



OREGON DEPARTMENT OF CORRECTIONS RULEMAKING PUBLIC COMMENTS AND AGENCY RESPONSE Summary Memo

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Summary Memo

No changes were made to the original rule because of public comment.

Comments

The public comment period was open from December 10, 2025, to January 30, 2026. The department received 1 total comment in writing during the public comment period. The comment received came from an adult in custody and was submitted on an AIC Communication Form (CD 214).

Comment Received

A copy of the comment received is attached at the end of the document.

Commenter Name, Affiliation (if any): Paul Lux, Adult in Custody

Date: Written on December 19, 2025, and received by the Department of Correction on December 23, 2025

Comment: The comment objected to the proposed rule and the practice of collecting funds from adults in custody to offset cost of care. The comment says that the practice would unlawfully amend the sentencing court's judgement and order and could be construed as discrimination by adults in custody who obtain or manage wealth. In addition, the comment says an argument could be made that it would impose additional burdens beyond what is allowable under law and would open the Department of Corrections to lawsuits concerning renters, including conditions of housing and facilities. The comment ends by stating the proposed rule is not a good idea.

Agency Response: The Department of Corrections is required under ORS 179.640 (Determination of Ability to Pay) to establish rules for determining ability to pay for persons housed in Department of Corrections facilities. Under the authority provided by ORS 179.701 (Determination of cost-of-care rates), DOC may investigate and pursue reimbursements from adults in custody for the cost of their incarceration. The Department of Corrections has considered the comment and did not make any changes based on the comment.



OREGON DEPARTMENT OF CORRECTIONS

AIC COMMUNICATION FORM

TO: J. Vaughn Date: 12/19/25

State your issue in detail:

Dear Sir or Maam,

I object to the practice of, and proposal of rules, collecting AIC funds to offset "Cost of Care".

Such a policy would be an ex post facto assessment of fines + fees that would unlawfully amend a judgment and order by the court during sentencing. It could easily be construed as discrimination against any AIC that has been fortunate enough to obtain or manage wealth.

There could be an additional argument that such "costs" would impose an additional burden beyond that allowable under law, considered cruel + unusual.

Finally, charging for incarceration would open DOC up to lawsuits concerning renter's rights and conditions of housing and facilities.

This proposed rule is not a good idea.

Thank you.

Table with 3 columns: AIC Committed Name (first middle last), SID#, Housing Unit. Row 1: Paul Lux, 16081773, A-318 B

Response/Action Taken:

Thank you for your feedback. Your input will be reviewed and considered.

Received

Date Received: DEC 23 2025 Referred To*:

Date Answered: Legal Affairs Unit Signature of Staff Member: Julie Vaughn

*If forwarded, please notify the AIC

OREGON DEPARTMENT OF CORRECTIONS
AIC COMMUNICATION FORM

FROM

INSTITUTION: OSP
AIC NAME: Paul Lux
SID #: 16081773
UNIT/BUNK: A-318 B
ADDRESS: _____

TO

NAME: J. Vaughn
TITLE: Agency Rules Coordinator
ADDRESS: _____

(Fold Here)