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CHAPTER 291

DEPARTMENT OF CORRECTIONS

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RULES:

291-078-0020, 291-078-0021

AMEND: 291-078-0020

RULE TITLE: Risk Assessment

NOTICE FILED DATE: 06/18/2026

RULE SUMMARY: Amends rule to update the version of the Public Safety Checklist reflecting its 2025 update and revalidation; clarify the entities responsible for development of the Public Safety Checklist; make minor grammatical or punctuation edits.

RULE TEXT:

(1) Proper assessment ensures the classification of adults on supervision according to risk and their assignment to specified levels of community supervision. The following risk assessment tools are utilized by the Department of Corrections and county community corrections agencies for risk assessment of adults on supervision:

(a) Public Safety Checklist (PSC-r) (version 2025): A statistical calculation developed by the Oregon Criminal Justice Commission in collaboration with Portland State University and the Department of Corrections to predict an individual's risk to recidivate within three years of release from custody or admission to probation.

(b) Proxy (version 2005): A three-question validated risk assessment tool used to identify initial risk for individuals

entering probation supervision.

(c) Level of Service/Case Management Inventory (LS/CMI) Section 1 General Risk/Need Factors (version Feb. 2013): A validated assessment tool used to determine an adult on supervision's risk to recidivate and identify criminogenic risk factors across eight domains (Criminal History, Education/Employment, Family/Marital, Leisure/Recreation, Companions, Alcohol/Drug Problem, Pro-criminal Attitude/Orientation, Antisocial Pattern).

(d) Women's Risk Need Assessment (WRNA) (version 6.0): A validated post-sentencing assessment instrument used to:

(A) Determine a woman's risk to recidivate; and

(B) Identify criminogenic risk factors, strengths, and responsivity needs to provide comprehensive case planning and gender-responsive services.

(e) Ontario Domestic Assault Risk Assessment (ODARA) (version June 2004): Actuarial risk assessment tool to assess risk of committing future battering in cases where a male has assaulted his partner.

(f) Stable-2007 (version Sept. 2012): Actuarial risk assessment designed to assess risk of sexually recidivating over time using static risk factors used in conjunction with the Acute-2007.

(g) Acute-2007 (version Aug. 2012): Actuarial risk and needs scale for the assessment of an adult on supervision who has committed a sexual crime and the probability of sexual and violent recidivism based upon dynamic needs measured at each supervision contact.

(h) Static-99R and Definitions (version 2003, age coding August 2016): A ten-item actuarial assessment instrument for use with adult males who have committed a sex crime and who are at least 18 years of age at the time of admission to supervision.

(i) The risk assessment tools listed in (a) through (h) above are filed with this rule and are available on request from the Department of Corrections or at the Secretary of State's Office.

(2) Risk Assessment:

(a) All applicable assessments must be completed on a new case within 60 days of admission to supervision.

(b) Except as otherwise provided in these rules, the assessment of risk will involve the use of the Public Safety Checklist, a validated risk assessment tool, which is an objective instrument that groups adults on supervision according to their likelihood to recidivate.

(c) The assessment of risk will rely primarily on automated static risk factors to predict the likelihood to recidivate.

(d) The computer-generated score will place the adult on supervision in one of three risk levels: high, medium, or low.

(e) If an adult on supervision has no in-state arrest history or an extensive juvenile or out-of-state criminal history, the Proxy risk tool will be used. The Proxy is a manual risk assessment tool used in lieu of the Public Safety Checklist to determine risk level.

(3) Risk, Needs, and Responsivity Assessment:

(a) The ongoing assessment of an adult on supervision's risk, needs, and responsivity relies on a combination of both static and dynamic risk factors to predict recidivism and identify criminogenic needs and responsivity issues.

(b) Within 60 days of admission to supervision, the risk, needs, and responsivity assessments will be completed on all adults on supervision determined to be high or medium risk either by the Public Safety Checklist, Proxy, or an approved override. The assessments will include any accompanying domain narratives and a case plan as described in OAR 291-078-0026.

(c) In cases where no assessment is possible, officers will create a case plan, enter a reason for no assessment and articulate in progress notes why the specific reason was chosen and next steps toward completing the risk, needs and responsivity assessment.

(d) High and medium level adults on supervision will be reassessed using the Level of Service/Case Management Inventory (LS/CMI), Women's Risk Need Assessment (WRNA), or Stable-2007 a minimum of every 12 months or when a significant change occurs.

(e) The Level of Service/Case Management Inventory (LS/CMI) or Women's Risk Need Assessment (WRNA) is not required on adults on supervision that are assessed at the low level either by the Public Safety Checklist, Proxy, or by an approved override. Low level adults on supervision may be reassessed using the Public Safety Checklist, Proxy, Level of

Service/Case Management Inventory (LS/CMI), Women's Risk Need Assessment (WRNA), or Stable-2007 when a significant change occurs.

(4) Overrides:

(a) The override feature is intended to address risk factors that may not be included in the objective risk assessment instruments. These factors are based upon:

(A) Dynamic risk factors which appear to impact the risk the adult on supervision poses to the community; or

(B) Written policy on the part of the agency regarding the delivery of correctional services.

(b) The override feature provides for either increases or decreases in the level of supervision from that determined through the initial risk assessment score.

(c) All overrides must be based upon static or dynamic risk factors identified by one of the following tools, special designation, or the adult on supervision's availability for supervision:

(A) Level of Service/Case Management Inventory (LS/CMI);

(B) Women's Risk Need Assessment (WRNA);

(C) Stable-2007 or Acute-2007;

(D) Ontario Domestic Assault Risk Assessment (ODARA);

(E) Designation as a Sexually Violent Dangerous Offender (SVDO);

(F) Written agency policy; or

(G) Unavailable status, which includes:

(i) In custody;

(ii) Warrant or Abscond;

(iii) Residential Treatment;

(iv) Compacted Out of State; or

(v) Medical (hospice, state hospital, etc.)

(d) The assessing officer must indicate the single most appropriate category on the override screen.

(e) Approval of override requests by the officer's supervisor is not required by this rule, however, a county community corrections agency may require this level of approval.

(f) All overrides must include a comment or a reason for the override.

(g) Supervision level changes due to an override shall remain in effect until:

(A) A change in circumstances warrants a reassessment and subsequent adjustment in the level of supervision; or

(B) The removal of the override is warranted and consistent with public safety and the reformation of the adult on supervision.

(5) In order to ensure a baseline of statewide consistency in the supervision of adults on supervision, three basic levels of supervision have been established: high, medium, and low. The risk instrument shall, in most cases, determine which supervision level is appropriate.

STATUTORY/OTHER AUTHORITY: ORS 179.040, 423.020, 423.030, 423.075

STATUTES/OTHER IMPLEMENTED: ORS 179.040, 423.020, 423.030, 423.075

AMEND: 291-078-0021

RULE TITLE: Minimum Contact Standards

NOTICE FILED DATE: 06/18/2026

RULE SUMMARY: Amends rule to reduce the required number of measurable contacts; and change the time period from "every 30 days" to "per month".

RULE TEXT:

(1) General:

(a) The location, frequency, and manner of reporting for purposes of supervision must be focused on client success while seeking to minimize disruptions to the life of the supervised person, avoid unnecessary hardships, and offer a broad array of reporting options.

(b) The frequency of measurable contacts with adults on supervision shall be determined by the associated supervision level in accordance with these rules.

(2) High Supervision: Adults on supervision with a high supervision level shall receive a minimum of two measurable contacts every month.

(3) Medium Supervision: Adults on supervision with a medium supervision level shall receive a minimum of one measurable contact every month.

(4) Low Supervision:

(a) Adults on supervision with a low supervision level shall, at a minimum, be reviewed for any condition, action, or restitution requirement; receive quarterly communication regarding their progress towards achieving earned discharge; be reviewed prior to completing 50 percent of their supervision period for an earned discharge or a recommendation for early termination or bench probation, if applicable; and shall be contacted prior to the termination of their supervision for appropriate closure.

(b) Nothing in this rule prevents the supervisory authority from implementing a higher level of contact with low supervision level clients or from responding to the individual when they request support or assistance.

(5) Sexually Violent Dangerous Offenders (SVDO): An adult on supervision found to be a Sexually Violent Dangerous Offender (SVDO) shall be subject to intensive supervision for the full period of their parole and post-prison supervision.

(6) Manner and Location of Supervision Visits and Reporting Options (Measurable Contacts): The manner and location of supervision visits and reporting options for adults on supervision that are deemed measurable contacts include:

(a) Home Visits;

(b) Office Visits: When scheduling in-office contact, consideration should be given to the distance between the office and the individual's approved housing, transportation challenges that may be present, documented medical concerns that make travel difficult, and the work schedule of the person on supervision;

(c) Employment Visits:

(A) Contacts at the place of employment for persons on supervision should be limited to cases where it is in the best interest of the individual's rehabilitation or when there is cause in the interest of public safety to do so.

(B) When making contact at a person's place of employment, efforts should be taken to reduce disruption to the business and protect the privacy of the person on supervision. This may include working with the supervised person or employer to identify an appropriate plan should workplace contact become necessary.

(C) Nothing in these rules prevents a person on supervision from requesting to be contacted at their place of employment when determined to be mutually beneficial for the person on supervision and their employer.

(D) Nothing in these rules prevents a parole and probation officer from patronizing businesses where persons on supervision are employed. Such encounters are not considered official contact.

(d) Field Visits;

(e) Virtual Visits;

(f) Telephone Visits;

- (g) Electronic Visits;
 - (h) Contact at a Day Reporting Center;
 - (i) Contact at Court;
 - (j) Contact at Jail;
 - (k) Contact at a Treatment Program;
 - (l) Reach-ins at Jail; and
 - (m) Mail-in reporting for low-risk supervision as approved by the local supervisory authority.
- (7) The local supervisory authority shall maintain the discretion to determine the manner and location of supervision visits and reporting options for adults on supervision within the standards established by the department in these rules.

STATUTORY/OTHER AUTHORITY: ORS 179.040, 423.020, 423.030, 423.075

STATUTES/OTHER IMPLEMENTED: ORS 179.040, 423.020, 423.030, 423.075