986.)

12/2/87

Permanent effective 12/16/87

DIVISION 92

Parole Supervision Under BM10

Definitions

255-92-010

- [(1) "Active Supervision": Supervision requiring contact and monitoring by the supervising officer to assure continued compliance with the conditions of parole.]

- [(2) "Active Supervision" shall not include:
 - (a) the period of confinement in local, state, or federal correctional facilities during the parole;
 - (b) the period of time between the suspension of parole and the date parole is continued; and
 - (c) inactive parole.]

- [(3) "Exemplary Behavior": Behavior which is consistent with the conditions of parole.]

- [(4) "Inactive Parole" includes:
 - (a) general parole conditions;
 - (b) no supervision by a parole officer;
 - (c) no parole fees; and
 - (d) name and status maintained on the LEDS and EPR computer systems.]

Repealed
Permanent effective 5/19/88

DIVISION 92

Parole Supervision Under BM10

Definitions

255-92-010

- (1) "Active Supervision": Supervision requiring contact and monitoring by the supervising officer to assure continued compliance with the conditions of parole.
- (2) "Active Supervision" shall not include:

 - (a) the period of confinement in local, state, or federal correctional facilities during the parole;
 - (b) the period of time between the suspension of parole and the date parole is continued; and
 - (c) inactive parole.

- (3) "Exemplary Behavior": Behavior which is consistent with the conditions of parole.
- (4) "Inactive Parole" includes:

 - (a) general parole conditions;
 - (b) no supervision by a parole officer;
 - (c) no parole fees; and
 - (d) name and status maintained on the LEADS and EPR computer systems.

DIVISION 92

PAROLE SUPERVISION UNDER BM10
ORS 144.305

Duration of Parole
255-92-015

- (1) Parole shall extend the entire term of a prisoner's sentence.
- (2) Notwithstanding subsection (1) of this section, the Board may discontinue active supervision on parole after three years, if it finds that:
 - (a) the parolee does not constitute a threat to the parolee or society;
 - (b) the parolee has substantially complied with the conditions of active supervision; and
 - (c) the parolee has paid any restitution or compensatory fine owed.
- (3) When the Board discontinues active parole supervision, the Board shall place the parolee on inactive parole. However, this subsection shall not prohibit the Board from reinstating active parole supervision.]

History: (12/16/88; 11/1/89; 10/15/91; 7/26/93, suspended)

Parole Supervision BM10

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

DIVISION 92

PAROLE SUPERVISION UNDER BM10

Duration of Parole

255-92-015 (12/16/88; 11/1/89; 10/15/91)

- (1) Parole shall extend the entire term of a prisoner's sentence.
- (2) Notwithstanding subsection (1) of this section, the Board may discontinue active supervision on parole [may be discontinued] after three years, if [the Board] it finds that:
 - (a) the parolee does not constitute a threat to the parolee or society;
 - (b) [the parolee's behavior has been exemplary] the parolee has substantially complied with the conditions of active supervision; and
 - (c) the parolee has paid any restitution or compensatory fine owed [has been paid].
- (3) When the Board discontinues active parole supervision [is discontinued], the Board shall place the parolee [shall be placed] on inactive parole. However, this subsection shall not prohibit the Board from reinstating active parole supervision.

Parole Supervision BM1

Permanent effective 10/15/91

DIVISION 92

PAROLE SUPERVISION UNDER BM10

Duration of Parole

255-92-015

- (1) Parole shall extend the entire term of a prisoner's sentence.
- (2) Notwithstanding subsection (1) of this section, active supervision on parole may be discontinued after three years, if the Board finds that:
 - (a) the parolee does not constitute a threat to the parolee or society;
 - (b) the parolee's behavior has been exemplary; and
 - (c) any restitution or compensatory fine owed has been paid.
- (3) When active parole supervision is discontinued, the parolee shall be placed on inactive parole. However, this subsection shall not prohibit the Board from reinstating active parole supervision.

DIVISION 92

Parole Supervision Under BM10

Duration of Parole
255-92-015

- (1) Parole shall extend the entire term of a prisoner's sentence.
- (2) Notwithstanding subsection (1) of this section, active supervision on parole may be discontinued after three years, if the Board finds that:
 - (a) the parolee does not constitute a threat to the parolee or society;
 - (b) the parolee's behavior has been exemplary; and
 - (c) any restitution owed has been paid.'
- (3) When active parole supervision is discontinued, the parolee shall be placed on inactive parole. However, this subsection shall not prohibit the Board from reinstating active parole supervision.

DIVISION 92

**PAROLE SUPERVISION UNDER BM10
ORS 144.305**

[Period of Active Supervision: Exceptions
255-92-020

- (1) The minimum period of active supervision on parole shall be the length of the prisoner's sentence or three years, whichever is shorter.
- (2) Notwithstanding subsection (1) of this section, the Board will remove a parolee from active supervision only if the Board finds that the parolee has satisfied the provisions of OAR 255-92-015 (a), (b) and (c).
- (3) During parole violation proceedings, the period of active supervision is suspended and the Board retains jurisdiction over the parolee until the proceedings are resolved.
- (4) The Board may reinstate a parolee on active supervision under the provisions of OAR 255-92-040.]

History: (12/16/87; 10/9/92; 7/26/93, suspended)

Parole Supervision BM10

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

DIVISION 92

PAROLE SUPERVISION UNDER BM10

Period of Active Supervision; Exceptions
255-92-020

- (1) The minimum period of active supervision on parole shall be the length of the prisoner's sentence or three years, whichever is shorter.
- (2) Notwithstanding subsection (1) of this section, the Board will remove a parolee [will only be removed] from active supervision only if the Board finds that the parolee has satisfied the provisions of OAR 255-92-015 (a), (b) and (c).
- (3) During parole violation proceedings, the period of active supervision is suspended and the Board [shall retain] retains jurisdiction over the parolee until the proceedings are resolved.
- (4) The Board may reinstate a parolee on active supervision under the provisions of OAR 255-92-040.

History: (12/16/87; 10/9/92)

Permanent effective 10/9/92

DIVISION 92

PAROLE SUPERVISION UNDER BM10

Period of Active Supervision; Exceptions

255-92-020

- (1) The minimum period of active supervision on parole shall be the length of the prisoner's sentence or three years, whichever is shorter.
- (2) Notwithstanding subsection (1) of this section, a parolee will only be removed from active supervision if the Board finds that the parolee has satisfied the provisions of OAR 255-92-015 (a), (b) and (c) or (d).
- (3) During parole violation proceedings, the period of active supervision is suspended and the Board shall retain jurisdiction over the parolee until the proceedings are resolved.
- (4) The Board may reinstate a parolee on active supervision under the provisions of OAR 255-92-040.

11/01/89

Permanent effective 11/1/89
Parole Supervisor/BM10

DIVISION 92

Parole Supervision Under BM10

Period of Active Supervision; Exceptions
255-92-020

- (1) The minimum period of active supervision on parole shall be the length of the prisoner's sentence or three years, whichever is shorter.
- (2) Notwithstanding subsection (1) of this section, a parolee will only be removed from active supervision if the Board finds that the parolee has satisfied the provisions of OAR 255-92-015 (a), (b) and (c).
- (3) During parole violation proceedings, the period of active supervision is suspended and the Board shall retain jurisdiction over the parolee until the proceedings are resolved.
- (4) The Board may reinstate a parolee on active supervision under the provisions of OAR 255-92-040.

DIVISION 92

**PAROLE SUPERVISION UNDER BM10
ORS 144.305**

**[Parole Summary; Active Supervision Review
255-92-025**

- (1) Within fifteen (15) days after the parolee has completed the established period of active supervision, the supervising officer shall send to the Board a parole summary. The parole summary shall contain:
 - (a) an evaluation of the parolee's behavior;
 - (b) an update on the status of the parolee's restitution, compensatory fine, and attorney fee obligations, if any; and
 - (c) a recommendation that the Board remove the parolee from active supervision and place him or her on inactive supervision; or
 - (d) a recommendation that the Board continue the parolee on active supervision.
- (2) If the supervising officer recommends that the Board continue active supervision, the officer shall include in the parole summary supporting reasons for this recommendation.
- (3) As soon as the Board receives the parole summary, one Board member shall conduct an active supervision review to examine the parolee's record on active supervision. The Board may order a show cause hearing to review a request for extension of the active period of supervision.]

History: (12/16/87; 11/1/89; 5/1/91, temporary; 10/15/91; 10/9/92; 7/26/93, suspended)

Parole Supervision BM10

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

DIVISION 92

PAROLE SUPERVISION UNDER BM10

Parole Summary; Active Supervision Review
255-92-025

- (1) Within fifteen (15) days after the parolee has completed the [Board] established period of active supervision, the supervising officer shall send to the Board a parole summary. The parole summary shall contain:
 - (a) an evaluation of the parolee's behavior;
 - (b) an update on the status of the parolee's restitution, compensatory fine, and attorney fee obligations, if any; and
 - (c) a recommendation that the Board remove the parolee from active supervision and place him or her on inactive supervision; or
 - (d) a recommendation that the Board continue the parolee on active supervision.
- (2) If the supervising officer recommends that the Board continue active supervision, the officer shall include in the parole summary supporting reasons for this recommendation.
- (3) As soon as the Board receives the parole summary, one Board member[s] shall conduct an active supervision review [administratively] to examine the parolee's record on active supervision. The Board may order a show cause hearing to review a request for extension of the active period of supervision.

History: (12/16/87; 11/1/89; 5/1/91, temporary; 10/15/91; 10/9/92)

Permanent effective 10/9/92

DIVISION 92

PAROLE SUPERVISION UNDER BM10

Parole Summary; Active Supervision Review

255-92-025 (12/16/87; 11/1/89; 5/1/91, temporary; 10/15/91)

- (1) Within fifteen (15) days after the parolee has completed the Board established [a] period of active supervision [established by the Board], the supervising officer shall send to the Board a parole summary. The parole summary shall contain:
 - (a) an evaluation of the parolee's behavior;
 - (b) an update on the status of the parolee's restitution, compensatory fine, and attorney fee obligations, if any; and
 - (c) a recommendation that the Board remove the parolee [be removed] from active supervision and place him or her on inactive supervision; or
 - (d) a recommendation that the Board continue the parolee [be continued] on active supervision.
- (2) If the supervising officer recommends that the Board continue active supervision [be continued], the officer shall include in the parole summary supporting reasons for this recommendation [shall be included in the parole summary].
- (3) As soon as the Board receives the parole summary [is received by the Board any three (3)], one Board members [will] shall conduct an active supervision review [by administrative file pass] administratively to examine the parolee's record on active supervision. The Board may order a show cause hearing to review a request for extension of the active period of supervision.

10/15/91

Parole Supervision BM1

Permanent effective 10/15/91

DIVISION 92

PAROLE SUPERVISION UNDER BM10

Parole Summary; Active Supervision Review

255-92-025 (12/16/87; 11/1/89; 5/1/91, temporary)

- (1) Within fifteen (15) days after the parolee has completed a period of active supervision established by the Board, the supervising officer shall send to the Board a parole summary. The parole summary shall contain:
 - (a) an evaluation of the parolee's behavior;
 - (b) an update on the status of the parolee's restitution, compensatory fine, and attorney fee obligations, if any; and
 - (c) a recommendation that the parolee be removed from active supervision;
or
 - (d) a recommendation that the parolee be continued on active supervision.
- (2) If the supervising officer recommends that active supervision be continued, supporting reasons for this recommendation shall be included in the parole summary.
- (3) As soon as the parole summary is received by the Board, [any three (3)] two Board members will conduct an active supervision review by administrative file pass to examine the parolee's record on active supervision.

DIVISION 92

PAROLE SUPERVISION UNDER BM10

Parole Summary; Active Supervision Review
255-92-025

- (1) Within fifteen (15) days after the parolee has completed a period of active supervision established by the Board, the supervising officer shall send to the Board a parole summary. The parole summary shall contain:
 - (a) an evaluation of the parolee's behavior;
 - (b) an update on the status of the parolee's restitution, compensatory fine, and attorney fee obligations, if any; and
 - (c) a recommendation that the parolee be removed from active supervision; or
 - (d) a recommendation that the parolee be continued on active supervision.
- (2) If the supervising officer recommends that active supervision be continued, supporting reasons for this recommendation shall be included in the parole summary.
- (3) As soon as the parole summary is received by the Board, any three (3) Board members will conduct an active supervision review by administrative file pass to examine the parolee's record on active supervision.

DIVISION 92

Parole Supervision Under BM10

Parole Summary; Active Supervision Review
255-92-025

- (1) Within fifteen (15) days after the parolee has completed a period of active supervision established by the Board, the supervising officer shall send to the Board a parole summary. The parole summary shall contain:

 - (a) an evaluation of the parolee's behavior;
 - (b) an update on the status of the parolee's restitution obligation, if any; and
 - (c) a recommendation that the parolee be removed from active supervision; or
 - (d) a recommendation that the parolee be continued on active supervision.
- (2) If the supervising officer recommends that active supervision be continued, supporting reasons for this recommendation shall be included in the parole summary.
- (3) As soon as the parole summary is received by the Board, any three (3) Board members will conduct an active supervision review by administrative file pass to examine the parolee's record on active supervision.

DIVISION 92

PAROLE SUPERVISION UNDER BM10
ORS 144.305

[Continued Active Supervision: Procedure

255-92-030

The Board shall determine at the active supervision review if a continuance is appropriate. If the Board decides that continuing active supervision is appropriate, the Board shall:

- (1) use the guidelines set forth in Exhibit L to establish the length of the parolee's next period of active supervision; and
- (2) notify the parolee and the parole officer of its decision, the length of the parolee's next period of active supervision, and the reasons for continuing active supervision.]

History: (12/16/87; 5/19/88; 7/1/88; 1/13/92; 7/26/93, suspended)

Parole Supervision BM10

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

DIVISION 92

PAROLE SUPERVISION UNDER BM10

Continued Active Supervision; Procedure
255-92-030

[When continued active supervision is recommended by the supervising officer,]
[t]The Board shall determine at the active supervision review if a continuance is appropriate. If the Board decides that continuing active supervision is appropriate, the Board shall:

- (1) use the guidelines set forth in Exhibit L to establish the length of the parolee's next period of active supervision; and
- (2) notify the parolee and the parole officer of its decision, the length of the parolee's next period of active supervision, and the reasons for continuing active supervision.

Statutory Authority: (ORS 144.050, 144.305)

History: (12/16/87; 5/19/88; 7/1/88; 1/13/92)

Permanent effective 1/13/92

1/13/92

Parole Supervision BM10

DIVISION 92

PAROLE SUPERVISION UNDER BM10

Continued Active Supervision; Procedure

255-92-030 (12/16/87; 5/19/88; 7/1/88; 12/?/91)

[When continued active supervision is recommended by the supervising officer,]
[t]he Board shall determine at the active supervision review if a continuance is appropriate. If the Board decides that continuing active supervision is appropriate, the Board shall:

- (1) use the guidelines set forth in Exhibit L to establish the length of the parolee's next period of active supervision; and
- (2) notify the parolee and the parole officer of its decision, the length of the parolee's next period of active supervision, and the reasons for continuing active supervision.

10/15/91

Parole Supervision BM1

Permanent effective 10/15/91

DIVISION 92

PAROLE SUPERVISION UNDER BM10

Continued Active Supervision; Procedure
255-92-030

When continued active supervision is recommended by the supervising officer, the Board shall determine at the active supervision review if a continuance is appropriate. If the Board decides that continuing active supervision is appropriate, the Board shall:

- (1) use the guidelines set forth in Exhibit L to establish the length of the parolee's next period of active supervision; and
- (2) notify the parolee and the parole officer of its decision, the length of the parolee's next period of active supervision, and the reasons for continuing active supervision.

11/01/89

Permanent effective 11/1/89
Parole Supervision/BM10

DIVISION 92

Parole Supervision Under BM10

Continued Active Supervision; Procedure
255-92-030

When continued active supervision is recommended by the supervising officer, the Board shall determine at the active supervision review if a continuance is appropriate. If the Board decides that continuing active supervision is appropriate, the Board shall:

- (1) use the guidelines set forth in Exhibit L to establish the length of the parolee's next period of active supervision; and
- (2) notify the parolee and the parole officer of its decision, the length of the parolee's next period active supervision, and the reasons for continuing active supervision.

DIVISION 92

Parole Supervision Under BM10

Continued Active Supervision; Procedure
255-92-030

When continued active supervision is recommended by the supervising officer, the Board shall determine at the active supervision review if a continuance is appropriate. If the Board decides that continuing active supervision is appropriate, the Board shall:

- (1) use the guidelines set forth in Exhibit L to establish the length of the parolee's next period of active supervision; and
- (2) notify the parolee of its decision, the length of the parolee's next period active supervision, and the reasons for continuing active supervision.

DIVISION 92

PAROLE SUPERVISION UNDER BM10
ORS 144.305

Removal From Active Supervision; Procedure
255-92-035

- (1) When the Board decides to remove a parolee from active supervision, the Board shall:
 - (a) delete conditions which the Board has required the parolee to follow except the following conditions:
 - (A) offender shall obey all municipal, county, state and federal laws;
 - (B) inactive parole must serve the best interests of the parolee and of society;
 - (b) issue a notice certifying inactive parole status;
 - (c) notify the supervising officer that:
 - (A) the Board does not require that the officer provide supervision of the parolee;
 - (B) the officer shall monitor LEDS and EPR for new class A and B felonies and person-to-person class C felonies.
- (2) The date the Board signs the notice certifying inactive status is the commencement date for inactive parole.]

History: (12/16/87; 1/16/91; 10/15/91; 7/26/93, suspended)

Parole Supervision BM10

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

DIVISION 92

PAROLE SUPERVISION UNDER BM10

Removal From Active Supervision; Procedure
255-92-035 (12/16/87; 1/16/91; 10/15/91)

- (1) When the Board decides to remove a parolee from active supervision, the Board shall:
- (a) delete conditions which the Board has required the parolee [has been required] to follow except the following conditions:
 - (A) offender shall obey all municipal, county, state and federal laws;
 - [(B) offender shall not own, possess or be in control of any weapon;]
 - [(C) if applicable, an offender convicted of a sex offense shall register his or her residency pursuant to ORS 181.517-519;]
 - (B) inactive parole must serve the best interests of the parolee and of society;
 - (b) issue a [new parole order] notice certifying inactive parole status[.];
 - (c) notify the supervising officer that:
 - (A) the Board does not require that the officer provide supervision of the parolee;
 - (B) the officer shall monitor LEDS and EPR for new class A and B felonies and person-to-person class C felonies.
- (2) [A parolee shall be considered to be on inactive parole as of t]The date the [parole order] Board signs the notice certifying inactive status is [signed by the Board] the commencement date for inactive parole.

10/15/91

Parole Supervision BM1

Permanent effective 10/15/91

DIVISION 92

PAROLE SUPERVISION UNDER BM10

Removal From Active SUPERVISION: PROGRESSIVE
255-92-035 (12/16/87)

- (1) When the Board decides to remove a parolee from active supervision, the Board shall:
 - (a) delete [any special] conditions which the parolee has been required to follow except the following conditions:
 - (A) offender shall obey all municipal, county, state and federal laws;
 - (B) offender shall not own possess or be in control of any weapon;
 - (C) if applicable, an offender convicted of a sex offense shall register his or her residency pursuant to ORS 181.517-519; and
 - (b) issue a new parole order certifying inactive status.
- (2) A parolee shall be considered to be on inactive parole as of the date the parole order certifying inactive status is signed by the Board.

1/16/91

Parole Supervision BM10

Permanent effective 1/16/91

DIVISION 92

Parole Supervision Under BM10

Removal From Active Supervision; Procedure
255-92-035

- (1) When the Board decides to remove a parolee from active supervision, the Board shall:
 - (a) delete any special conditions which the parolee has been required to follow; and
 - (b) issue a new parole order certifying inactive status.
- (2) A parolee shall be considered to be on inactive parole as of the date the parole order certifying inactive status is signed by the Board.

DIVISION 92

PAROLE SUPERVISION UNDER BM10
ORS 144.305

[Bases for Reinstating Active Supervision: Procedure
255-92-040

- (1) The Board may reinstate active supervision for the following reasons:
 - (a) failure to obey all municipal, county, state and federal laws;
 - (b) inactive parole is no longer in the best interests of the parolee or society.
- (2) When the Board receives information indicating that reinstatement on active parole supervision may be warranted pursuant to section (1) of this rule, one Board member shall review the parolee's conduct by administrative file pass to decide whether or not to cite the parolee to a show cause hearing.
- (3) After the show cause hearing, the Board shall notify the parolee of its decision. If the Board decides to reinstate active parole supervision, the Board shall also notify the parolee of the length of the parolee's next period of active supervision, and the reasons for reinstating active supervision.
- (4) The Board or its designated representative shall conduct show cause hearings under this section under the same procedures as parole revocation hearings in Division 75.
- (5) If a parolee is on inactive parole and the Board revokes parole following a parole revocation hearing, in addition to any other Board imposed sanctions, upon release from custody the Board shall reinstate the parolee on active supervision. The Board shall set a new 36 month period of active supervision when it makes the future disposition decision. If the sentence expires prior to 36 months, the new period of active supervision shall be until the sentence expiration date.
- (6) If a parolee is on active parole and the Board revokes parole following a parole revocation hearing, in addition to any other Board imposed sanctions, upon release from custody the Board shall reinstate the parolee on active supervision. The Board shall set the new period of active supervision when it makes the future disposition decision.
- (7) The Board shall determine the new period of active supervision under this section pursuant to the guidelines set forth in Exhibit L.

History: (12/16/87; 5/19/88; 7/1/88; 4/19/89, temporary; 11/1/89; 1/16/91; 5/1/91, temporary; 10/15/91; 10/9/92; 7/26/93, suspended)

Parole Supervision BM10

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

DIVISION 92

PAROLE SUPERVISION UNDER BM10

Bases for Reinstating Active Supervision; Procedure
255-92-040

- (1) The Board may reinstate active supervision for the following reasons:
 - (a) failure to obey all municipal, county, state and federal laws;
 - (b) inactive parole is no longer in the best interests of the parolee or society.
- (2) When the Board receives information indicating that reinstatement on active parole supervision may be warranted pursuant to section (1) of this rule, [two members of the] one Board member shall review the parolee's conduct by administrative file pass to decide whether or not to cite the parolee to a show cause hearing.
- (3) After the show cause hearing, the Board shall notify the parolee of its decision. If the Board decides to reinstate active parole supervision, the Board shall also notify the parolee of the length of the parolee's next period of active supervision, and the reasons for reinstating active supervision.
- (4) The Board or its designated representative shall conduct show cause hearings under this section under the same procedures as parole revocation hearings in Division 75.
- (5) If a parolee is on inactive parole and the Board revokes parole following a parole revocation hearing, in addition to any other Board imposed sanctions, upon release from custody the Board shall reinstate the parolee on active supervision. The Board shall set a new 36 month period of active supervision when it makes the future disposition decision. If the sentence expires prior to 36 months, the new period of active supervision shall be until the sentence expiration date.
- (6) If a parolee is on active parole and the Board revokes parole following a parole revocation hearing, in addition to any other Board imposed sanctions, upon release from custody the Board shall reinstate the parolee on active supervision. The Board shall set the new period of active supervision when it makes the future disposition decision.
- (7) The Board shall determine the new period of active supervision under this section pursuant to the guidelines set forth in Exhibit L.

History: (12/16/87; 5/19/88; 7/1/88; 4/19/89, temporary; 11/1/89; 1/16/91; 5/1/91, temporary; 10/15/91; 10/9/92)

Permanent effective 10/9/92

DIVISION 92

PAROLE SUPERVISION UNDER BM10

Bases for Reinstating Active Supervision; Procedure

255-92-040 (12/16/87; 5/19/88; 7/1/88; 4/19/89, temporary; 11/1/89; 1/16/91; 5/1/91, temporary; 10/15/91)

- (1) The Board may reinstate [A]active supervision [may be reinstated] for the following reasons:
 - (a) failure to obey all municipal, county, state and federal laws;
 - [(b) ownership, possession, or control of any weapon;]
 - [(c) failure to register residency as provided in ORS 181.517-519;]
 - [(d)](b) inactive parole is no longer in the best interests of the parolee or society.
- (2) When the Board receives information indicating that reinstatement on active parole supervision may be warranted pursuant to section (1) of this rule, two members of the Board shall review the parolee's conduct by administrative file pass to decide whether or not to cite the parolee to a show cause hearing.
- (3) After the show cause hearing, the Board shall notify the parolee of its decision. If the Board decides to reinstate active parole supervision, the Board shall also notify the parolee of the length of the parolee's next period of active supervision, and the reasons for reinstating active supervision.
- (4) The Board or its designated representative shall conduct [S]show cause hearings under this section [shall be conducted] under the same procedures as parole revocation hearings in Division 75.
- (5) If a parolee is on inactive parole and the Board revokes parole [is revoked] following a parole revocation hearing, in addition to any other Board imposed sanctions [imposed by the Board], [when the parolee is released] upon release from custody the Board shall reinstate the parolee [will be reinstated] on active supervision. The Board shall set a new 36 month period of active supervision [will be set at the time] when it makes the future disposition decision [is made]. If the sentence expires prior to 36 months, the new period of active supervision shall be until the sentence expiration date.
- (6) If a parolee is on active parole and the Board revokes parole [is revoked] following a parole revocation hearing, in addition to any other Board imposed sanctions [imposed by the Board], [when the parolee is released] upon release from custody the Board shall reinstate the parolee [will be reinstated] on active supervision. The Board shall set the new period of active supervision [will be set at the the time] when it makes the future disposition decision [is made].
- (7) The Board shall determine the new period of active supervision under this section [shall be determined] pursuant to the guidelines set forth in Exhibit L.

DIVISION 92

PAROLE SUPERVISION UNDER BM10

Bases for Reinstating Active Supervision; Procedure

255-92-040 (12/16/87; 5/19/88; 7/1/88; 4/19/89, temporary; 11/1/89; 1/16/91; 5/1/91, temporary)

- (1) Active supervision may be reinstated for the following reasons:
 - (a) failure to obey all municipal, county, state and federal laws;
 - (b) ownership, possession, or control of any weapon;
 - (c) failure to register residency as provided in ORS 181.517-519;
 - (d) inactive parole is no longer in the best interests of the parolee or society.
- (2) When the Board receives information indicating that reinstatement on active parole supervision may be warranted pursuant to section (1) of this rule, two members of the Board shall review the parolee's conduct by administrative file pass to decide whether or not to cite the parolee to a show cause hearing.
- (3) After the show cause hearing, the Board shall notify the parolee of its decision. If the Board decides to reinstate active parole supervision, the Board shall also notify the parolee of the length of the parolee's next period of active supervision, and the reasons for reinstating active supervision.
- (4) Show cause hearings under this section shall be conducted under the same procedures as parole revocation hearings in Division 75.
- (5) If a parolee is on inactive parole and parole is revoked following a parole revocation hearing, in addition to any other sanctions imposed by the Board, when the parolee is released from custody the parolee will be reinstated on active supervision. The new period of active supervision will be set at the time the future disposition decision is made.
- (6) If a parolee is on active parole and parole is revoked following a parole revocation hearing, in addition to any other sanctions imposed by the Board, when the parolee is released from custody the parolee will be reinstated on active supervision. The new period of active supervision will be set at the the time the future disposition decision is made.
- (7) The new period of active supervision under this section shall be determined pursuant to the guidelines set forth in Exhibit L.

Temporary effective 5/1/91 to 10/27/91
superseded by permanent filing 10/15/91
Parole Supervision BM10

5/1/91

DIVISION 92

PAROLE SUPERVISION UNDER BM10

Bases for Reinstating Active Supervision or Revoking Inactive Supervision;
Procedure

255-92-040 (12/16/87; 5/19/88; 7/1/88; 4/19/89, temporary; 11/1/89)

- (1) Active supervision may be reinstated for the following reasons:
 - (a) failure to obey all municipal, county, state and federal laws
[abide by the general conditions of parole; or]
 - (b) ownership, possession, or control of any weapon;
 - (c) failure to register residency as provided in ORS 181.517-519;
 - [(b)](d) inactive parole is no longer in the best interests of the parolee or society.
- (2) When the Board receives information indicating that reinstatement on active parole supervision may be warranted pursuant to section (1) of this rule, the Board shall review the parolee's conduct by administrative file pass to decide whether or not to cite the parolee to a show cause hearing.
- (3) After the show cause hearing, the Board shall notify the parolee of its decision. If the Board decides to reinstate active parole supervision, the Board shall also notify the parolee of the length of the parolee's next period of active supervision, and the reasons for reinstating active supervision.
- (4) Show cause hearings under this section shall be conducted under the same procedures as parole revocation hearings in Division 75.
- (5) If a parolee is on inactive parole and parole is revoked following a parole revocation hearing, in addition to any other sanctions imposed by the Board, when the parolee is released from custody the parolee will be reinstated on active supervision. The new period of active supervision will be set at the time the future disposition decision is made.
- (6) If a parolee is on active parole and parole is revoked following a parole revocation hearing, in addition to any other sanctions imposed by the Board, when the parolee is released from custody the parolee will be reinstated on active supervision. The new period of active supervision will be set at the the time the future disposition decision is made.
- (7) The new period of active supervision under this section shall be determined pursuant to the guidelines set forth in Exhibit L.

1/16/91

Parole Supervision BM10

Permanent effective 1/16/91

DIVISION 92

PAROLE SUPERVISION UNDER BM10

Bases for Reinstating Active Supervision; Procedure
255-92-040

- (1) Active supervision may be reinstated for the following reasons:
 - (a) failure to abide by the general conditions of parole; or
 - (b) inactive parole is no longer in the best interests of the parolee or society.
- (2) When the Board receives information indicating that reinstatement on active parole supervision may be warranted pursuant to subsection (1) of this section, the Board shall review the parolee's conduct by administrative file pass to decide whether or not to cite the parolee to a show cause hearing.
- (3) After the show cause hearing, the Board shall notify the parolee of its decision. If the Board decides to reinstate active parole supervision, the Board shall also notify the parolee of the length of the parolee's next period of active supervision, and the reasons for reinstating active supervision.
- (4) Show cause hearings under this section shall be conducted under the same procedures as parole revocation hearings in Division 75.
- (5) If a parolee is on inactive parole and parole is revoked following a parole revocation hearing, in addition to any other sanctions imposed by the Board, when the parolee is released from custody the parolee will be reinstated on active supervision. The new period of active supervision will be set at [the prisoner's future disposition hearing] the time the future disposition decision is made.
- (6) If a parolee is on active parole and parole is revoked following a parole revocation hearing, in addition to any other sanctions imposed by the Board, when the parolee is released from custody the parolee will be reinstated on active supervision. The new period of active supervision will be set at [the prisoner's future disposition hearing] the time the future disposition decision is made.
- (7) The new period of active supervision under this section shall be determined pursuant to the guidelines set forth in Exhibit L.

DIVISION 92

PAROLE SUPERVISION UNDER BM10
ORS 144.305

Bases for Reinstating Active Supervision; Procedure
255-92-040

Subsections 1 through 4 remain unchanged.

- (5) If a parolee is on inactive parole and parole is revoked following a parole revocation hearing, in addition to any other sanctions imposed by the Board, when the parolee is released from custody, the parolee will be reinstated on active supervision. The new period of active supervision will be set at the [prisoner's future disposition hearing] time the future disposition decision is made.
- (6) If a parolee is on active parole and parole is revoked following a parole revocation hearing, in addition to any other sanctions imposed by the Board, when the parolee is released from custody, the parolee will be reinstated on active supervision. The new period of active supervision will be set at the [prisoner's future disposition hearing] time the future disposition decision is made.

Temporary effective 4/19/89 to 10/15/89

DIVISION 92

Parole Supervision Under BM10

Bases for Reinstating Active Supervision; Procedure
255-92-040

- (1) Active supervision may be reinstated for the following reasons:
 - (a) failure to abide by the general conditions of parole; or
 - (b) inactive parole is no longer in the best interests of the parolee or society.
- (2) When the Board receives information indicating that reinstatement on active parole supervision may be warranted pursuant to subsection (1) of this section, the Board shall review the parolee's conduct by administrative file pass to decide whether or not to cite the parolee to a show cause hearing.
- (3) After the show cause hearing, the Board shall notify the parolee of its decision. If the Board decides to reinstate active parole supervision, the Board shall also notify the parolee of the length of the parolee's next period of active supervision, and the reasons for reinstating active supervision.
- (4) Show cause hearings under this section shall be conducted under the same procedures as parole revocation hearings in Division 75.
- (5) If a parolee is on inactive parole and parole is revoked following a parole revocation hearing, in addition to any other sanctions imposed by the Board, when the parolee is released from custody the parolee will be reinstated on active supervision. The new period of active supervision will be set at the prisoner's future disposition hearing.
- (6) If a parolee is on active parole and parole is revoked following a parole revocation hearing, in addition to any other sanctions imposed by the Board, when the parolee is released from custody the parolee will be reinstated on active supervision. The new period of active supervision will be set at the prisoner's future disposition hearing.
- (7) The new period of active supervision under this section shall be determined pursuant to the guidelines set forth in Exhibit L.

DIVISION 92

Parole Supervision Under BM10

Bases for Reinstating Active Supervision; Procedure
255-92-040

- (1) Active supervision may be reinstated for the following reasons:

 - (a) failure to abide by the general conditions of parole; or
 - (b) inactive parole is no longer in the best interests of the parolee or society.
- (2) When the Board receives information indicating that reinstatement on active parole supervision may be warranted pursuant to subsection (1) of this section, the Board shall review the parolee's conduct by administrative file pass to decide whether or not to cite the parolee to a show cause hearing.
- (3) After the show cause hearing, the Board shall notify the parolee of its decision. If the Board decides to reinstate active parole supervision, the Board shall also notify the parolee of the length of the parolee's next period of active supervision, and the reasons for reinstating active supervision.
- (4) Show cause hearings under this section shall be conducted under the same procedures as parole revocation hearings in Division 75.
- (5) If a parolee is on inactive parole and parole is revoked following a parole revocation hearing, in addition to any other sanctions imposed by the Board, the parolee will be reinstated on active supervision. The new period of active supervision will be set at the prisoner's future disposition hearing.
- (6) If a parolee is on active parole and parole is revoked following a parole revocation hearing, in addition to any other sanctions imposed by the Board, the parolee will be reinstated on active supervision. The new period of active supervision will be set at the prisoner's future disposition hearing.
- (7) The new period of active supervision under this section shall be determined pursuant to the guidelines set forth in Exhibit L.