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## PERMANENT ADMINISTRATIVE ORDER

**DOC 11-2025**  
CHAPTER 291  
**DEPARTMENT OF CORRECTIONS**

**FILED**

07/03/2025 12:10 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE  
& LEGISLATIVE COUNSEL

FILING CAPTION: RELEASE FUNDS

EFFECTIVE DATE: 07/03/2025

AGENCY APPROVED DATE: 07/03/2025

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### RULES:

291-157-0005, 291-157-0010, 291-157-0015, 291-157-0021, 291-157-0035

AMEND: 291-157-0005

NOTICE FILED DATE: 04/29/2025

RULE SUMMARY: Amends rule for minor grammatical changes, to update statutory citations, and to change the term "inmate" to "adult in custody".

### CHANGES TO RULE:

291-157-0005

Authority, Purpose and Policy ¶

(1) Authority: The authority for ~~this~~these rules is granted to the Director of the Department of Corrections in accordance with ORS 179.040, 423.020, 423.030, 423.075, and 423.1075.¶

(2) Purpose: To ~~ensure inmates~~ensure inmates adults in custody have access to basic financial support for and upon release.¶

(3) Policy: It is the policy of the Department of Corrections to establish a program to provide releasing ~~inmates~~adults in custody with financial assistance to meet minimum release needs, in accordance with the requirements set by ORS 421.125(2)(b), and within funds appropriated for this purpose.

Statutory/Other Authority: ORS 179.040, 421.125, 423.020, 423.030, 423.075, 423.105

Statutes/Other Implemented: ORS 179.040, 421.125, 423.020, 423.030, 423.075, 423.105

AMEND: 291-157-0010

NOTICE FILED DATE: 04/29/2025

RULE SUMMARY: Amends rule to change the term "inmate" to "adult in custody"; to remove gendered language; to update statutory citations; to update definitions to align with those in other department rules or policies, as appropriate for these rules; and adds or clarifies definitions to capture change in practice or further define process.

CHANGES TO RULE:

291-157-0010

Definitions ¶¶

(1) ~~Inmate~~ Adult in Custody: Any person under the supervision of the Department of Corrections who is not on parole, post-prison supervision, or probation status. ¶

(2) ~~Release Subsidy~~: Financial assistance allocated to a releasee by the county for the purpose of purchasing essential goods or services related to release needs. Adult in Custody Trust Account: An account established and maintained in trust by the Department of Corrections for the deposit and safeguarding of monies that are the property of an adult in custody or associated on behalf of an adult in custody by their state identification number (SID). ¶

(3) Discharge: Any lawful release from a state correctional institution pursuant to the expiration of a judicial sentence or other incarcerative sanction. ¶

(34) ~~Release Counselor~~: Any person employed by released from the physical custody of the Department of Corrections charged with release planning for inmate to the community on leave, parole, post-prison supervision, or discharge status. ¶

(45) ~~Incidental Funds~~: Funds not to exceed \$25 Release Funds: Financial assistance allocated to a releasee by the Department of Corrections for immediate financial assistance upon the purpose of purchasing essential goods or services related to release needs. ¶

(46) Releasee: Any inmate that is being released to or has been released to the community on parole, post-prison supervision, or discharge status. Services Manager: A Department of Corrections employee designated to supervise release processes and release services employees. ¶

(57) Trust Account Funds: ~~These m~~ Monies deposited to an inmate adult in custody's trust account which may be used by the inmate adult in custody to purchase authorized items or services during his/her the adult in custody's term of incarceration or be assessed by the functional unit to pay any indebtedness incurred while under supervision of the Department of Corrections.

Statutory/Other Authority: ORS 179.040, 421.125, 423.020, 423.030, 423.075, 423.105

Statutes/Other Implemented: ORS 179.040, 421.125, 423.020, 423.030, 423.075, 423.105

AMEND: 291-157-0015

NOTICE FILED DATE: 04/29/2025

RULE SUMMARY: Amends rule to change "inmate" to "adult in custody"; clarify rules, remove gendered language and obsolete process; to update title; and remove the set amount for release funds to allow for flexibility due to inflation and changes in budget allocations.

CHANGES TO RULE:

291-157-0015

Procedures ¶

(1) ~~Notice to Inmates: Each inmate is responsible for saving money for release purposes~~Adults in Custody: During the term of incarceration, each adult in custody is responsible for accumulating funds in anticipation of parole, post-prison supervision, or discharge. All monies received in the trust account during ~~his/her~~the term of incarceration will be ~~tallied~~calculated by Department of Corrections Central Trust, including any funds accumulated in a transition fund as provided in ORS 423.105, and the total figure~~amount~~may be the basis for approval or denial of release ~~subsidie~~funds in accordance with ORS 421.125.¶

(2) Administration: The Assistant Director for ~~Transi~~Correctional Services or designee is responsible for the administration of the release ~~subsidy program~~. ~~However, eligibility for release subsidies and coordination of payments for releasees shall be determined by the local county director of community corrections or designee.~~¶

(3) ~~Twenty percent of the total allocation of subsidy monies will be retained by the Transition and Release administrator for institution release purposes and may be used towards incidental funds.~~¶

(4) ~~The balance of allocated subsidy monies will be distributed to all counties via the community corrections work load formula. Counties will receive subsidy funds through the quarterly allotment process~~funds program.

Statutory/Other Authority: ORS 179.040, 421.125, 423.020, 423.030, 423.075, 423.105

Statutes/Other Implemented: ORS 179.040, 421.125, 423.020, 423.030, 423.075, 423.105

AMEND: 291-157-0021

NOTICE FILED DATE: 04/29/2025

RULE SUMMARY: Amends rule to change "incidental funds" to "release funds"; and update and further define process for distribution and processing of release funds.

CHANGES TO RULE:

291-157-0021

Distribution and Processing of ~~Incidental~~Release Funds ¶¶

(1) ~~The inmate's release counselor will:~~¶

~~(a) Interview the releasee to determine specific needs. An adult in custody's trust account will be calculated by Central Trust. ¶¶~~

~~(2) A Release Services Manager will:~~¶

~~(b) Review the inmate's trust account history and inmate support system in the community. ¶¶~~

~~(c) Determine if Determine whether the adult in custody needs release funds to meet minimum release needs, in accordance with the requirements set by ORS 421.125(2)(b), and the amount of the releasee is in need of incidental funds based funds needed based on the calculated balance onf the information gathered. ¶¶~~

~~(2) If it is determined that the releasee is in need of incidental funds, adult in custody's trust account, the availability of funds being appropriated for this purpose, and any special considerations as approved by the~~

~~Release counselor wServices Manager; and ¶¶~~

~~(b) Will notify Central Trust. ¶¶~~

~~(3) Upon receipt of notification from a of the need for release counselor that incidental funds are needed, Central Trust will issue funds to the inmate via a check or by placing thfunds for the releasing adult in custody. ¶¶~~

~~(3) Upon approval of the release funds, Central Trust will provide the release funds to on the inmate's Offender Debit Cardadult in custody.~~

Statutory/Other Authority: ORS 179.040, 421.125, 423.020, 423.030, 423.075, 423.105

Statutes/Other Implemented: ORS 179.040, 421.125, 423.020, 423.030, 423.075, 423.105

REPEAL: 291-157-0035

NOTICE FILED DATE: 04/29/2025

RULE SUMMARY: Repeals rule as unnecessary. The appeal process is already outlined in the department's rules on Grievance Review System OAR 291-109.

CHANGES TO RULE:

~~291-157-0035~~

~~Appeal Process-~~

~~Appeal Rights: An inmate or releasee may appeal decisions in the application of this rule by using the process outlined in the Department of Corrections rule on Grievance Review System (Inmate) (OAR 291-109).~~

~~Statutory/Other Authority: ORS 179.040, 421.125, 423.020, 423.030, 423.075~~

~~Statutes/Other Implemented: ORS 179.040, 421.125, 423.020, 423.030, 423.075~~