

Chapter 423

1967 REPLACEMENT PART

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GENERAL PROVISIONS

423.010 Definitions. As used in this chapter, unless the context requires otherwise:

(1) "Administrator" means the Administrator of the Corrections Division.

(2) "Board of Control" or "board" means the Oregon State Board of Control.

(3) "Corrections Division" or "division" means the Corrections Division of the Oregon State Board of Control.

(4) "Juvenile training school" means the Hillcrest School of Oregon, the MacLaren School for Boys and any other school established by law for similar purposes, and includes any camps maintained under ORS chapter 420 for students of such schools.

(5) "Penal and correctional institutions" means the Oregon State Penitentiary, the Oregon State Correctional Institution, and includes (a) the building for female inmates committed to the penitentiary, and (b) any camps or facilities maintained under ORS chapter 421 for inmates or paroled former inmates of such institutions.

[1965 c.616 §1]

423.020 Corrections Division; duties and powers. (1) The Corrections Division of the Oregon State Board of Control shall:

(a) Supervise the management and administration of the penal and correctional institutions, the juvenile training schools and other functions related to state programs for corrections as provided in ORS chapters 179, 420 and 421, and

(b) Accept the custody of persons committed to its jurisdiction by the courts of this state.

(2) The Corrections Division of the Oregon State Board of Control may:

(a) Institute and sponsor, in cooperation with public or private agencies, the development of community programs designed to reduce the causes of juvenile delinquency and to aid in the rehabilitation of juvenile delinquents.

(b) Provide consultation services related to the prevention, control and treatment of crime and delinquency to local or state-wide public or private agencies, groups, and individuals, or initiate such consultation services. Consultation services shall include, but not be limited to, conducting studies and surveys, sponsoring or participating in educational programs, and advising and assisting these agencies, groups or individuals.

[1965 c.616 §2; 1967 c.352 §1; 1967 c.585 §6]

423.030 Division and Board of Control not limited by ORS 423.020. The enumeration of duties, functions and powers in ORS 423.020 is not exclusive nor intended as a limitation on the powers and authority vested in the division or the Board of Control by other provisions of law.

[1965 c.616 §3]

423.040 Administrator of Corrections Division. (1) The Administrator of the Corrections Division is appointed by the Board of Control and serves at the pleasure of the board. The administrator must be a person who, by training and experience, is well qualified to perform the duties of his office.

(2) The administrator, as directed by the board, is responsible for the management and administration of the affairs and the performance of the functions and duties of the division. Subject to the approval of the board, the administrator may organize and reorganize the division as necessary to properly conduct the work of the division. The administrator is in the unclassified service.

(3) Upon request of the board, the administrator shall submit statistical and progress reports and make recommendations to the board relative to the institutions, schools and other programs and services under jurisdiction of the division.

[1965 c.616 §4; 1967 c.7 §39]

423.050 Appointment of subordinates within division. The administrator may appoint all classified and unclassified employees of the division, prescribe their duties and fix their compensation, subject to the limitations prescribed by law.

[1965 c.616 §5]

423.060 Rules. In order to carry out the programs and responsibilities of the division, the administrator shall promulgate rules for the administration of the division and its institutions, schools, programs and services, subject to the approval of the board.

[1965 c.616 §6]

423.070 Deposit and disbursement of funds received under Western Interstate Corrections Compact. All funds received by this state or by the division for this state under a lawful contract with another party to the Western Interstate Corrections Compact made in compliance with Article III thereof, shall be paid into the State Treasury. The administrator shall expend these funds in compliance with the contract.

[Formerly 179.122]

423.080 Contracts or agreements with respect to parole, probation and work release programs. (1) The Corrections Division may enter into contracts or agreements to provide functions required by ORS 144.040 with the State Board of Parole and Probation.

(2) The Corrections Division is authorized to perform any functions authorized by ORS 144.040 that it contracts or agrees to provide pursuant to subsection (1) of this section.

(3) The Board of Control may collect moneys due under any contract or agreement entered into pursuant to subsection (1) of this section and shall credit such moneys to existing miscellaneous receipts accounts which are continuously appropriated for expenditure by the board.

(4) The Corrections Division may enter into contracts or agreements to obtain services required to perform its duties under ORS 144.430 with the State Board of Parole and Probation, and pay for such services from funds appropriated therefor.

[1967 c.564 §§8, 9]

423.090 Establishment or designation of diagnostic facilities. The Corrections Division may establish or designate facilities to be used for diagnostic purposes for such categories of persons as the division may by rule assign to the facility. Such assignments shall not exceed 60 days in duration.

[1967 c.585 §1]

CRIME PREVENTION

423.210 Experimental crime prevention section. There is hereby established an experimental crime prevention section in the Corrections Division. The Administrator may employ specialists, clerks and other employes as may be required in carrying out a crime prevention program and may accept grants and gifts from, and cooperate with, governmental and private agencies and private individuals in carrying out such a crime prevention program.

[1967 c.572 §1]

423.220 Crime Control Coordinating Council; membership; duties. (1) There is hereby established the Crime Control Coordinating Council. The council shall consist of the Governor or his representative in his absence, the Attorney General, Administrator of the Corrections Division of the Board of Control, Superintendent of State Police, the

Chairman of the State Board of Parole and Probation, the Warden of the Oregon State Penitentiary, the Superintendents of the Oregon State Correctional Institution, MacLaren School for Boys, Hillcrest School of Oregon, and the Oregon State Hospital and the Executive Secretary of the Governor's Committee on Children and Youth. In addition, the Governor shall appoint a member of the Oregon Legislative Assembly, a judge of the circuit court, a judge of the juvenile court, a judge of a district court, a justice of the peace, a municipal judge, a director of a county juvenile department, a district attorney, a sheriff and a city chief of police who shall likewise be members of said council; provided, however, members of the legislative and judicial branches of government appointed to this council shall serve in an advisory and liaison capacity only and shall have no vote nor exercise any executive functions as members of this council.

(2) The Governor shall be the chairman of the Crime Control Coordinating Council. The Attorney General shall be vice chairman.

(3) The Crime Control Coordinating Council shall:

(a) Assist the Governor in developing, planning and carrying out a long-range, state-wide crime and delinquency prevention program for Oregon.

(b) Assist the Governor in coordinating the crime and delinquency prevention activities of all state departments and agencies.

(c) Advise and assist local communities and citizen groups in developing, planning and carrying out citizen-action type, local crime and delinquency prevention councils and programs.

(d) Advise and assist the Governor in establishing in the Corrections Division of the Board of Control a clearing house for crime and delinquency prevention programs, methods and techniques.

(e) Conduct and supervise conferences and educational programs.

[1967 c.572 §2]

423.230 Duties of administrator in crime prevention program. For the purposes of furthering such a program and gathering information and data to be submitted to the Fifty-fifth Legislative Assembly, the Administrator of the Corrections Division shall:

(1) Supervise all matters relating to the crime prevention program.

(2) Collect and compile statistics relative

to crime prevention which he may deem important or of value to such a program.

(3) Assist in establishing local crime prevention councils and student crime prevention councils in the cities, counties and schools of this state.

(4) Conduct an educational program to inform the citizenry concerning the nature, extent, underlying causes and prevention of crime and delinquency in this state.

(5) Establish in the Corrections Division a clearing house for crime prevention information and techniques.

(6) Make surveys, investigations and inquiries into the causes of crime and its prevention.

[1967 c.572 §3]

423.240 Cooperation of state agencies. All officers, boards, commissions and other agencies of the state shall cooperate with the Governor and the Administrator of the Corrections Division in accomplishing the purposes of ORS 423.210 to 423.280.

[1967 c.572 §4]

423.280 Crime Control Coordinating Council Account. There hereby is established in the General Fund of the State Treasury an account to be known as the Crime Control Coordinating Council Account. All moneys received by the council shall be paid into the State Treasury and credited to such account and hereby are appropriated continuously for and shall be used by the council in carrying out the purposes of ORS 423.210 to 423.280.

[1967 c.572 §5]

COURT SERVICES

423.310 Administering court services. In administering court services, as defined in ORS 3.250, the Corrections Division shall:

(1) Assist and maintain liaison with counties and circuit courts in developing plans and programs relating to court services.

(2) Promote and assist in the development of academic and inservice training programs in public and private agencies, including the Division.

(3) Assist in locating qualified applicants

and in making their names available to persons responsible for administering court services in the counties.

[1967 c.534 §7]

Note: ORS 423.310 takes effect July 1, 1968. See 1967 c.534 §35.

423.320 Advisory committee on court services. (1) There is created an advisory committee on court services to advise the Corrections Division and the courts in carrying out their duties under this Act and consisting of:

(a) One judge of the Oregon Supreme Court, appointed by the Chief Justice.

(b) Four circuit court judges, appointed by the Chief Justice of the Oregon Supreme Court.

(c) Four members, one each from the fields of education, law enforcement, mental health and social welfare, appointed by the Governor.

(d) One member of the Oregon State Bar, appointed by the Governor from a panel of three nominated by the Board of Governors of the Oregon State Bar.

(2) The advisory committee shall select one of its members as chairman, and another as vice chairman, for such terms and with such powers and duties necessary for the performance of the functions of such offices as the committee shall determine. A majority of the committee constitutes a quorum for the transaction of business.

(3) The term of office of a member is four years, but judges appointed pursuant to paragraphs (a) and (b) of subsection (1) of this section shall serve only for as long as they hold the office of judge. In case of a vacancy for any cause, the authority which appointed the vacating member shall make an appointment to become immediately effective for the unexpired term.

(4) A member of the advisory committee shall receive no compensation for his service as a member; but, subject to any other applicable law regulating travel and other expenses of state officers, he may receive his actual and necessary travel and other expenses incurred in the performance of his official duties.

[1967 c.534 §8]

Note: ORS 423.320 takes effect July 1, 1968. See 1967 c.534 §35.

CORRECTIONS DIVISION

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Robert W. Lundy, Legislative Counsel, do hereby certify that I have each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.
Done at Salem, Oregon,
on December 1, 1967.

Robert W. Lundy
Legislative Counsel

CHAPTERS 424 AND 425

[Reserved for expansion]

