

STATEWIDE OFFICE OPERATIONS NETWORK (SOON) MINUTES
Thursday, August 11, 2011

Hosting Agency: Lincoln County Community Justice
Meeting Location: The Elizabeth Street Inn
232 SW Elizabeth Street
Newport, OR

Present: Christy Elven, Washington County; Diane Ballard, Jackson County; Teresa Yurkovich, Josephine County; Cathy Snider, OISC; Theresa Arendell, OISC; Lee Cummins, DOC; Mary Hunt, DOC; Susie Schindler, Marion County; Michael Jackson, Marion County; Donna Hemman, Polk County; Cassy Polen, Polk County; Patty Arrington, Umatilla County; Beth Hulse, Wallowa County; Karen Rhein, Multnomah County; Annie Williams, Compact/DOC; Lisa Gilberston, Multnomah County; Laurel Howard, Multnomah County; Mindie Everett, Multnomah County; Karen Spieler, Columbia County; Katie Raffety, Jefferson County; Nicole Rickart, Deschutes County; Vicki Wood, Yamhill County; Robin Filbeck, Tillamook County; Tonya Owens, Tillamook County; Carolyn Knox, Lincoln County; Tina Shippey, Coos County; Kerri Humbert, Douglas County; Judy Bell, Benton County; Angie Gustafson, Linn County

Introductions/Welcome

Director Suzanne Gonzales welcomed the group to Lincoln County and thanked the group for all the work we do.

Review/Additions/Corrections to Minutes

No additions or corrections to minutes.

Email Decisions

None.

OISC/INSTITUTION RECORDS – Cathy Snider/Sheila Lang

Cathy thanked the group for doing a good job, and introduced Theresa Arendell, the PTA Manager at OISC.

Theresa said if we had questions about the PTAs, suggestions on how they could improve customer service, or anything additional we would like in ways of communication, feel free to contact her. She stated she was very happy to join our meeting and meet us all.

Mary had a question for Theresa in regard to a data clean up this week using the

new edit to not allow Community Corrections to close a body if there were offenses closed to an outcount such as UNSU or INPR. Once the edit was in place, Mary asked for a query of any discharged offenders with offenses still closed to an outcount code. Christy had two records they were unable to fix because there was both a regular and merged offense. There may have been some programming changes, because in 1993 it allowed Washington County to put a termination date on the UNSU on the merged offense. Now Christy is unable to change the code to EXPI because there is no sentence line. Mary asked Theresa if something changed with the programming on the institution side. Theresa thought it may have been a fix a long time ago to ensure all closed offenses had sentences. Mary sent an email to Christy yesterday to contact the PTA handling those to see if they could change the data. Theresa asked if they were DOC sentences and said she would be happy to take it back. Mary said if we come across similar cases, contact OISC. The missing sentence data has caused the block, but she stated they have merged sentences go on all the time. These were older records back when they did the "data dump" just to get the records in the system. Christy told Theresa the offenses needed to be changed from UNSU to EXPI. Christy will check when she gets back and let Theresa know what the expiration dates should be.

Christy asked about two offenders due to be released on Second Look with ICE detainees. Instead of coming out on Second Look, they went to ICE and both were deported. These are tracked by the institution. The inoperative time is continually added. Unless they come back to Oregon and report, they will stay in this status. Theresa said there is no other way to capture the fact the offender is out of custody. Second Look is court-ordered and this could happen again.

Offenders who remain in custody after an appeal, then are resentenced and released, closed to POST but do not serve any post prison because they have served the post prison time while in custody, are still closed to POST because the institution does not track or calculate post prison. The Board will not create a PPS order because the offender is done with their sentence. Theresa will take this back and find out if any change could be done to better capture this information. Tina had a similar case and she did an F8 note because the PTA explained they could not change the release to anything but POST and the Board would not issue an order because there was no time. Tina left the offense closed to PPS and added an F8 note. She did not open an O line. Mary explained the system sees POST as a permanent closure. Mary believed the system will allow a body closure because POST is a permanent closure to the "I" line on the institution side, but is not for community corrections. She further explained the code RSNT is also not a permanent closure.

The policy to have an offense added to the offense table is to contact the Help Desk for a ticket to OISCSUN. They require the long description of the offense and the ORS number if you have it, and the crime class. Mary recommended we specifically ask for a ticket to OISCSUN.

PAROLE BOARD – Michelle Mooney

No one was present from the Board.

COMPACT/ICOTS UPDATE – Annie Williamson

Annie asked what the group thought of having a compact warrant template for abscond offenders for state-wide use. The federal rule is very specific in that when an offender has absconded, a nationwide, no bail warrant must be issued. The group believed this was a FAUG issue. Tina said their office has had issues as their DA does not want to issue nationwide warrants. Annie said if we are unable to get the DA to issue nationwide, no bail warrants, we should contact the compact office and they will contact Fran Lushenko and request a warrant upgrade. Mary suggested this issue be taken directly to the District Attorney's Association or the Judge's Association. OACCD will send a letter to request an invitation for Dawn to attend the next District Attorney Association conference. This will also go to the FAUG meeting next week.

Dawn is going to the Oregon Transport Association meeting. There was discussion about having an identifier in the EPR for compact offenders. Tina asked whether it would be for incoming or outgoing compact offenders. Mary said if we are supervising the offender on another state's offense, the EPR record has two available codes, CPA and CPR. SOON's practice has been to use the record type equal to the most serious or longest running offense. If we had an offender with an Oregon conviction for parole and a compact probation, the record type would be FPA. It was suggested we enter information in the miscellaneous (MIS) field for outgoing compacts, but in the case of the Oregon offense being the most serious offense, we would add compact offender information in the MIS field. Compact believes it is important to have it coded correctly for incoming offenders because when the jail wants to release them, if they are a compact offender and have waived their rights to extradition, they are subject to a different set of rules in regard to how long they can be held in custody.

DOC – Mary Hunt/Lee Cummins

Option 23/24 is currently in violation of the Department of Administrative Services rules on certain sensitive information being available over the internet. The data stream comes in over the internet, which allows victim information and SSN numbers to be available. The intention is to make the change seamless but the data will be delivered in a secure manner. One concern was with the bigger counties who have a server where the information is saved.

CC Update:

OPEN AGENDA/OPS RELATED ISSUES

LEDS/WebLEDS

An e-mail went out yesterday as they implemented the last changes to the QPR on the DOC WebLEDS server. The State P&P offices (Linn and Douglas counties) received and tested the new changes. Sometime next week, the changes will go to the CC WebLEDS server, which are all the other counties with the exception of Marion, Tillamook and Multnomah, as those three counties are on their own server. Once stable on the CC server, Kevin Potter will be contacted and everything will be sent to those three offices.

Lee and Mary sat in on part of the Manual Committee meeting yesterday. Michael will be updating Chapter 5 (LEDS / WEBLEDS /EPR ENTRY/OJIN) with the newest updates. The main change to the new QPR is all the EN fields will be available. On the regular EN mask, when you enter data into the fields and hit submit, LEDS sees it as one transaction, so there can only be a total of 9 values per transaction. (The manual section shows how many of each value can be added to each field). With the new QPR, it looks the same, but now there are supplemental boxes. First the EPR data will create the record, followed by a built-in pause, and then each supplemental box is sent as a separate transaction. This makes it possible to put up to 9 supplementals in each field. LEDS will see it as separate, so the responses will come back for each of the supplemental boxes one at a time. The mailbox number entered will fill in automatically with whatever the LEDS Rep has entered on the LEDS table. There are two condition fields, one for the conditions with text, the other for conditions without text.

Multnomah County's intake unit enters their initial EPRs so they asked if the conditions and EN fields could be added to the MPR mask. Mary explained this was not part of the service request. Mary suggested they request their intake unit to try the new QPR process for a period of time before making a new request for changes to the MPR screen.

It is now possible to remove up to 9 fields at a time, separated by a period in each field. The new CNDC and CNDT fields will accept duplicate codes as long as the text attached is different (44 character spaces in the text portion).

It was asked if there was a code for "no contact witness" but there is not. There is a "no association" code (NASN) which can be used for anything other than victim, and could be used for a place or a person.

Once the PO mailbox is entered, and the tab key is hit once, it should auto fill the PO name and numbers. You must use the tab key as the down arrow will not work.

Mary asked everyone to use the new mask for several months and keep lists of things which do not work as well as we would like. It may be possible in a few months to put in another request if there are other changes necessary.

Service Request Update:

Lee said IT has been working on the Offender Management System (OMS) where the LS/CMI and URICA will be located and where ODARA and the STM (Security Threat Management) data is currently located as intranet applications. Other institution applications are also there, but STM is something the community can use. ODARA (family violence networks' risk assessment tool) is already available on OMS and the LS/CMI will be moved there when the new case management applications are done. From your CIS main menu, use F11, 5 to access OMS. Your County IT can put the icons on your desktop. Otherwise, you can save the web addresses in your Favorites.

A change was made in the user authorization forms. If you have a user ID on the DOC400, you automatically have access to all the OMS applications. There is no longer a capability to limit a user's access to certain applications.

Lee said there will be discussion at the upcoming FAUG meeting about the changes to Option 23/24 because of sensitive information going over the internet. Once the changes are done, you will still use the same options. The only change would be a box will come up and ask if you want to save it. This will be demonstrated at FAUG.

Another risk assessment, the URICA, will be out with the new releases on the OMS. This is an assessment tool which is not mandated to be used by the community but can be used if they choose to do so, which assesses the stages of change an offender may be in. This is in system testing right now and Lee did not know how long it would be tested, but she thought it could come out fairly soon. This not a complicated piece to do data entry and works very much like the ODARA or the TCU. Announcement will be made when they are available.

Sanctions: They have almost completed testing in the sanctions system. Once those are done, the small service request which would require a sanction to be closed before it will allow a body closure, will be done. Once completed, all the records on discharged offenders and offenders where sanctions were done on previous custody cycles, will be closed to AUTO. It could be within the next month or so. The remainder of the open sanctions will have to be closed as successful or unsuccessful when the body is closed.

Another pending service request is the change to the Static 99 for the new Static 99R. This had been on hold as it was thought the age of the offender in the new computation was the current age of the offender but it was the age of the

offender at release from the charge and this information is not in CIS. They designed a pre-screen or process where there will be a series of questions to help the sex offender PO determine what that age is, and then they will have to carry that into the Static 99R and run it.

There will be a new risk assessment called the Public Safety Checklist (PSC) which will take the place of the old OCMS risk assessment. The service request was just entered for OACCD and rated extremely high. Lee explained how the risk assessment touches almost every program in CIS and is involved in almost every report in CIS, as well as impacting CMIS, where the directors get statistical data. The new risk assessment will not run on our system because it was developed by the criminal justice commission. Our system will collect the score from the CJC system and bring it into CIS. The way the risk assessment currently works, the PO enters the information and receives an initial risk assessment. Six months later, they do a risk re-assessment. With the new PSC, the information will be in a history file, and as the CCH in Oregon changes, this will affect their score, and if there is a score change, the PPO must be notified. This only takes into consideration the Oregon CCH. The border counties will use another assessment called the Proxy, which is a three question assessment that CJC will also develop so there will be a capability to run it from CJC. With offenders where the information is not yet available in the CJC system, the officers would have to use the Proxy.

Mary/Service Request Updates

SR2497: Request for the hard edit on the status override. It had been discovered someone was using the override to change a PostPrison/LC to a Post Prison/BRD. The override was only meant to be used if it shows Board and it is no longer Board, and the change is to local control. If it says local control and you want it to be Board, then there is something wrong in the data and would need to be corrected.

SR2511: Request for the edit to require sex and race entry during the admission process. There is an unknown code for race.

Mindie was working on the description screen putting in SID numbers and as she entered them and hit the enter key, she would then put in the next SID number without leaving the screen. If the previous entry had blanks in the POB, citizenship, and prism date it would fill in the data from the previous offender. It worked correctly once she hit F5 to refresh. Mary advised Mindie to turn that in as a ticket because when you are on the screen and hit enter, it should save the data, and when you pull up a new SID number and hit enter, you should only see what belongs to that SID number, so if it is not doing that (and it is usually a quick fix) Mindie should send a ticket to Development.

SR2512: This is the edit to require only four digits be accepted for a new

caseload number. On the institution side, it would accept five digits. Although PPOs do not have authority to change caseload numbers, it was found a number could still be accidentally changed if a PPO accessed caseload numbers to look up telephone numbers. This problem has been fixed, but those with authority to create a caseload number can still accidentally create a 3-digit number. SR2512 will resolve this last issue. Mary said when there are 3-digit caseload numbers; the release plans go into a black hole and never show up on your XX99 caseload number.

SR2513: Edit to prevent deletion of an offense if there are inop days attached: Once this edit is in place, if there are inop days attached to an offense, you would have to take care of those before you delete the offense.

Mary explained the above edit requests should be considered small service requests. Each division in DOC is allowed three small service requests and these are completed on a rotation through each division, by completing the first one of each division, and then going to the second, and so on.

Lee talked about discontinuing a caseload if there are orphan offenders. On our side, we cannot delete a caseload number. On the DOC side, some people still have that ability. The institutions want an edit so the general user cannot delete a caseload number, but only discontinue it. Diane Routt will incorporate our service request SR2512 with theirs, as they also liked the idea of the edit only allowing 5 digits for institution numbers. Once the SR is completed, if we need a caseload number deleted if created in error, it will not allow Lee and Mary to delete it if there are offenders assigned to that number. Also, if you enter a "6" discontinue, the system will not allow it if there are offenders attached to the caseload number. When transferring all offenders from one caseload to another, please remember to subset for *ALL Outcounts. In the past, if you attempted to discontinue the number and there were still offenders in outcount status, they were staying in limbo attached to this discontinued caseload number. When this service request is completed, the system will not allow that.

Cathy asked about a service request for OOS (Oregon Offender Search). Right now only DOC offenders are on OOS. The Community Corrections Directors had not decided whether to make community corrections offenders available as there was still a question about conditional discharges and diversions, so this was to be taken to FAUG. Since the information is available to anyone who calls an office, and the data is sold, the information is out there and is considered public information. Cathy explained when they sell records; they do sell conditional discharges and diversions. OJIN is also being sold to the public. Mary said there is no service request on that as it is still in discussion.

Open Agenda/Other OPS Related Issues

LEDS/WebLEDS

Angie asked the group how they set up a new offender prior to intake. Some offices assign the offender to the PO who did the intake. Other offices have an intake PPO and the offender is assigned to them initially and re-assigned after intake. Tina's office assigns new cases to the Director and the EPR hits print on the default printer. Christy's office does not enter an EPR until they have had intake and are assigned a PO. Other counties have mailboxes set up to a division but not a specific PO and the LEDS hits are set to print at the default printer. Angie was advised to contact Diane Kraft to ask if a LEDS mailbox can be assigned in that manner. Karen said LEDS has no issue with the mailbox assignments. Mary told Angie if Diane Kraft had questions, she could contact Mary.

Mary explained that once the new QPR works, we will have the mailbox "look up" feature. Linn and Douglas Counties are on the DOC WebLEDS server, so they have access to Linn and Douglas and institutions only. The "look up" only works on those counties on your server. It is broken out by ORI, so when you use "look up", it should open up your ORI and list your staff, and you can scroll through and find the next ORI and you can look up anyone else on that server. When the CC domain is updated, the other counties will have the same ability to look up anyone on the CC WebLEDS server and it will be broken out by ORI. In order for the "look up" feature to work correctly, names have to be formatted as Last,First (no space between) and this is done by the LEDS Representative. Diane Routt set up the names on the DOC side. Mary noticed for Multnomah, Tillamook, and Marion the names were formatted first name, last. If the names are not all formatted the same, the "look up" feature will not work correctly alphabetically.

OPS Manual

There was a manual meeting yesterday. The biggest changes were to Michael's section, LEDS/WebLEDS, to reflect all the changes coming out with the QPR mask.

The committee discussed whether the OPS manual should be on the internet as there is information on screen prints which are not public information. Tina e-mailed Mark Cadotte for a decision. Each committee member will check their own sections to be sure there is no SSN or DL. The newer version just coming out may have that information "whited" out. DOB is public information. The screen prints come from the test data but some of the test data contains information on real offenders.

Tina requested that everyone share the manual with new clerical staff.

Local Control

It was asked if there was a resolution to Christy's local control question from the June meeting. The offender had been on abscond since 1986 for three felony offenses. The judge revoked his probation with credit for time served and ordered two years PPS. He was convicted prior to LC and the question was since this was a matrix case, would it still be local control. Christy did call Bill Penny and he said it would not be a PPS, and he thought the best thing to do would be to request the Court amend the order to reflect no PPS. Christy was able to get an amended order which stated no PPS.

Lee said the new local control clean-up lists are looking much better. There are a few things they are still looking into from Research. She wanted to let us know they may be able to change the date for the next run so all the old data will be gone. Lee said Char would be happy to work on any of the new ones on the list, so send Char an e-mail. Mary does have a ticket in to fix the CRTR closure so it cannot be used on felony cases.

Carolyn asked for clarification on escape from local control. Mary said as long as the status is LC, the system should allow the escape code. If it does not allow her to use the code on someone in LC status, there is something else wrong with the record. Escape is only used for offenders who were in custody. Offenders who do not report to jail as ordered are not entered and the jail is responsible for issuing the warrant for failure to report to jail. There is no information in the local control manual about the escape code. Lee is going to check as she wrote the manual. Vicki said there is an inmate movement manual which is separate from local control.

Other OPS Related Issues

Donna Hemman had an issue with felony conditional discharges transferred to them from different counties who have different policies on acceptance. Donna would like to poll the group, which she will do through e-mail, to get policy on this, and then this would be added to the manual.

Mindie was having issues with other counties who did not enter conditional discharge cases into CIS. Mindie said they were advised by the other county they would not enter them because they do not supervise them. Lee said felony conditional discharges and diversions are funded and should be supervised. The group thought this issue might be better handled by the directors. Judy Bell will add this to the general information pages. Lee mentioned that OACCD sometimes replicates the same information we have in our manual.

Angie said they have a few files they had transferred to another county but once

the felony cases expired, the other county transferred them back to them without the certificate of expiration on the PPS and the EPR was cancelled. She asked if this was normal. Everyone agreed the certificate of expiration should have been in the file and the EPR should not have expired but should have been modified.

Tabled Discussions/Decisions

None.

USER GROUPS

SUN has not met since the last meeting. They currently have six members.

FAUG meets August 17th and 18th in Bend. They will discuss Option 23/24 fixes and sanctions.

SOSN met two weeks ago. They are working on the Static 99. Bill Sawyer is the new SOSN liaison from DOC. Lee will e-mail Bill and request he send Christy updates.

FSN last met in July and their next meeting is in Linn County on October 22. Their service request for a more detailed supervision fee and caseload statistic report (to include caseload and offender names) is in the process.

Mary reminded the group when any change is made to the movement history maintenance screen, have your fee person check the fee records. Recently it was found that Multnomah County had a fee record in the wrong Multnomah office. Mary believed at some point they must have been transferred, which changed the fee account location, but then that transfer was backed out. The fee reps can go in and make changes to the account itself but back at the main screen it still showed the other location. Mary said it would be very helpful to advise the fee person immediately when backing out any location. It is easier to fix it right away than to discover the problem later and try to determine what caused it. If you have to correct the begin date on an offense, let the fee person know. Any movements or changes to the offense could change the fee system. In some offices, there may not be a separate fee person, but the data entry person must remember to check the fee system. Some of the fixes can be done by the fee rep and some cannot, and may require a request to development. If it is something the fee person can fix, it would be in the fee manual. If you cannot find the answer in the manual, it probably has to go to development.

OACCD last met on July 13 and 14 in Newport. They discussed the budget. They voted on the Public Safety Checklist as the replacement for OCMS.

Round table

Tina mentioned all the acronyms can be found in the glossary section of the manual.

Mindie asked if there was a list of documents which are required to be included in a new transfer. She had recently received a transfer with a scanned order only and no file. Lee said there is a new transfer rule which was just made permanent and Lee will send the link to the group.

Next Meeting: October 13, Umatilla County

DEPARTMENT OF CORRECTIONS

DIVISION 19

TRANSFER (COMMUNITY CORRECTIONS)

Procedures
291-019-0100

Authority, Purpose, and Policy

(1) Authority: The authority for this rule is granted to the Director of the Department of Corrections in accordance with ORS 179.040, 423.020, 423.030, 423.075, and 423.525(6).

(2) Purpose: The purpose of this rule is to establish the procedure by which supervision of offenders, is transferred between county community corrections agencies.

(3) Policy: It is the policy of the Department of Corrections that supervision of offenders be provided by the community corrections agency in the offender's county of residence and that offenders shall comply with the standard conditions of supervision requiring them to obtain permission from the supervising officer before moving between counties.

Stat. Auth.: ORS 179.040, 423.020, 423.030 & 423.075
Stats. Implemented: ORS 179.040, 423.020, 423.030 & 423.075
Hist.: CD 27-1997, f. & cert. ef. 11-26-97

291-019-0110

Definitions

(1) County of Residence: County in which the offender lives and sleeps.

(2) Emergency Reporting: For sex offender cases, reporting instructions provided by the receiving county when a documented emergency exists requiring an expedited transfer. Parameters for emergency reporting are a documented immediate threat to victim(s) or offender or documented "other" emergency.

(3) EPR: The probation/parole record on the Law Enforcement Data System (LEDS).

(4) Offender: Any person under the supervision of local community corrections who is on parole, post prison supervision, or probation status.

(5) New Case: A new case is any case where the offender has been supervised for less than 30 working days by the county of conviction and where the offender is not being supervised in any other jurisdiction at the time of conviction. This includes offenders who have been sentenced to probation and released from incarceration with no pending criminal issues. New cases that fail to appear for intake and are closed to abscond can only be transferred through formal transfer processes after violation procedures have been initiated and all reports have been submitted.

(6) Officer: A probation and parole officer employed by or under the direction of the court, the county, or the state.

(7) Releasing Authority: Department of Corrections, courts, and Board of Parole and Post Prison Supervision, or supervising authority.

(8) Receiving Office: The county community corrections agency being requested to accept the supervision of an offender.

(9) Sending Office: The county community corrections agency requesting to transfer the supervision of an offender to another jurisdiction.

(10) Residence: For the purposes of this rule, a residence is where the offender is currently residing and where he/she expresses a desire to remain. This includes transient living quarters, fishing boats, and other non-traditional situations, providing that the offender has the ability to remain in those living quarters for a minimum of 30 days.

(11) Transfer: An offender is considered to be transferred when responsibility for his/her supervision is accepted by the receiving county. Assignment of a case to a different parole or probation officer within the same county by administrative action is not a transfer.

(12) Temporary Supervision: The short-term supervision of offenders agreed upon by the two community corrections agencies for the purpose of information gathering or investigation.

Stat. Auth.: ORS 179.040, 423.020, 423.030 & 423.075
Stats. Implemented: ORS 179.040, 423.020, 423.030 & 423.075
Hist.: CD 27-1997, f. & cert. ef. 11-26-97; DOC 11-2001, f. & cert. ef. 4-5-01; DOC 13-2011, f. & cert. ef. 7-15-11

291-019-0120

General

(1) Prior to a supervising officer granting an offender permission to move to another county, the offender must present a plan which considers:

(a) Public safety; and

(b) The county which can provide the most effective means of supervising the offender in accordance with conditions as set by the releasing authority (e.g., treatment, stable housing, employment or legitimate source of income).

(2) Nothing in this rule prohibits a county(ies) to engage in an agreement with another county(ies) that is mutually satisfactory regarding the transfer of cases.

Stat. Auth.: ORS 179.040, 423.020, 423.030 & 423.075
Stats. Implemented: ORS 179.040, 423.020, 423.030 & 423.075
Hist.: CD 27-1997, f. & cert. ef. 11-26-97

291-019-0130

Transfers of Supervision Between Community Corrections Agencies: Standards for Request and Acceptance

(1) Requests:

(a) Except for sex offender cases, whenever an officer has given an offender permission to relocate to a different county, within 30 days, the officer shall submit a transfer investigation request to the receiving county on all cases including misdemeanors.

(A) If the purpose of the change of residence is for residential treatment and a return is anticipated, no transfer is necessary.

(B) For low and limited supervision and low and limited risk offenders, the county of supervision will notify the county of residence in writing that the offender now resides in their county. The receiving county may review the offender's history in the Corrections Information System to determine whether they wish to assume supervision. The decision to

investigate and accept supervision shall be at the discretion of the county of residence.

(C) Under no circumstances shall a probation or parole officer allow a sex offender to move to a new county without first applying for and receiving emergency reporting instructions. If parameters for emergency reporting do not apply, then the offender must remain in the sending county until a full transfer investigation is completed.

(b) Transfer Investigation: In all cases involving the transfer of the supervision responsibility for an offender, the sending county shall assure that the following information is up to date and accurate in the offender's ISIS (computer integrated system) file prior to making the investigation request:

(A) Name: Last, first, and middle;

(B) Date of birth;

(C) SID Number: If none is available, the sending office shall submit a fingerprint card to the State Identification Bureau prior to transfer;

(D) Crime(s);

(E) County(ies);

(F) Sentencing data including county, docket numbers, expiration date, and judge's name for each case;

(G) History/risk score according to the Oregon Case Management System;

(H) Date of request to transfer;

(I) Special Conditions: List all special conditions including specific dollar amounts for restitution, court costs, fines and fees as well as community service hours and any other conditions requiring specificity;

(J) Residence: Provide a complete address; rural addresses should include specific directions on location of the residence as well as a description; and

(K) Conformance: Note any non-compliance with either the general or special conditions of supervision. Reflect the exact amount of any financial obligations owed to date and any other pertinent information.

(c) Sex Offenders: A transfer packet must be sent to the receiving county. The transfer packet shall include:

(A) Court orders/parole or post-prison supervision order;

(B) Sex offender evaluation (if available);

(C) Presentence investigation or police reports;

(D) Completed sex offender risk assessment; and

(E) Most recent treatment progress report or treatment discharge report.

(2) Acceptance/Rejection:

(a) If a sex offender meets the documented parameters for emergency reporting, the sending county must provide emergency reporting information to the receiving county. The receiving county has up to five days to reply. Once the receiving county has accepted the offender on an emergency basis, a rule transfer packet must be sent to the receiving county.

(b) The receiving county must complete the investigation and respond to the sending county within 30 days.

(c) The transfer request must be accepted if the offender has a job or other legitimate source of income, a residence and the means to comply with the special conditions of his/her supervision unless:

(A) The only active supervision is for a misdemeanor and the receiving county is unable to provide supervision based on misdemeanor status, due to county policy and/or resource limitations; or

(B) Public safety would be compromised by the transfer (e.g. , a child molester residing in a dwelling where children are present; a proposed residence provider supporting sex offender's denial or noncompliance; a drug offender residing in a known drug house; an arson offender residing in a boarding house); or

(C) The supervision is for a low and limited supervision or low and limited risk offender, whereas the decision to accept supervision is at the discretion of the county of residence.

(d) Neither non-compliance (except for sex offender cases) nor outstanding misdemeanor warrants shall be grounds for rejection. Felony warrants and warrants involving active cases for which an offender is under formal supervision shall be resolved prior to the transfer process.

(e) Supervision of a misdemeanor must be accepted if there is concurrent felony supervision.

(f) Outstanding Warrants and Pending Criminal Charges/Violations: Prior to transfer, the sending office shall:

(A) Make reasonable efforts to resolve any warrants;

(B) Remove any individual county requirements outside of usual practice;

(C) Report all non-compliance/violations to the releasing authority; and

(D) Be responsible for resolving all pending non-compliance/violations. The sending county should collaborate with the receiving county to determine an appropriate response to pending violations.

(g) When a transfer is rejected in the interest of public safety, the offender shall be directed by the receiving county to return to the sending county or to secure a suitable residence elsewhere, except for sex offenders who have been granted emergency reporting instructions, who shall be directed to return to the sending county and to initiate any further transfer requests from the sending county. Failure of the offender to do so is a violation and may be grounds for revocation. The reason for rejection needs to be specified and reviewed by the unit supervisor.

(h) During the transfer investigation, if an officer from the receiving office observes a violation or has reason to believe that a violation has occurred, that officer shall immediately report the alleged violation to the sending office for appropriate response.

Stat. Auth.: ORS 179.040, 423.020, 423.030 & 423.075
Stats. Implemented: ORS 179.040, 423.020, 423.030 & 423.075
Hist.: CD 27-1997, f. & cert. ef. 11-26-97; DOC 11-2001, f. & cert. ef. 4-5-01; DOC 6-2009 f. & cert. ef. 5-22-09; DOC 13-2011, f. & cert. ef. 7-15-11

291-019-0140

Notice of Transfer

(1) Notice of Decision on Transfer: The sending office shall be notified by the receiving office of acceptance or rejection or delay in completing the investigation within 30 days of the request.

(2) File Transfer: The sending office shall forward the offender file within five working days of the notice of acceptance of the transfer.

(3) Formal Supervision: Formal supervision of the offender shall begin in the receiving county at the time of notification of acceptance of the transfer.

(4) Law Enforcement Data System (LEDS): The sending office shall modify the EPR record within five working days after notice of transfer acceptance

(5) Corrections Information System (CIS): Upon notification of transfer acceptance, the sending office shall, within five working days, make required changes in the CIS. When the file is received, the receiving office shall assure that the Department's database records and LEDS EPR accurately reflect the county of supervision.

(6) Transfer Chronological Entry: Once a sex offender is accepted for transfer, the parole or probation officer from the sending office shall complete a transfer chronological entry which includes a brief history of violations; record of any community notification; offender's treatment progress; status of polygraphs (when was the last one completed, what were the results); the circumstances under which an offender is allowed contact with minors (who are the minors, who are the supervisors, when, where).

(7) Sex Offender Registration: The parole or probation officer in the receiving county will assure the sex offender registration is updated by the offender with the designated law enforcement agency.

Stat. Auth.: ORS 179.040, 423.020, 423.030 & 423.075
Stats. Implemented: ORS 179.040, 423.020, 423.030 & 423.075
Hist.: CD 27-1997, f. & cert. ef. 11-26-97; DOC 11-2001, f. & cert. ef. 4-5-01

291-019-0150

Dispute Resolution

Dispute Resolution: It is a matter of policy that the offender should be supervised by the agency serving the offender's county of residence and, with exception of sex offenders, regardless of whether or not the offender is in compliance with conditions. However, if the goals of public safety are clearly compromised by the transfer, rejection is appropriate. The Assistant Director of Transitional Services for the Department of Corrections or designee shall be consulted whenever a transfer issue cannot be resolved at the local manager/director level.

Stat. Auth.: ORS 179.040, 423.020, 423.030 & 423.075
Stats. Implemented: ORS 179.040, 423.020, 423.030 & 423.075
Hist.: CD 27-1997, f. & cert. ef. 11-26-97; DOC 11-2001, f. & cert. ef. 4-5-01; DOC 13-2011, f. & cert. ef. 7-15-11

291-019-0160

Cases not Requiring Transfer Request and Corresponding Responsibilities

(1) New Cases: New cases are not subject to the transfer process.

(2) If the offender resides in a county other than the county of conviction, the office serving the county of residence shall assume supervision without requiring any transfer investigation from the sending office.

(3) Ninety-day Rule: If an offender, whose residence is in another county, is sentenced by court order to less than 90 days in jail, the case will be transferred to the office in the county of residence. If an offender is sentenced to 90 days or more, the case will be held by the county of conviction until released from jail at which time the case will be handled as a new intake in the county of residence upon verification of residence.

(4) In situations described in sections (2) and (3) above, it is the responsibility of the office for the county in which the conviction occurred to assure that the court order is sent to the office in the county of residence.

(5) Six-Month Rule: In the last six months of supervision, and when an offender is in compliance, other options should be considered (i.e., early termination, bench probation, limited risk, inactive/unsupervised status) before attempting to transfer.

(6) The supervision of an offender's 12 month or less sentence to the legal and physical custody of the supervisory authority of a county is not subject to transfer under this rule.

(7) The supervision of an offender's furlough or release agreement while serving a new sentence, revocation sentence, local sanction or sentence as a condition of supervision is not subject to transfer under this rule.

Stat. Auth.: ORS 179.040, 423.020, 423.030 & 423.075

Stats. Implemented: ORS 179.040, 423.020, 423.030 & 423.075

Hist.: CD 27-1997, f. & cert. ef. 11-26-97; DOC 11-2001, f. & cert. ef. 4-5-01

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