



Oregon Board of Parole & Post-Prison Supervision

Board Policy

Policy Title:

Best Interest Return (BIR) of Individual Under Supervision

Date of Decision: 01/18/2023

Regarding: BIR under OAR 255-075-0004

Policy:

- 1) PO refers to criteria listed in OAR 255-075-0004. If an individual meets the criteria and it is determined that a BIR is appropriate, the PO shall take the individual into custody and place a detainer stating, "Best Interest Return."
- 2) Within 15 days of the arrest, the PO must request a Suspend and Detain warrant (SUSD) in DOC400, noting it is a Best Interest Return request.
- 3) The Board's warrants desk shall forward the BIR request to a Board Member and send SUSD teletype to appropriate jail.
-T-Type- "BEST INTEREST RETURN CASE- FURTHER DISPOSITION TO BE SENT AFTER FORMAL BOARD VOTE"
- 4) BIR's are not requested through the SRF module in DOC400 and should instead be written in a document.
- 5) PO should request the minimum number of days necessary to formulate and implement a case plan to address the current crisis. If a plan is put in place and ready to implement prior to reaching the number of days requested or imposed the individual should be released early.
- 6) The PO shall email the Board's Executive Director the BIR report which must include:
 - a. why a BIR is necessary;
 - b. how this individual meets the criteria in OAR 255-075-0004; and
 - c. what the plan is, specifically how is the PO going to utilize the up to 90 days of custody to case plan and why the specific amount of time is necessary to implement that plan.
- 7) PO sends HO the notice of rights paperwork and supporting documents. HO shall review OAR 255-075-0004 to confirm that the individual meets the requirements for a BIR.
- 8) Morrissey Hearing conducted. HO forwards recommendation to the Board for final disposition and copies Hearing Specialist to generate a BAF.
- 9) Board votes to approve or deny BIR.
 - a. If approved, Sanctions Desk sends teletype to appropriate jail and lifts SUSD in PBMIS, and sends BIR form.
 - b. If denied, PO is informed by the Executive Director, and warrants desk lifts SUSD.

Acronyms:

●OAR: Oregon Administrative Rule; PO: parole officer; HO: hearings officer; SUSD: Suspend and Detain warrant; DOC400: Dept. of Correction's computer system; PBMIS: parole board's computer system; BAF: Board Action Form.

Reasons:

- Spell out policy in writing for staff and management
- Ensure consistency in application

Revision History:

Date	Version	Description	Adopted by
2/15/23	2.0	Written procedure completed for consistency and to inform staff.	Exec. Director
	1.0	Historical	