I. PURPOSE:

This policy establishes a guideline for marriages of eligible OYA offenders within OYA facilities.

II. POLICY DEFINITIONS:

None.

III. POLICY:

The State of Oregon permits people 17 years of age or older to marry. OYA offenders 17 years of age require written consent of their parent or guardian to marry. If no parent or guardian resides within Oregon, a marriage license may be issued without consent of the parent or guardian providing the offender has resided for six months within the county where the application is submitted. Offenders 18 years of age or older do not require written consent of any party to marry.
For offenders 17 years of age:
- When a court grants legal custody and guardianship to OYA, the agency has the authority to consent to an offender’s marriage, if the offender is legally permitted to marry. Authorization to give consent to marry is exercised by an Assistant Director or, in his/her absence, the Director.
- In cases where only legal custody is granted to OYA, the agency cannot provide consent to marry.

Eligible offenders may be permitted to marry provided that the marriage is legal, would not present a threat to the safe, secure, and orderly operation of an OYA facility and would not jeopardize public safety.

IV. GENERAL STANDARDS:

A. OYA will not pay for fees incurred related to the marriage process, such as the marriage license fee and ceremony expenses.

B. Designated facility staff will provide information as desired by the offender regarding pre-marital counseling. Prior to release of offender records, staff should refer to OYA Policy I-E-2.3 (Request for Offender Records, Reports, and Other Materials).

C. Designated facility staff or the assigned juvenile parole/probation officer (JPPO) will discuss marriage plans with the offender and his/her family (if available).

D. Marriage ceremonies within a facility will follow the local facility protocol, remaining consistent with OYA policy II-E-2.5 (Visits with Offenders).

V. LOCAL OPERATING PROTOCOL REQUIRED: NO