



**NOTICE OF PROPOSED RULEMAKING**  
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 291  
**DEPARTMENT OF CORRECTIONS**

**FILED**  
03/26/2026 11:42 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: Arrest and Transport

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 05/20/2026 12:00 PM

*The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.*

*A public rulemaking hearing may be requested in writing by 10 or more people, or by a group with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date the Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.*

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**NEED FOR THE RULE(S)**

These proposed changes are needed to make minor grammatical edits, clarify the rules, change "offender" to "adult on supervision", incorporate changes in the department's business terminology, and remove gendered language.

**DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE**

None.

**STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE**

The Department of Corrections (DOC) anticipates that these proposed amendments to its administrative rules regarding Arrest and Transport, OAR 291-014, will have an overall positive impact on racial equity in this state.

The Department of Corrections Division 014 rules provide community protection by the apprehension and arrest of adults on supervision who engage in violation behavior or are subject to an arrest warrant. The proposed amendments to the departments Division 014 (1) updates definitions and (2) incorporates changes in terminology used by the Department to refer to adults on supervision.

The proposed amendments that update definitions, and terminology are not substantive. For this reason, the department anticipates that these proposed rule amendments will have no impact on racial equity in this state.

In addition to the above-described amendments the Department of Corrections has proposed amendments to its division 014 rules to replace the term "offender" with the term "adult on supervision" when referring to individuals on probation, parole, post-prison supervision, or any other form of temporary or transitional leave from custody or any form of conditional release. This change in terminology aligns with the department's mission and guiding principles by seeking to normalize and humanize the custodial and supervision experience for persons who are committed to its custody and supervision by the courts. The department understands that all adults on supervision, including individuals who are members of minority racial groups, are positively impacted when a culture of inclusivity, normalization, and humanization is created, and that these proposed rule amendments represent another step toward creating this culture.

For this reason, the department anticipates that these proposed rule amendments will have a positive impact on racial equity in this state.

For all these reasons, DOC anticipates that these proposed rule amendments will have a positive impact on racial equity in this state.

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**FISCAL AND ECONOMIC IMPACT:**

These amendments revise terminology concerning 'offenders,' implement gender-neutral language, refine the definition of 'officer', and provide minor technical clarifications.

DOC anticipates that the changes will have no fiscal impact the department, AICs, partners, and the general public.

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**COST OF COMPLIANCE:**

*(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).*

None.

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**DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):**

Small businesses were not involved in the development of these rules as they will not be impacted by these rules.

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**WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?**

The department has determined that use of an advisory committee would have not provided any substantive assistance in drafting these rule revisions because the changes are minor and of a technical nature.

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**RULES PROPOSED:**

291-014-0100, 291-014-0110, 291-014-0120, 291-014-0130

AMEND: 291-014-0100

RULE SUMMARY: Amends rule for minor grammatical edit and to change "offender" to "adult on supervision".

**CHANGES TO RULE:**

291-014-0100

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, and 423.075.¶¶

(2) Purpose: The purpose of these rules is to provide community protection by the apprehension and arrest of ~~offenders~~adults on supervision who engage in violation behavior or are subject to an arrest warrant. Arrest shall be made in the appropriate manner as prescribed by law (ORS 137.550; 144.331; 144.334, 144.350, 144.360, 144.610 and 144.613) and this rule.

Statutory/Other Authority: ORS 137.545, 144.350, 144.360, 179.040, 423.020, 423.030, 423.075

Statutes/Other Implemented: ORS 137.545, 144.331, 144.334, 144.350, 144.360, 144.610, 144.613, 179.040, 423.020, 423.030, 423.075

AMEND: 291-014-0110

RULE SUMMARY: Amends rule to incorporate changes in the Department's business terminology and to change "offender" to "adult on supervision".

CHANGES TO RULE:

291-014-0110

Definitions ¶

~~(1) Arrest: To place an offender~~adult on Supervision: Any person under the supervision of the Department of Corrections or a local community corrections office who is on probation, parole, post-prison supervision, any other form of temporary or transitional leave from custody, or any form of conditional release. ¶

~~(2) Arrest: To place an adult on supervision~~under actual or constructive restraint or to take an offender~~adult on supervision~~into custody. [JV1] ¶

~~(23) Local State Director: A person within the Department of Corrections who reports to the Assistant Director of Community Corrections and has responsibility for managing a state community corrections office within a particular county.~~ ¶

~~(3) Offender: Any person under supervision who is on parole, post prison supervision, transitional leave, local control or probation status.~~ ¶

~~(4) Officer: Any state parole/probation officer certified as such by the Department of Public Safety Standards and Training.~~4) Officer: An employee of the Department of Corrections as defined in ORS 181A.355(13). ¶

~~(5) Reasonable Grounds: Exists when facts and circumstances within the officer's knowledge are sufficient to justify a belief that a violation has occurred.~~ ¶

~~(6) Warrant: A written order made on behalf of the releasing authority, or the court, which commands the officer to arrest the offender~~adult on supervision.

Statutory/Other Authority: ORS 137.545, 144.350, 144.360, 179.040, 423.020, 423.030, 423.075

Statutes/Other Implemented: ORS 137.545, 144.331, 144.334, 144.350, 144.360, 144.610, 144.613, 179.040, 423.020, 423.030, 423.075

AMEND: 291-014-0120

RULE SUMMARY: Amends rule to incorporate changes in the Department's business terminology, to remove gendered language, and to change "offender" to "adult on supervision".

CHANGES TO RULE:

291-014-0120

Arrest ¶

(1) A ~~parole/probation~~ officer is authorized to make an arrest if the officer participates in a minimum of eight hours annual training in arrest procedures, use of restraints, and defensive tactics.¶

(a) The local state director shall create annual training requirements, which may exceed the minimum training requirements.¶

(b) A ~~parole/probation~~ officer shall maintain certification in less than lethal force options.¶

(2) When a warrant has been issued for an ~~offender~~adult on supervision by the releasing authority or the court, based on a violation of a release condition, the supervising officer shall cause the execution of any arrest warrant.¶

(3) In all other arrest cases, at least one of the following criteria must be met:¶

(a) Reasonable grounds that a violation(s) has occurred and is serious enough to warrant a recommendation of incarceration;¶

(b) The ~~offender~~adult on supervision's behavior constitutes a threat or danger to the community or to ~~himself/herselves~~.

Statutory/Other Authority: ORS 137.545, 144.350, 144.360, 179.040, 423.020, 423.030, 423.075

Statutes/Other Implemented: ORS 137.545, 144.331, 144.334, 144.350, 144.360, 144.610, 144.613, 179.040, 423.020, 423.030, 423.075

AMEND: 291-014-0130

RULE SUMMARY: Amends rule to clarify reference to attachment to the rule and to change "offender" to "adult on supervision".

CHANGES TO RULE:

291-014-0130

Transport ~~¶~~

(1) Transporting officer(s) will use Department of Corrections approved vehicles. ~~¶~~

(2) Whenever possible, transports should be conducted in caged vehicles. ~~¶~~

(3) When transporting an ~~offender~~ adult on supervision, refer to a ~~Attachment A~~ Attachment A Transport Configurations for recommended positioning of ~~offender(s) and officer(s)~~. ~~¶~~

~~[ED. NOTE: Attachment referenced are available from the agency.]~~ adult(s) on supervision and officer(s).

Statutory/Other Authority: ORS 137.545, 144.350, 144.360, 179.040, 423.020, 423.030, 423.075

Statutes/Other Implemented: ORS 137.545, 144.331, 144.334, 144.350, 144.360, 144.610, 144.613, 179.040, 423.020, 423.030, 423.075

RULE ATTACHMENTS MAY NOT SHOW CHANGES. PLEASE CONTACT AGENCY REGARDING CHANGES.

DEPARTMENT OF CORRECTIONS  
**Transport Configurations**

**X = OFFICER**

**O = ADULT ON SUPERVISION**

