

OFFICE OF THE SECRETARY OF STATE
TOBIAS READ
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MICHAEL KAPLAN
DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION
STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION
DOC 6-2026
CHAPTER 291
DEPARTMENT OF CORRECTIONS

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ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Suicide Prevention

EFFECTIVE DATE: 03/31/2026 THROUGH 09/26/2026

AGENCY APPROVED DATE: 03/24/2026

CONTACT: Julie Vaughn 3723 Fairview Industrial Dr. SE, Ste 200
971-701-0139 Salem, OR 97302
julie.a.vaughn@doc.oregon.gov

Filed By:
Julie Vaughn
Rules Coordinator

NEED FOR THE RULE(S):

These rule amendments are needed to establish a new process for the review of an unexpected death of an adult in custody (AIC), including a death that is suspected to be caused by, related to, or associated with an act of self-harm.

JUSTIFICATION OF TEMPORARY FILING:

The Department of Corrections finds that following the permanent rulemaking process, rather than taking this temporary rulemaking action, will result in serious prejudice to the public interest. The Department finds that it is important to promptly enact a rule setting forth a review process when unexpected deaths occur in Department facilities, and to consider and identify whether there may be any recommended changes in practices, policies, or procedures to strengthen safety and health protections for AICs and to reduce risk of AIC death or serious injury. Temporary rulemaking that allows for immediate review procedures to occur will avoid serious prejudice that could occur by delayed implementation of those procedures.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

None.

AMEND: 291-076-0040

RULE SUMMARY: Amends rule to align with the newly defined Unexpected Death Review process in OAR 291-027.

CHANGES TO RULE:

291-076-0040

Review of Incidents Involving Suspected Self-Harm ¶

(1) ~~Suicide Review: If a suicide occurs, a formal suicide review will be completed as assigned by the Inspector General, including a review of the inmate's Health Services files, related materials, and interviews of staff.¶~~
(a) ~~The actual review of the Health Services files, related materials, and interviews of staff will be conducted by a multi-disciplinary team comprised of an assigned Special Investigations Unit manager, Assistant Superintendent of Security, Medical Services manager and Behavioral Health Services manager from a facility other than the~~

facility where the suicide occurred.¶

(b) The Inspector General will appoint the chair of the team.¶

(c) The team will write a review and submit it to the Inspector General.¶

(d) The Inspector General will submit the review to the Director, Deputy Director, Assistant Director for Operations, Health Services Administrator, Behavioral Health Services Administrator, and the functional unit manager where the suicide occurred.¶

(2) Attempted Suicide Review: In the event of the unexpected death of an adult in custody, including a death that is suspected to be caused by, related to, or associated with an act of self-harm, the Inspector General will conduct an Unexpected Death Review in accordance with the department's rules on Death (AIC) (OAR 291-027).¶

(2) The Director, Deputy Director, Inspector General, Assistant Director of Health Services Administrator, Assistant Director of Operations, or Behavioral Health Services Administrator may request a formal review from a multi-disciplinary team, as described in (1) above for, of any suicide attempt incident involving suspected self-harm by an adult in custody that presented a substantial risk of serious injury or 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