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## PERMANENT ADMINISTRATIVE ORDER

### DOC 18-2026

CHAPTER 291

### DEPARTMENT OF CORRECTIONS

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CONTACT:

Julie Vaughn

971-701-0139

julie.a.vaughn@doc.oregon.gov

3723 Fairview Industrial Dr. SE, Ste 200

Salem, OR 97302

Filed By:

Julie Vaughn

Rules Coordinator

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RULES:

291-027-0010, 291-027-0020, 291-027-0030, 291-027-0040, 291-027-0050, 291-027-0055, 291-027-0065, 291-027-0070, 291-027-0080, 291-027-0090, 291-027-0100

AMEND: 291-027-0010

RULE TITLE: Authority, Purpose and Policy

NOTICE FILED DATE: 03/26/2026

RULE SUMMARY: Amends rule for minor grammatical edits and to change the term "inmate" to "adult in custody".

RULE TEXT:

(1) Authority: The authority for these rules is granted to the Director of the Department of Corrections in accordance with ORS 179.040, 423.020, 423.030, and 423.075.

(2) Purpose: The purpose of these rules is to establish uniform guidelines for the proper notification and documentation in the event of the death of an adult in custody.

(3) Policy: It is the policy of the Department of Corrections to assure that effective channels of communication exist for prompt and proper reporting and investigation of the death of an adult in custody and for timely and compassionate notification of the emergency contact person.

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: 291-027-0020

REPEAL: Temporary 291-027-0020 from DOC 7-2026

RULE TITLE: Definitions

NOTICE FILED DATE: 03/26/2026

RULE SUMMARY: Amends rule to define terms used in rules newly adopted to this division (Cause of Death, Manner of Death); for consistency with other department rules or update to standard definitions; and to change the term "inmate" to "adult in custody".

RULE TEXT:

- (1) Adult in Custody (AIC): Any person under the supervision of the Department of Corrections who is not on parole, post-prison supervision, or probation status.
- (2) Cause of Death: As defined in ORS 146.003(3), the primary or basic disease process or injury ending life.
- (3) Department of Corrections Facility: Any institution, facility, or staff office, including the grounds, operated by the Department of Corrections.
- (4) Emergency Contact Person: That individual(s) designated by an adult in custody to be notified in case of an emergency.
- (5) Facility Contact Person: An employee at each department facility designated by the functional unit manager to be responsible for coordinating contact and communication with the adult in custody's emergency contact person and other agencies, as necessary.
- (6) Functional Unit Manager: Any person within the Department of Corrections who reports to either to the Director, the Deputy Director, an Assistant Director, or an administrator and has responsibility for delivery of program services or coordination of program operations.
- (7) Interstate Corrections Compact (ICC) Adult in Custody: An adult in custody housed in a correctional facility in a state different than the sentencing jurisdiction under rules of the Interstate Correctional Compact.
- (8) Manner of Death: As defined in ORS 146.003, the designation of the probable mode of production of the cause of death, including natural, accidental, suicidal, homicidal, legal intervention or undetermined.
- (9) Officer-in-Charge: That person designated by the functional unit manager to supervise the facility and make operational decisions in accordance with rule or procedure during periods when the functional unit manager or officer-of-the-day are not readily available.
- (10) Officer-of-the-Day: That person designated by the functional unit manager and approved by the Assistant Director of Operations or designee to act on behalf of the functional unit manager during non-business hours and other periods in which the functional unit manager may be absent.
- (11) Rental Bed Adult in Custody: An adult in custody sentenced to the Department of Corrections who is being housed in an Oregon jail.
- (12) Trust Funds: Adult in custody money in the care and custody of the Department of Corrections that is deposited with the State Treasurer and managed by the Department of Corrections.

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: 291-027-0030

RULE TITLE: Assessment and Security

NOTICE FILED DATE: 03/26/2026

RULE SUMMARY: Amends rule for minor grammatical edits, clarity, or consistency with other department rules; to change the term "inmate" to "adult in custody"; to update policy titles; and to remove gendered language.

RULE TEXT:

(1) The first security employee at the scene of a suspected adult in custody death who is not involved in any rescue or first aid efforts will secure the scene, ascertain the identities of all those present, and disperse all unauthorized individuals.

(a) Identification cards of all adults in custody present and dispersed will be gathered for positive identification and for later interviews.

(b) The officer-in-charge, facility contact person, and facility Health Services employees, if available, will be immediately notified of the suspected death. If Health Services employees are not on duty, the Medical Services manager will be notified. Health Services employees will notify the facility Chief Medical Officer.

(2) The officer-in-charge or designee will immediately ensure the emergency preparedness plan is implemented, if applicable.

(3) The officer-in-charge will designate an employee to maintain the security of the suspected death scene until released by State Police investigators. The death scene will be processed as a crime scene.

(a) This employee will initiate a crime scene contamination log (CD 1201D).

(b) The death scene will be secured and evidence preserved in accordance with the emergency preparedness plan, if applicable, and the department's policy on Criminal and Administrative Evidence Handling (DOC Policy 70.1.3).

(4) Nothing within the death scene area will be moved or touched by anyone, unless the object needs to be removed because it is an immediate and ongoing threat to security, such as a weapon.

(a) The object will be photographed and diagrammed with relation to the rest of the death scene prior to its removal.

(b) Removal of the item will be in a manner consistent with preservation of evidence, ensuring not to destroy fingerprints, blood, and other fragment evidence that might be affixed to the item, documenting who seized the item, who maintained custody of the item, and in what manner the item was secured.

(5) The officer-in-charge will report the incident to the functional unit manager or designee, officer-of-the-day if applicable, the State Police, and the medical examiner.

(6) The State Police will determine whether they should be present at the death scene. If the State Police determine they should be present, they will take charge of the death scene upon arrival.

(7) The State Police will remove and secure all property from the area that may be considered evidence.

(8) The officer-in-charge will designate one employee as the evidence custodian responsible for the handling, marking, packing, and securing of all evidence not removed by the State Police investigator.

(9) Witnesses or suspects will not be interviewed by Department of Corrections employees unless directed to do so by the State Police. Any comments made by suspects or witnesses to Department of Corrections employees will be noted and reported promptly.

(10) The functional unit manager or designee will notify appropriate employees, such as Behavioral Health Services employees or a chaplain, to provide services for adults in custody affected by the death, as needed.

(11) Employees involved in an adult in custody death incident will be offered support in accordance with the department's policy on Critical Incident Stress Management (DOC Policy 20.5.2).

(12) The institution Medical Services manager shall request an autopsy for all adult in custody deaths.

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: 291-027-0040

RULE TITLE: Removal of the Deceased

NOTICE FILED DATE: 03/26/2026

RULE SUMMARY: Amends rule for consistency with other department rules or conciseness; and to change the term "inmate" to "adult in custody".

RULE TEXT:

(1) The deceased adult in custody and the death scene will be left undisturbed unless authorized under OAR 291-027-0030(4).

(2) When the medical examiner and the State Police have released the body, the functional unit manager or designee will arrange for transportation of the deceased adult in custody to the designated mortuary in accordance with contracts or local agreements negotiated by the department.

(3) Assigned employees will maintain supervision of the deceased adult in custody until the appropriate mortuary has taken control of the remains. This includes expected deaths that occur at outside medical facilities. Exceptions may be made by the functional unit manager or designee only after coordination with the assigned State Police investigator.

(4) The State Police will determine the time and place that the deceased adult in custody will be fingerprinted and coordinate this process with the assigned institution, when 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: 291-027-0050

RULE TITLE: Notifications

NOTICE FILED DATE: 03/26/2026

RULE SUMMARY: Amends rule for consistency with other department rules or clarity; to change the term "inmate" to "adult in custody"; to update policy title; for minor grammatical edits; to use current terminology; and to remove reference to Immigration and Customs Reinforcement.

RULE TEXT:

- (1) The officer-in-charge or designee will make the necessary notifications in accordance with this rule, the emergency preparedness plan, and the department's policy on Unusual Incident Report Process (DOC Policy 40.1.6).
- (2) The Department of Corrections Communications Manager is responsible for reporting the incident to the Director, Deputy Director and appropriate Assistant Director. This responsibility may be delegated to the functional unit manager.
- (3) If the adult in custody death is from suspected self-harm, the Behavioral Health Services manager will be notified during the initial notifications immediately following the incident.
- (4) If the deceased adult in custody is a citizen of a country other than the United States, the appropriate consulate will be notified as soon as possible.
- (5) If the deceased adult in custody is an Interstate Corrections Compact adult in custody housed by the department, the Interstate Corrections Compact coordinator will be notified by the functional unit manager or designee. The Interstate Corrections Compact coordinator will notify the administrator of the sentencing jurisdiction as soon as possible.

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: 291-027-0055

RULE TITLE: Duties of the Facility Contact Person

NOTICE FILED DATE: 03/26/2026

RULE SUMMARY: Amends rule for consistency with other department rules and within these rules; and to change the term "inmate" to "adult in custody".

RULE TEXT:

(1) The facility contact person will coordinate contact with the deceased adult in custody's emergency contact person after the State Police have authorized notification. The employee notifying the adult in custody's emergency contact person may be the chaplain, facility contact person, or any other employees designated by the functional unit manager.

(2) The facility contact person is responsible for coordinating the processes associated with disposition of the deceased adult in custody's remains and personal property.

(a) No specific details about circumstances surrounding the death will be provided without authorization of the State Police, district attorney, and the functional unit manager or designee.

(b) The notifying employee shall not engage in speculation concerning the possible cause of death.

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: 291-027-0065

RULE TITLE: Disposition of Remains

NOTICE FILED DATE: 03/26/2026

RULE SUMMARY: Amends rule for consistency within these rules; to change the term "inmate" to "adult in custody"; and for minor grammatical edits.

RULE TEXT:

- (1) The deceased adult in custody's emergency contact person will be given the option of arranging for the final disposition of the adult in custody's remains. All costs for those arrangements are the responsibility of the emergency contact person or family member that wishes to make those arrangements.
- (2) Adults in custody shall make prior arrangements with their designated emergency contact person concerning any religious or personal preferences they have regarding the disposition of their remains.
- (3) The Department of Corrections is responsible for the final disposition of remains if the emergency contact person or family member of the adult in custody are unwilling or unable to do so.
- (4) If the Department of Corrections becomes the responsible agent in this matter, the authorized mortuary will provide this final service in accordance with contracted services or local agreements.
- (5) Trust funds from the deceased adult in custody's accounts shall not be used to offset expenses incurred by the Department of Corrections related to the adult in custody's death.

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: 291-027-0070

RULE TITLE: Property and Fund Disposition

NOTICE FILED DATE: 03/26/2026

RULE SUMMARY: Amends rule for consistency within these rules; to change the term "inmate" to "adult in custody"; for minor grammatical edits.

RULE TEXT:

- (1) The officer-in-charge will ensure that an inventory is completed of the deceased adult in custody's personal property and that it is secured for the State Police, if applicable.
- (2) After the deceased adult in custody's property has been released by the State Police, the facility contact person will arrange to have the property released to the emergency contact person.
  - (a) The facility contact person will coordinate the preparation of the property and arrange for disposition of this property with the deceased adult in custody's emergency contact person. The property will be placed in an appropriately sized container for disposition.
  - (b) Abandoned property will be disposed of in accordance with OAR 291-117-0140 Disposition of Adult in Custody Property.
  - (c) All documentation concerning the property will be processed and maintained in accordance with OAR 291-117-0140 Disposition of Adult in Custody Property.
- (3) Funds held in a deceased adult in custody's trust account will be disbursed in accordance with ORS 112 and the department's rules on Central Trust (OAR 291-158).

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: 291-027-0080

RULE TITLE: Death Outside the Facility

NOTICE FILED DATE: 03/26/2026

RULE SUMMARY: Amends rule for consistency with other department rules or within these rules; for clarity; to change the term "inmate" to "adult in custody"; and for minor grammatical edits.

RULE TEXT:

- (1) Prior to Adult in Custody Death: When imminent death can be predicted, Health Services employees will work with the officer-of-the-day to ensure that all appropriate notifications are completed in advance, including the medical examiner.
- (2) Outside Work Crews: In the event of an incident involving death or possible death of an adult in custody assigned to an outside crew, the work crew supervisor will immediately activate local emergency medical services, if available. The work crew supervisor will then notify the applicable facility. The officer-in-charge of the facility will be responsible to implement the procedures outlined in OAR 291-027-0030 Assessment and Security.
- (3) Interstate Corrections Compact Adult in Custody Sentenced to Department of Corrections: The Interstate Corrections Compact agreement for all adults in custody sentenced to the Department of Corrections will address the arrangements to be used if the adult in custody dies while in the custody of the receiving jurisdiction. Details of the agreement will include required notifications, transport of the body or remains, and financial responsibility for associated costs.
- (4) Rental Bed Adult in Custody: Local jurisdictions will report the death of any Department of Corrections adult in custody who is in their custody to the Department of Corrections as soon as possible and provide all requested information. The Department of Corrections is responsible for making final disposition of the adult in custody's body and providing notice to the adult in custody's emergency contact person. These arrangements will be included in all rental bed agreements.
- (5) Outside Medical Facility: When an adult in custody dies while under the care of an outside medical facility, the employee(s) assigned to the hospital watch or medical trip escort will be responsible for immediately contacting the officer-in-charge at the deceased adult in custody's assigned institution.
  - (a) The officer-in-charge of the facility will be responsible to implement the procedures outlined in OAR 291-027-0030 Assessment and Security.
  - (b) The officer-in-charge will determine if a crime scene log needs to be initiated.
  - (c) Arrangements for transportation of the deceased adult in custody from the outside medical facility to the designated mortuary will be made in accordance with contracts or local agreements negotiated by the department.
  - (d) The employee(s) assigned to hospital watch will remain with the deceased adult in custody until the designated mortuary has taken control of the remains. Exceptions may be made by the functional unit manager or designee only after coordination with the assigned State Police investigator.

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

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

ADOPT: 291-027-0090

REPEAL: Temporary 291-027-0090 from DOC 7-2026

RULE TITLE: Death Investigations and Handling Cause and Manner of Death Determinations

NOTICE FILED DATE: 03/26/2026

RULE SUMMARY: Adopts rule establishing the department's policy and procedure for cooperation with death investigations and handling cause and manner of death determinations.

RULE TEXT:

(1) Investigations: The Department of Corrections will cooperate with any death investigation conducted under ORS 146.100 concerning any inmate death.

(2) Handling Cause and Manner of Death Determinations:

(a) Under no circumstances shall the Department of Corrections or any of its employees decide the cause or manner of death of any inmate.

(b) When the Department of Corrections receives a determination of the cause or manner of death under ORS Chapter 146 or other applicable law, the Inspector General or designee will track the information as needed to meet state or federal reporting requirements, and will retain it in compliance with applicable patient privacy laws, including ORS 179.495 and ORS 179.505.

STATUTORY/OTHER AUTHORITY: ORS 146.100, 179.040, 423.020, 423.030, 423.075

STATUTES/OTHER IMPLEMENTED: ORS 146.100, 179.040, 423.020, 423.030, 423.075

ADOPT: 291-027-0100

REPEAL: Temporary 291-027-0100 from DOC 7-2026

RULE TITLE: Unexpected Death Review

NOTICE FILED DATE: 03/26/2026

RULE SUMMARY: Adopts rule establishing the department's policy and procedure for the review of an unexpected death and the Unexpected Death Review Committee.

RULE TEXT:

(1) In the event of any inmate death, Health Services will determine whether the death is expected or unexpected in a manner consistent with national standards and inform the Inspector General of that determination.

(a) When the death is expected, the Inspector General will retain any information related to that determination in a manner that complies with applicable patient privacy laws, including ORS 179.495 and ORS 179.505.

(b) When the death of an inmate is unexpected, the Inspector General will initiate an Unexpected Death Review as provided in this rule. The initiation of any Unexpected Death Review, and way it is conducted, shall occur at a time and in a manner that is mindful of, and does not interfere with, any existing, pending, or anticipated law enforcement investigations (including death investigations under ORS Chapter 146).

(2) The Inspector General may initiate an Unexpected Death Review under this rule for any inmate death, including when an inmate's death was expected, when the Inspector General determines, in their discretion, that a review would be appropriate.

(3) The Inspector General will select and convene an Unexpected Death Review Committee that will include appropriate department representatives with applicable professional expertise and no previous involvement in the incident.

(a) Appropriate representatives may include, but are not limited to, an assigned Special Investigations Unit manager, an Assistant Superintendent of Security, a Medical Services manager, or a Behavioral Health Services manager.

(b) In cases in which self-harm is involved or suspected, the Unexpected Death Review Committee should include a Behavioral Health Services manager.

(4) The Unexpected Death Review Committee will conduct a review and prepare a report that includes the results of the review and a statement of any recommended changes in practices, policies, or procedures to strengthen safety and health protections for adults in custody and to reduce risk of inmate death or serious injury.

(5) The review by the Unexpected Death Review Committee, and the results of this review, should exclude the data, reports, or contents of any peer review conducted by a medical employee committee of the Department of Corrections pursuant to ORS 41.675.

STATUTORY/OTHER AUTHORITY: ORS 146.100, 179.040, 423.020, 423.030, 423.075

STATUTES/OTHER IMPLEMENTED: ORS 146.100, 179.040, 423.020, 423.030, 423.075