



DEPARTMENT OF CORRECTIONS
Institutions



Title:	Determining County of Residence	DOC Policy: 40.2.7
Effective:	9/2/22	Supersedes: 7/21/08
Applicability:	DOC Intake and Institution Staff	
Directives Cross-Reference:	OAR 255-070 - Conditions of Parole and Post-Prison Supervision	
Attachments:	None	

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 where an adult in custody (AIC) will be supervised by Community Corrections after release.

B. Transitional Leave: A period of leave preceding an established release date designed to provide AICs with transitional opportunities to promote successful reintegration into the community; or granted to AICs after successfully completing the institution phase of an Alternative Incarceration Program.

III. POLICY

A. Determining County of Residence

Upon release from prison, a person shall reside in the county of residence as determined by their release counselor. The release counselor shall determine the county of residence by using the following criteria:

1. If the person was under the supervision of a local Community Corrections agency, for a felony conviction, at the time of the offense that resulted in incarceration, the county of residence is the county that last supervised the person.
2. If the person was not under the supervision of a local Community Corrections agency for a felony conviction at the time of the offense that resulted in incarceration, the 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 release counselor, will use the following resources.
 - Records maintained by the Oregon Department of Corrections (DOC).
 - 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.
 - Records maintained by the Oregon Health Authority
 - Records maintained by the Oregon Department of Human Services; or
 - Internet address locator service.
4. The release counselor will meet with the AIC to confirm the identified county of residence. If the AIC does not agree with the identified county of residence, they must provide sufficient proof confirming their claimed residency.
5. If there is no identifiable address on record to confirm the AIC's residence and the AIC is unable to provide proof of residency, the county of residence shall be considered the county where the offense occurred. If the AIC 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 AIC committed while incarcerated in a DOC facility may not be considered in determining the county of residence.
7. If an AIC is released to transitional leave on a county waiver and is returned to DOC 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

1. Whenever possible, the county of residence shall be determined while the AIC is at the DOC Intake Center, when they first enter DOC custody. Intake staff shall enter the county of residence into the DOC automated system.
2. The county of residence will be confirmed prior to release by a release counselor.

C. Board of Parole and Post-Prison Supervision Approval

Sixty days prior to the earliest projected release date, the release 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.

Certified: _____signature on file_____

Julie Vaughn, Rules Coordinator

Approved: _____signature on file_____

Heidi Steward, Acting Director