



**DEPARTMENT OF CORRECTIONS  
Institutions**



<b>Title:</b>	<b>Determining County of Residence</b>	<b>DOC Policy: 40.2.7</b>
<b>Effective:</b>	<b>7/21/08</b>	<b>Supercedes: 4/10/03</b>
<b>Applicability: Staff working in Intake and Institutions</b>		
<b>Directives Cross-Reference: None</b>		
<b>Attachments: None</b>		

**I. PURPOSE**

The purpose of this policy is to outline the process for determining the county of residence in accordance with ORS 144.102, 144.270, and OAR 255-070-0003(1) and (2).

**II. DEFINITIONS**

A. County of Residence: The county an inmate resided in during the time of the offense that resulted in imprisonment.

**III. POLICY**

**A. Determining County of Residence**

A person released from prison shall reside in the county he/she lived in when the offense was committed that resulted in imprisonment. The counselor shall determine the county of residence by using the following criteria:

1. If the commitment was from active felony parole, probation, or post-prison supervision, county of residence is the county that last supervised the offender.
2. If the commitment was not from active felony supervision, county of residence shall be where the person resided at the time of the offense. If the person is serving multiple sentences, the county of residence shall be determined according to the date of the last arrest resulting in a conviction.
3. To determine residency, the counselor shall meet with the inmate. If the inmate says the county of residence is different from the county in which the offense occurred, the counselor will use the following as resources to verify the information provided by the inmate:
  - Records maintained by the Department of Corrections;
  - Oregon driver's license – regardless of its validity;
  - Records maintained by the Department of Revenue;

- Records maintained by the Department of State Police Bureau of Criminal Identification; or
  - Records maintained by the Department of Human Services.
4. If the counselor is unable to confirm residency stated by the inmate through review of the above records or is unable to obtain any of the above records, the inmate must provide sufficient proof of residency.
  5. If there is no identifiable address on record to confirm the inmate's statement of residence and the inmate is unable to provide proof of residency, the county of residence shall be considered the county where the offense occurred. If the inmate resided outside the state, the county of residence shall be considered the county where the offense occurred.
  6. A conviction for an offense that the inmate committed while incarcerated in a state corrections institution may not be considered in determining the county of residence.
  7. If an inmate is released to transitional leave on a county waiver and is returned to the Department of Corrections as a transitional leave failure, the county of residence shall default back to the original county of residence.
  8. A waiver may be requested in cases meeting the criteria defined in ORS 144.102, ORS 144.270, and OAR 255-070-0003(1) and (2).

**B. Timeline for Determining County of Residence**

Whenever possible, the county of residence shall be determined while the inmate is at the Intake Center. Intake staff shall enter the county of residence into the DOC automated system.

**C. Board of Parole and Post-Prison Supervision Approval**

Sixty days prior to the projected release date, the counselor will submit the proposed release plan to the Board of Parole and Post-Prison Supervision. The Board's approval of the plan will serve as their approval for the identified county of residence.

**IV. IMPLEMENTATION**

This policy will be adopted immediately without further modification.