

# House Bill 2465

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Judiciary for Federation of Oregon Parole and Probation Officers)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act makes changes to what parole and probation officers can do. (Flesch Readability Score: 67.7).

Provides that the unlawful departure of a person from the custody of a parole and probation officer constitutes the crime of escape.

Authorizes parole and probation officers to view digital copies of driver license photographs retained by the Department of Transportation.

## A BILL FOR AN ACT

1  
2 Relating to the authority of supervising officers; amending ORS 162.135 and 807.115.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 162.135 is amended to read:

5 162.135. As used in ORS 162.135 to 162.205, unless the context requires otherwise:

6 (1)(a) "Contraband" means:

7 (A) Controlled substances as defined in ORS 475.005;

8 (B) Drug paraphernalia as defined in ORS 475.525;

9 (C) Except as otherwise provided in paragraph (b) of this subsection, currency possessed by or  
10 in the control of [*an adult in custody*] **a person** confined in a correctional facility; or

11 (D) Any article or thing which a person confined in a correctional facility, youth correction fa-  
12 cility or state hospital is prohibited by statute, rule or order from obtaining or possessing, and  
13 whose use would endanger the safety or security of such institution or any person therein.

14 (b) "Contraband" does not include authorized currency possessed by [*an adult in custody*] **a**  
15 **person confined** in a work release facility.

16 (2) "Correctional facility" means any place used for the confinement of persons charged with  
17 or convicted of a crime or otherwise confined under a court order and includes but is not limited  
18 to a youth correction facility. "Correctional facility" applies to a state hospital or a secure intensive  
19 community inpatient facility only as to persons detained therein charged with or convicted of a  
20 crime, or detained therein after having been found guilty except for insanity of a crime under ORS  
21 161.290 to 161.373.

22 (3) "Currency" means paper money and coins that are within the correctional institution.

23 (4) "Custody" means the imposition of actual or constructive restraint by a peace officer **or a**  
24 **parole and probation officer as defined in ORS 181A.355**, pursuant to an arrest or court order,  
25 but does not include detention in a correctional facility, youth correction facility or a state hospital.

26 (5) "Escape" means the unlawful departure of a person from custody or a correctional facility.  
27 "Escape" includes the unauthorized departure or absence from this state or failure to return to this  
28 state by a person who is under the jurisdiction of the Psychiatric Security Review Board under ORS

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 161.315 to 161.351. "Escape" does not include failure to comply with provisions of a conditional re-  
2 lease in ORS 135.245.

3 (6) "Youth correction facility" means:

4 (a) A youth correction facility as defined in ORS 420.005; and

5 (b) A detention facility as defined in ORS 419A.004.

6 (7) "State hospital" means the Oregon State Hospital and any other hospital established by law  
7 for similar purposes.

8 (8) "Unauthorized departure" means the unauthorized departure of a person confined by court  
9 order in a youth correction facility or a state hospital that, because of the nature of the court order,  
10 is not a correctional facility as defined in this section, or the failure to return to [*custody*] **con-**  
11 **finement** after any form of temporary release or transitional leave from a correctional facility.

12 **SECTION 2.** ORS 807.115, as amended by section 4, chapter 63, Oregon Laws 2024, is amended  
13 to read:

14 807.115. (1) The Department of Transportation shall retain a digital image of each photograph  
15 and signature shown on a driver license under the provisions of ORS 807.110 or an identification  
16 card under ORS 807.400.

17 (2) The digital images of photographs may not be made available to anyone other than law  
18 enforcement officials, **parole and probation officers** and employees of the department acting in an  
19 official capacity.

20 (3) As used in this section[,]:

21 (a) "Law enforcement official" includes a humane special agent as defined in ORS 181A.345.

22 (b) "**Parole and probation officer**" has the meaning given that term in ORS 181A.355.  
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