

DIVISION 94

**ACTIVE AND INACTIVE PAROLE
AND POST-PRISON SUPERVISION
(ORS 144.085 AS AMENDED BY SB1145 §22, EFFECTIVE DATE 7/1/95)**

255-094-0000

Period of Active Parole or Post-Prison Supervision

- (1) The minimum periods of active parole and post-prison supervision shall be:
- (a) six (6) months for offenders whose crimes were committed on or after November 1, 1989, and whose crimes fall within sentencing guidelines crime categories 1, 2 and 3;
 - (b) twelve (12) months for offenders whose crimes were committed on or after November 1, 1989, and whose crimes fall within sentencing guidelines crime categories 4, 5, 6, 7, 8, 9 and 10;
 - (c) for offenders whose crimes were committed after December 4, 1986, but prior to November 1, 1989, the period of active supervision shall be set by determining the equivalent sentencing guidelines crime category and applying sub-section (a) and (b) above, subject to the exceptions in section (2) below;
 - (d) for offenders whose crimes were committed prior to December 4, 1986, the Board shall apply the rules in effect at the time the crime was committed.
- (2) The following minimum periods of active parole and post-prison supervision are exceptions to section (1) of this rule:
- (a) three (3) years for offenders sentenced as dangerous offenders under ORS 161.725 to 161.737;
 - (b) three (3) years for offenders sentenced for murder under ORS 163.115;
 - (c) three (3) years for offenders sentenced for aggravated murder under ORS 163.105;
 - (d) offenders sentenced for Rape I, Sodomy I, Sexual Penetration I, Sexual Penetration 2, Sex Abuse 2, and Attempts of these which occurred on or after September 29, 1991, shall serve active supervision to the expiration of the indeterminate sentence;
 - (e) offenders sentenced for Sex Abuse I or Attempted Sex Abuse I for crimes occurring on or after November 4, 1993, shall serve active supervision to the expiration of the indeterminate sentence;
 - (f) offenders sentenced for Sodomy II or Rape II for crimes occurring on or after October 23, 1999, shall serve active supervision to the expiration of the indeterminate sentence.

- (g) offenders sentenced for Sex Abuse I or Attempted Sex Abuse I, for crimes which occurred on or after November 1, 1989, and prior to November 4, 1993, will serve active supervision in accordance with the period of post-prison supervision set by the sentencing court and the sentencing guidelines grid;
 - (h) offenders sentenced for Rape I, Sodomy I, Sexual Penetration I, Sexual Penetration 2, or Sexual Abuse I, which occurred on or after December 4, 1986, and prior to November 1, 1989, shall serve a minimum of 36 months active supervision or to expiration of the sentence which ever comes first;
 - (i) offenders sentenced for Robbery in the First Degree under ORS 164.415 which occurred on or after June 30, 1995, shall serve a minimum period of 36 months active supervision; and
 - (j) offenders sentenced for Arson in the First Degree under ORS 164.325 which occurred on or after June 30, 1995, shall serve minimum period of 36 months active supervision; and.
 - (k) offenders sentenced as sexually violent dangerous offenders pursuant to Chapter 163 (1999 OR Laws) for crimes committed on or after October 23, 1999, shall serve active supervision for life.
- (3) Upon completion of the specified period of active parole or post-prison supervision, the supervisory authority shall place the offender on inactive supervision status subject to the exceptions in OAR 255-094-0010, and notify the Board of the status change.
 - (4) Upon revocation of supervision and rerelease to the community, the period of active supervision shall be as provided in OAR 255-094-0000(1 & 2) or to the expiration of the sentence, whichever is longer.
 - (5) After a rereleased offender has completed the minimum active supervision period as provided in OAR 255-94-000 (1)(2) and has substantially fulfilled the conditions of supervision, the supervising officer may place the offender on inactive supervision.
 - (6) Inmate/offenders found to be sexually violent dangerous offenders pursuant to OAR 255-060-0008(6) shall be subject to intensive supervision for the full period of parole or post-prison supervision as defined in OAR 255-005.

Statutory Authority: ORS 144.085, SB 1145 (passed in 1995 Legislative session), Chapters 163 & 924 (1999 OR Laws)

History: (09/01/95, 03/14/97, 12-15-99, 02-15-00, 01-12-01)

255-094-0010

Exceptions to Inactive Supervision and Return to Active Supervision

- (1) No sooner than thirty days prior to the expiration of the offender's active period of supervised parole or post-prison supervision or during a period of inactive supervision, the supervising officer or designee may send to the Board a report on offenders who have not substantially fulfilled the supervision conditions, or who have failed to complete payment of restitution. The supervising officer or designee may request continuation on active supervision, or return to active supervision if it is in the community's or the offender's best interest.

This report shall include:

- (a) an evaluation of the offender's compliance with supervision conditions;
 - (b) the status of the offender's court ordered monetary obligations, including fines and restitution, if any;
 - (c) the offender's employment status;
 - (d) the offender's address;
 - (e) treatment program outcome;
 - (f) any new criminal activity;
 - (g) other relevant information;
 - (h) a recommendation that the Board extend the active supervision period or return the offender to active supervision.
- (2) After reviewing the report, if the Board or it's designated representative finds the offender has not substantially fulfilled the supervision conditions, or it is in the offender's or the community's best interest, the Board may order that the offender remain on active supervision or return to active supervision for the remainder of the supervision period set by the sentencing court or set by law. The Board shall send the offender notice of the continuation or return to active supervision.
- (3) Once extended or returned to active supervision, the supervising officer may place the offender on inactive supervision when the offender has substantially fulfilled the conditions of supervision and completed restitution payments, or active supervision is no longer in the best interest of the offender and the community.
- (4) When an offender is on inactive supervision the general and special conditions of supervision shall remain in effect with the following exceptions:
- (a) General condition #1: Pay supervision fees (fines, restitution or other fees previously ordered by the Board remain in effect);
 - (b) General condition #5: Remain in the State of Oregon until written permission to leave is granted by the Department of Corrections or a county community corrections agency.;
 - (c) General condition #7: Change neither employment nor residence without prior permission from the Department of Corrections or a county community corrections agency;
 - (d) Special Conditions specifically deleted by the Board.

Statutory Authority: ORS 144.085, SB1145 (passed during 1995 Legislative session).
History: (09/01/95- Notice, 03/14/97)

255-094-0015

Return to Active Supervision

- (1) An offender is subject to arrest for violations of conditions of supervision while on either active or inactive supervision.
- (2) The Board may return an offender to active supervision for the remainder of the supervision period set by the sentencing court or set by law when the Board receives a report from the supervising agency showing good cause why the inactive status is no longer in the offender's best interest or the best interest or safety of the community.
- (3) If the supervising agency has good cause to return an offender to active supervision, and the whereabouts of the offender are unknown, the supervising agency may request a warrant from the Board.
- (4) When an offender is returned to active supervision status, all general conditions plus all previously imposed special conditions shall be in effect.

Statutory Authority: ORS 144.085, SB1145 (passed during 1995 Legislative session).
History: (09/01/95 - Notice, 03/14/97, 12/15/99, 01-12-01)

255-094-0020

Sentence Expiration

- (1) During the pendency of violation proceedings, the running of the supervision period both active and inactive, the sentence is stayed, and the Board retains jurisdiction over the offender until the proceedings are resolved. The Board may grant credit toward the sentence for time the offender serves incarcerated pending the violation proceedings.
- (2) These rules shall not preclude more than one extension or renewal of active parole or post-prison supervision, however an extension or renewal period may not exceed the maximum sentence.
- (3) After expiration of the sentence of an offender on parole or post-prison supervision, the Board shall send written notice of the expiration to the offender and the supervisory authority.
- (4) For offenders sentenced as sexually violent dangerous offenders pursuant to Chapter 163 (1999 OR Laws) for crimes committed on or after October 23, 1999, upon receipt of a court order resentencing the offender and terminating post-prison supervision, the Board shall send written notice of the termination of post-prison supervision to the offender and supervisory authority.

Statutory Authority: ORS 144.085, SB1145 (passed during 1995 Legislative session), Chapter 163 (1999 OR Laws).

History: (09/01/95 - Notice, 03/14/97, 12/15/99)

DIVISION 94

**ACTIVE AND INACTIVE PAROLE
AND POST-PRISON SUPERVISION
(ORS 144.085 AS AMENDED BY SB1145 §22, EFFECTIVE DATE 7/1/95)**

255-094-0000

Period of Active Parole or Post-Prison Supervision

- (1) The minimum periods of active parole and post-prison supervision shall be:
- (a) six (6) months for offenders whose crimes were committed on or after November 1, 1989, and whose crimes fall within sentencing guidelines crime categories 1, 2 and 3;
 - (b) twelve (12) months for offenders whose crimes were committed on or after November 1, 1989, and whose crimes fall within sentencing guidelines crime categories 4, 5, 6, 7, 8, 9 and 10;
 - (c) for offenders whose crimes were committed after December 4, 1986, but prior to November 1, 1989, the period of active supervision shall be set by determining the equivalent sentencing guidelines crime category and applying sub-section (a) and (b) above, subject to the exceptions in section (2) below;
 - (d) for offenders whose crimes were committed prior to December 4, 1986, the Board shall apply the rules in effect at the time the crime was committed.
- (2) The following minimum periods of active parole and post-prison supervision are exceptions to section (1) of this rule:
- (a) three (3) years for offenders sentenced as dangerous offenders under ORS 161.725 to 161.737;
 - (b) three (3) years for offenders sentenced for murder under ORS 163.115;
 - (c) three (3) years for offenders sentenced for aggravated murder under ORS 163.105;
 - (d) offenders sentenced for Rape I, Sodomy I, Sexual Penetration I, Sexual Penetration 2, Sex Abuse 2, and Attempts of these which occurred on or after September 29, 1991, shall serve active supervision to the expiration of the indeterminate sentence;
 - (e) offenders sentenced for Sex Abuse I or Attempted Sex Abuse I for crimes occurring on or after November 4, 1993, shall serve active supervision to the expiration of the indeterminate sentence;
 - (f) offenders sentenced for Sodomy II or Rape II for crimes occurring on or after October 23, 1999, shall serve active supervision to the expiration of the indeterminate sentence.

DIVISION 94

**ACTIVE AND INACTIVE PAROLE
AND POST-PRISON SUPERVISION
(ORS 144.085 AS AMENDED BY SB1145 §22, EFFECTIVE DATE 7/1/95)**

- (g) offenders sentenced for Sex Abuse I or Attempted Sex Abuse I, for crimes which occurred on or after November 1, 1989, and prior to November 4, 1993, will serve active supervision in accordance with the period of post-prison supervision set by the sentencing court and the sentencing guidelines grid;
 - (h) offenders sentenced for Rape I, Sodomy I, Sexual Penetration I, Sexual Penetration 2, or Sexual Abuse I, which occurred on or after December 4, 1986, and prior to November 1, 1989, shall serve a minimum of 36 months active supervision or to expiration of the sentence which ever comes first;
 - (i) offenders sentenced for Robbery in the First Degree under ORS 164.415 which occurred on or after June 30, 1995, shall serve a minimum period of 36 months active supervision; and
 - (j) offenders sentenced for Arson in the First Degree under ORS 164.325 which occurred on or after June 30, 1995, shall serve minimum period of 36 months active supervision; and.
 - (k) offenders sentenced as sexually violent dangerous offenders pursuant to Chapter 163 (1999 OR Laws) for crimes committed on or after October 23, 1999, shall serve active supervision for life.
- (3) Upon completion of the specified period of active parole or post-prison supervision, the supervisory authority shall place the offender on inactive supervision status subject to the exceptions in OAR 255-094-0010, and notify the Board of the status change.
 - (4) Upon revocation of supervision and rerelease to the community, the period of active supervision shall be as provided in OAR 255-094-0000(1 & 2) or to the expiration of the sentence, whichever is longer.
 - (5) After a rereleased offender has completed the minimum active supervision period as provided in OAR 255-94-000 (1)(2) and has substantially fulfilled the conditions of supervision, the supervising officer may place the offender on inactive supervision.
 - (6) Inmate/offenders found to be sexually violent dangerous offenders pursuant to OAR 255-060-0008(6) shall be subject to intensive supervision for the full period of parole or post-prison supervision as defined in OAR 255-005.

Statutory Authority: ORS 144.085, SB 1145 (passed in 1995 Legislative session), Chapters 163 & 924 (1999 OR Laws)

History: (09/01/95, 03/14/97, 12-15-99, 02-15-00, 01-12-01)

DIVISION 94

**ACTIVE AND INACTIVE PAROLE
AND POST-PRISON SUPERVISION
(ORS 144.085 AS AMENDED BY SB1145 §22, EFFECTIVE DATE 7/1/95)**

255-094-0000

Period of Active Parole or Post-Prison Supervision

- (1) The minimum periods of active parole and post-prison supervision shall be:
 - (a) six (6) months for offenders whose crimes were committed on or after November 1, 1989, and whose crimes fall within sentencing guidelines crime categories 1, 2 and 3;
 - (b) twelve (12) months for offenders whose crimes were committed on or after November 1, 1989, and whose crimes fall within sentencing guidelines crime categories 4, 5, 6, 7, 8, 9 and 10;
 - (c) for offenders whose crimes were committed after December 4, 1986, but prior to November 1, 1989, the period of active supervision shall be set by determining the equivalent sentencing guidelines crime category and applying sub-section (a) and (b) above, subject to the exceptions in section (2) below;
 - (d) for offenders whose crimes were committed prior to December 4, 1986, the Board shall apply the rules in effect at the time the crime was committed.
- (2) The following minimum periods of active parole and post-prison supervision are exceptions to section (1) of this rule:
 - (a) three (3) years for offenders sentenced as dangerous offenders under ORS 161.725 to 161.737;
 - (b) three (3) years for offenders sentenced for murder under ORS 163.115;
 - (c) three (3) years for offenders sentenced for aggravated murder under ORS 163.105;
 - (d) offenders sentenced for Rape I, Sodomy I, Sexual Penetration I, Sexual Penetration 2, Sex Abuse 2, and Attempts of these which occurred on or after September 29, 1991, shall serve active supervision to the expiration of the indeterminate sentence;
 - (e) offenders sentenced for Sex Abuse I or Attempted Sex Abuse I for crimes occurring on or after November 4, 1993, shall serve active supervision to the expiration of the indeterminate sentence;
 - (f) offenders sentenced for Sodomy II or Rape II for crimes occurring on or after October 23, 1999, shall serve active supervision to the expiration of the indeterminate sentence.

02-15-00

Active & Inactive Parole & Post-Prison Supervision

- (g) offenders sentenced for Sex Abuse I or Attempted Sex Abuse I, for crimes which occurred on or after November 1, 1989, and prior to November 4, 1993, will serve active supervision in accordance with the period of post-prison supervision set by the sentencing court and the sentencing guidelines grid;
 - (h) offenders sentenced for Rape I, Sodomy I, Sexual Penetration I, Sexual Penetration 2, or Sexual Abuse I, which occurred on or after December 4, 1986, and prior to November 1, 1989, shall serve a minimum of 36 months active supervision or to expiration of the sentence which ever comes first;
 - (i) three (3) years for offenders sentenced for Robbery in the First Degree under ORS 164.415; and
 - (j) three (3) years for offenders sentenced for Arson in the First Degree under ORS 164.325.
 - (k) offenders sentenced as sexually violent dangerous offenders pursuant to Chapter 163 (1999 OR Laws) for crimes committed on or after October 23, 1999, shall serve active supervision for life.
- (3) Upon completion of the specified period of active parole or post-prison supervision, the supervisory authority shall place the offender on inactive supervision status subject to the exceptions in OAR 255-94-010, and notify the Board of the status change
 - (4) Upon revocation of supervision and rerelease to the community, the period of active supervision shall be as provided in OAR 255-94-000(1 & 2) or to the expiration of the sentence, whichever is longer.
 - (5) After a rereleased offender has completed the minimum active supervision period as provided in OAR 255-94-000 (1)(2) and has substantially fulfilled the conditions of supervision, the supervising officer may place the offender on inactive supervision
 - (6) Inmate/offenders found to be sexually violent dangerous offenders pursuant to OAR 255-060-0008(6) shall be subject to intensive supervision for the full period of parole or post-prison supervision as defined in OAR 255-005.

Statutory Authority: ORS 144.085, SB 1145 (passed in 1995 Legislative session), Chapters 163 & 924 (1999 OR Laws)

History: (09/01/95, 03/14/97, 12-15-99, 02-15-00)

DIVISION 94

**ACTIVE AND INACTIVE PAROLE
AND POST-PRISON SUPERVISION
(ORS 144.085 AS AMENDED BY SB1145 §22, EFFECTIVE DATE 7/1/95)**

255-094-0000

Period of Active Parole or Post-Prison Supervision

- (1) The minimum periods of active parole and post-prison supervision shall be:
 - (a) six (6) months for offenders whose crimes were committed on or after November 1, 1989, and whose crimes fall within sentencing guidelines crime categories 1, 2 and 3;
 - (b) twelve (12) months for offenders whose crimes were committed on or after November 1, 1989, and whose crimes fall within sentencing guidelines crime categories 4, 5, 6, 7, 8, 9 and 10;
 - (c) for offenders whose crimes were committed after December 4, 1986, but prior to November 1, 1989, the period of active supervision shall be set by determining the equivalent sentencing guidelines crime category and applying sub-section (a) and (b) above, subject to the exceptions in section (2) below;
 - (d) for offenders whose crimes were committed prior to December 4, 1986, the Board shall apply the rules in effect at the time the crime was committed.

- (2) The following minimum periods of active parole and post-prison supervision are exceptions to section (1) of this rule:
 - (a) three (3) years for offenders sentenced as dangerous offenders under ORS 161.725 to 161.737;
 - (b) three (3) years for offenders sentenced for murder under ORS 163.115;
 - (c) three (3) years for offenders sentenced for aggravated murder under ORS 163.105;
 - (d) offenders sentenced for Rape I, Sodomy I, Sexual Penetration I, Sexual Penetration 2, Sex Abuse 2, and Attempts of these which occurred on or after September 29, 1991, shall serve active supervision to the expiration of the indeterminate sentence;
 - (e) offenders sentenced for Sex Abuse I or Attempted Sex Abuse I for crimes occurring on or after November 4, 1993, shall serve active supervision to the expiration of the indeterminate sentence;
 - (f) offenders sentenced for Sodomy II or Rape II for crimes occurring on or after October 23, 1999, shall serve active supervision to the expiration of the indeterminate sentence.

- (g) offenders sentenced for Sex Abuse I or Attempted Sex Abuse I, for crimes which occurred on or after November 1, 1989, and prior to November 4, 1993, will serve active supervision in accordance with the period of post-prison supervision set by the sentencing court and the sentencing guidelines grid;
 - (h) offenders sentenced for Rape I, Sodomy I, Sexual Penetration I, Sexual Penetration 2, or Sexual Abuse I, which occurred on or after December 4, 1986, and prior to November 1, 1989, shall serve a minimum of 36 months active supervision or to expiration of the sentence which ever comes first;
 - (i) three (3) years for offenders sentenced for Robbery in the First Degree under ORS 164.415; and
 - (j) three (3) years for offenders sentenced for Arson in the First Degree under ORS 164.325.
 - (k) offenders sentenced as sexually violent dangerous offenders pursuant to Chapter 163 (1999 OR Laws) for crimes committed on or after October 23, 1999, shall serve active supervision for life.
- (3) Upon completion of the specified period of active parole or post-prison supervision, the supervisory authority shall place the offender on inactive supervision status subject to the exceptions in OAR 255-94-010, and notify the Board of the status change.
 - (4) Upon revocation of supervision and rerelease to the community, the period of active supervision shall be as provided in OAR 255-94-000(1 & 2) or to the expiration of the sentence, whichever is longer.
 - (5) After a rereleased offender has completed the minimum active supervision period as provided in OAR 255-94-000 (1)(2) and has substantially fulfilled the conditions of supervision, the supervising officer may place the offender on inactive supervision.
 - (6) Inmate/offenders found to be sexually violent dangerous offenders pursuant to OAR 255-060-0008(6) shall be subject to intensive supervision for the full period of parole or post-prison supervision as defined in OAR 255-005.

Statutory Authority: ORS 144.085, SB 1145 (passed in 1995 Legislative session), Chapters 163 & 924 (1999 OR Laws)

History: (09/01/95, 03/14/97, 12-15-99)

DIVISION 94

**ACTIVE AND INACTIVE PAROLE
AND POST-PRISON SUPERVISION
(ORS 144.085 AS AMENDED BY SB1145 §22, EFFECTIVE DATE 7/1/95)**

255-094-0000

Period of Active Parole or Post-Prison Supervision

- (1) The minimum periods of active parole and post-prison supervision shall be:
 - (a) six (6) months for offenders whose crimes were committed on or after November 1, 1989, and whose crimes fall within sentencing guidelines crime categories 1, 2 and 3;
 - (b) twelve (12) months for offenders whose crimes were committed on or after November 1, 1989, and whose crimes fall within sentencing guidelines crime categories 4, 5, 6, 7, 8, 9 and 10;
 - (c) for offenders whose crimes were committed after December 4, 1986, but prior to November 1, 1989, the period of active supervision shall be set by determining the equivalent sentencing guidelines crime category and applying sub-section (a) and (b) above, subject to the exceptions in section (2) below;
 - (d) for offenders whose crimes were committed prior to December 4, 1986, the Board shall apply the rules in effect at the time the crime was committed.

- (2) The following minimum periods of active parole and post-prison supervision are exceptions to section (1) of this rule:
 - (a) three (3) years for offenders sentenced as dangerous offenders under ORS 161.725 to 161.737;
 - (b) three (3) years for offenders sentenced for murder under ORS 163.115;
 - (c) three (3) years for offenders sentenced for aggravated murder under ORS 163.105;
 - (d) offenders sentenced for Rape I, Sodomy I, Sexual Penetration I, Sexual Penetration 2, Sex Abuse 2, and Attempts of these which occurred on or after September 29, 1991, shall serve active supervision to the expiration of the indeterminate sentence;
 - (e) offenders sentenced for Sex Abuse I or Attempted Sex Abuse I for crimes occurring on or after November 4, 1993, shall serve active supervision to the expiration of the indeterminate sentence;

03/14/97

Active & Inactive Parole & Post-Prison
Supervision

Permanent effective 3/14/97
Page 1 of 2

- (f) offenders sentenced for Sex Abuse I or Attempted Sex Abuse I, for crimes which occurred on or after November 1, 1989, and prior to November 4, 1993, will serve active supervision in accordance with the period of post-prison supervision set by the sentencing court and the sentencing guidelines grid;
 - (g) offenders sentenced for Rape I, Sodomy I, Sexual Penetration I, Sexual Penetration 2, or Sexual Abuse I, which occurred on or after December 4, 1986, and prior to November 1, 1989, shall serve a minimum of 36 months active supervision or to expiration of the sentence which ever comes first;
 - (h) three (3) years for offenders sentenced for Robbery in the First Degree under ORS 164.415; and
 - (i) three (3) years for offenders sentenced for Arson in the First Degree under ORS 164.325.
- (3) Upon completion of the specified period of active parole or post-prison supervision, the supervisory authority shall place the offender on inactive supervision status subject to the exceptions in OAR 255-94-010, and notify the Board of the status change.
 - (4) Upon revocation of supervision and rerelease to the community, the period of active supervision shall be as provided in OAR 255-94-000(1 & 2) or to the expiration of the sentence, whichever is longer.
 - (5) After a rereleased offender has completed the minimum active supervision period as provided in OAR 255-94-000 (1)(2) and has substantially fulfilled the conditions of supervision, the supervising officer may place the offender on inactive supervision.

Statutory Authority: ORS 144.085, SB 1145 (passed in 1995 Legislative session)
History: (09/01/95, 03/14/97)

DIVISION 94

**ACTIVE AND INACTIVE PAROLE
AND POST-PRISON SUPERVISION
(ORS 144.085 AS AMENDED BY SB1145 §22, EFFECTIVE DATE 7/1/95)**

255-094-0010

Exceptions to Inactive Supervision and Return to Active Supervision

- (1) No sooner than thirty days prior to the expiration of the offender's active period of supervised parole or post-prison supervision or during a period of inactive supervision, the supervising officer or designee may send to the Board a report on offenders who have not substantially fulfilled the supervision conditions, or who have failed to complete payment of restitution. The supervising officer or designee may request continuation on active supervision, or return to active supervision if it is in the community's or the offender's best interest.

This report shall include:

- (a) an evaluation of the offender's compliance with supervision conditions;
 - (b) the status of the offender's court ordered monetary obligations, including fines and restitution, if any;
 - (c) the offender's employment status;
 - (d) the offender's address;
 - (e) treatment program outcome;
 - (f) any new criminal activity;
 - (g) other relevant information;
 - (h) a recommendation that the Board extend the active supervision period or return the offender to active supervision.
- (2) After reviewing the report, if the Board or its designated representative finds the offender has not substantially fulfilled the supervision conditions, or it is in the offender's or the community's best interest, the Board may order that the offender remain on active supervision or return to active supervision for the remainder of the supervision period set by the sentencing court or set by law. The Board shall send the offender notice of the continuation or return to active supervision.
- (3) Once extended or returned to active supervision, the supervising officer may place the offender on inactive supervision when the offender has substantially fulfilled the conditions of supervision and completed restitution payments, or active supervision is no longer in the best interest of the offender and the community.
- (4) When an offender is on inactive supervision the general and special conditions of supervision shall remain in effect with the following exceptions:
- (a) General condition #1: Pay supervision fees (fines, restitution or other fees previously ordered by the Board remain in effect);
 - (b) General condition #5: Remain in the State of Oregon until written permission to leave is granted by the Department of Corrections or a county community corrections agency.;
 - (c) General condition #7: Change neither employment nor residence without prior permission from the Department of Corrections or a county community corrections agency;
 - (d) Special Conditions specifically deleted by the Board.

DIVISION 94

**ACTIVE AND INACTIVE PAROLE
AND POST-PRISON SUPERVISION
(ORS 144.085 AS AMENDED BY SB1145 §22, EFFECTIVE DATE 7/1/95)**

255-094-0015

Return to Active Supervision

- (1) An offender is subject to arrest for violations of conditions of supervision while on either active or inactive supervision.
- (2) The Board may return an offender to active supervision for the remainder of the supervision period set by the sentencing court or set by law when the Board receives a report from the supervising agency showing good cause why the inactive status is no longer in the offender's best interest or the best interest or safety of the community.
- (3) If the supervising agency has good cause to return an offender to active supervision, and the whereabouts of the offender are unknown, the supervising agency may request a warrant from the Board.
- (4) When an offender is returned to active supervision status, all general conditions plus all previously imposed special conditions shall be in effect.

Statutory Authority: ORS 144.085, SB1145 (passed during 1995 Legislative session).
History: (09/01/95 - Notice, 03/14/97, 12/15/99, 01-12-01)

Permanent effective 01/12/2001

DIVISION 94

**ACTIVE AND INACTIVE PAROLE
AND POST-PRISON SUPERVISION**

(ORS 144.085 AS AMENDED BY SB1145 §22. EFFECTIVE DATE 7/1/95)

255-094-0015

Return to Active Supervision

- (1) An offender is subject to arrest for violations of conditions of supervision while on either active or inactive supervision.
- (2) The Board may return an offender to active supervision for the remainder of the supervision period set by the sentencing court or set by law when the Board receives notice of a violation of a condition of inactive supervision; or a report from the supervising agency showing good cause why the inactive status is no longer in the offender's best interest or the best interest or safety of the community.
- (3) If the supervising agency has good cause to return an offender to active supervision, and the whereabouts of the offender are unknown, the supervising agency may request a warrant from the Board.
- (4) When an offender is returned to active supervision status, all general conditions plus all previously imposed special conditions shall be in effect.

Statutory Authority: ORS 144.085, SB1145 (passed during 1995 Legislative session).

History: (09/01/95 - Notice, 03/14/97, 12/15/99)

Permanent effective 12/15/99

DIVISION 94

ACTIVE AND INACTIVE PAROLE
AND POST-PRISON SUPERVISION
(ORS 144.085 AS AMENDED BY SB1145 §22, EFFECTIVE DATE 7/1/95)

255-094-0015

Return to Active Supervision

- (1) An offender is subject to arrest for violations of conditions of supervision while on either active or inactive supervision.
- (2) The Board may return an offender to active supervision when the Board receives notice of a new law violation, either misdemeanor or felony; or a report from the supervising agency showing good cause why the inactive status is no longer in the offender's best interest or the best interest or safety of the community.
- (3) If the supervising agency has good cause to return an offender to active supervision, and the whereabouts of the offender are unknown, the supervising agency may request a warrant from the Board.
- (4) When an offender is returned to active supervision status, all general conditions plus all previously imposed special conditions shall be in effect.

Statutory Authority: ORS 144.085, SB1145 (passed during 1995 Legislative session).
History: (09/01/95 - Notice, 03/14/97)

Permanent effective 3/14/97

DIVISION 94

ACTIVE AND INACTIVE PAROLE
AND POST-PRISON SUPERVISION

(ORS 144.085 AS AMENDED BY SB1145 §22, EFFECTIVE DATE 7/1/95)

255-094-0020

Sentence Expiration

- (1) During the pendency of violation proceedings, the running of the supervision period both active and inactive, the sentence is stayed, and the Board retains jurisdiction over the offender until the proceedings are resolved. The Board may grant credit toward the sentence for time the offender serves incarcerated pending the violation proceedings.
- (2) These rules shall not preclude more than one extension or renewal of active parole or post prison supervision, however an extension or renewal period may not exceed the maximum sentence.
- (3) After expiration of the sentence of an offender on parole or post-prison supervision, the Board shall send written notice of the expiration to the offender and the supervisory authority
- (4) For offenders sentenced as sexually violent dangerous offenders pursuant to Chapter 163 (1999 OR Laws) for crimes committed on or after October 23, 1999, upon receipt of a court order resentencing the offender and terminating post-prison supervision, the Board shall send written notice of the termination of post prison supervision to the offender and supervisory authority

Statutory Authority: ORS 144.085, SB1145 (passed during 1995 Legislative session), Chapter 163 (1999 OR Laws)

History: (09/01/95 Notice, 03/14/97, 12/15/99)

Permanent effective 12/15/99

DIVISION 94

**ACTIVE AND INACTIVE PAROLE
AND POST-PRISON SUPERVISION**

(ORS 144.085 AS AMENDED BY SB1145 §22, EFFECTIVE DATE 7/1/95)

255-094-0020

Sentence Expiration

- (1) During the pendency of violation proceedings, the running of the supervision period both active and inactive, the sentence is stayed, and the Board retains jurisdiction over the offender until the proceedings are resolved. The Board may grant credit toward the sentence for time the offender serves incarcerated pending the violation proceedings.
- (2) These rules shall not preclude more than one extension or renewal of active parole or post-prison supervision, however an extension or renewal period may not exceed the maximum sentence.
- (3) After expiration of the sentence of an offender on parole or post-prison supervision, the Board shall send written notice of the expiration to the offender and the supervisory authority.

Statutory Authority: ORS 144.085, SB1145 (passed during 1995 Legislative session).

History: (09/01/95 - Notice, 03/14/97)

03/14/97

Active & Inactive Parole & Post-Prison
Supervision

Permanent effective 3/14/97