

EXHIBIT G

MISCONDUCT FACTORS
ORS 144.125(2), OAR 255-50-005-012

	<u>CATEGORY</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
(1)	Hazard to Human Life	50% of the prison term	100% of the prison term. In no instance may the extension exceed 5 years.
(2)	Hazard to Security	25% of the prison term	50% of the prison term. In no instance may the extension exceed 2 years.
(3)	Hazard to Property	10% of the prison term	20% of the prison term. In no instance may the extension exceed 1 year.
(4)	Third in a series of rule violations in a three-month period, while assigned to any Department of Corrections program.	5% of the prison term	10% of the prison term. In no instance may the extension exceed 6 mos.

The extension must be set within the minimum and maximum range for the category of misconduct (see categories 1-4 above), unless the Board finds aggravation or mitigation based on those factors listed in Exhibit E. If a basis for aggravation or mitigation is found by the Board, the maximum variation allowed to a majority of the Board would be twenty-five percent of the sanction recommended.

OREGON ADMINISTRATIVE RULES
CHAPTER 255, DIVISION 50 — BOARD OF PAROLE

TABLE 1
(255-50-005)

AMOUNT OF TIME

<u>CATEGORY</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
(a) Hazard to Human Life/ Health	50% of the prison term	100% of the prison term. In no instance may the extension exceed five years.
(b) Hazard to Security	25% of the prison term	50% of the prison term. In no instance may the extension exceed two years.
(c) Hazard to Property	10% of the prison term	20% of the prison term. In no instance may the extension exceed one year.
(d) Third in a series of rule violations within a three-month period, while assigned to any Corrections Division program	5% of the prison term	10% of the prison term. In no instance may the extension exceed six months.

Permanent effective 2/1/79

EXHIBIT G
 MISCONDUCT FACTORS (DIVISION 50)

<u>CATEGORY</u>	<u>AMOUNT OF TIME</u>	
	<u>MINIMUM</u>	<u>MAXIMUM</u>
(1) Hazard to Human Life	50% of the prison term	100% of the prison term In no instance may the extension exceed 5 years.
(2) Hazard to Security	25% of the prison term	50% of the prison term. In no instance may the extension exceed 2 years.
(3) Hazard to Property	10% of the prison term	20% of the prison term. In no instance may the extension exceed 1 year.
(4) Third in a series of rule violations in a three-month period, while assigned to any Department of Corrections program.	5% of the prison term	10% of the prison term. In no instance may the extension exceed 6 mos.

The extension must be set according to Exhibit G above and the category of misconduct, unless the Board finds aggravation or mitigation based on those factors listed in Exhibit E. If a basis for aggravation or mitigation is found by the Board, the maximum variation allowed to a majority of the Board would be twenty-five percent of the sanction recommended. The Board may apply all or a portion of the recommended sanction.

Permanent effective 7/1/88

EXHIBIT G
MISCONDUCT FACTORS (DIVISION 50)

<u>CATEGORY</u>	<u>AMOUNT OF TIME</u>	
	<u>MINIMUM</u>	<u>MAXIMUM</u>
(a) Hazard to Human Life/ Health	50% of the prison term	100% of the prison term. In no instance may the extension exceed five years.
(b) Hazard to Security	25% of the prison term	50% of the prison term. In no instance may the extension exceed two years.
(c) Hazard to Property	10% of the prison term	20% of the prison term In no instance may the extension exceed one year.
(d) Third in a series of rule violations within a three-month period, while assigned to any Corrections Division program.	5% of the prison term	10% of the prison term. In no instance may the extension exceed six months.

EXHIBIT G

AGGRAVATION/MITIGATION IN PAROLE VIOLATION CASES UNDER RULE 255-75-090

AGGRAVATION

Prior parole revocation.

Prior Board reprimand, revocation hearing, or like difficulty on present parole.

Less than 3 months to first difficulty.

Repetition of type conduct associated with commitment offense or past conditions (return to drug or alcohol abuse, assaultiveness, involvement in same type criminal activity).

MITIGATION

No evidence of new criminal activity.

No prior parole difficulty.

More than 9 months to first difficulty.

Efforts to deal with problems associated with past criminal conduct.

Evidence of reduced responsibility or lack of mental capacity.