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CHAPTER 291

DEPARTMENT OF CORRECTIONS

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RULES:

291-141-0005, 291-141-0010, 291-141-0015, 291-141-0020, 291-141-0035, 291-141-0040, 291-141-0045

AMEND: 291-141-0005

RULE TITLE: Authority, Purpose and Policy

NOTICE FILED DATE: 07/28/2025

RULE SUMMARY: Amends rule to change the term "inmate" to "adult in custody" and make a clear distinction between general library services and legal library services for adults in custody.

RULE TEXT:

(1) Authority: The authority for 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 establish uniform guidelines for the operation of general libraries and the provision for general library services in each Department of Corrections facility.

(3) Policy: It is the policy of the Department of Corrections to maintain institution general libraries for the literary enrichment of adults in custody.

STATUTORY/OTHER AUTHORITY: ORS 179.040, 423.020, 423.030, 423.075

STATUTES/OTHER IMPLEMENTED: ORS 179.040, 423.020, 423.030, 423.075

AMEND: 291-141-0010

RULE TITLE: Definitions

NOTICE FILED DATE: 07/28/2025

RULE SUMMARY: Amends rule to change the term "inmate" to "adult in custody", define terms used within these rules or update definitions, and make a clear distinction between general library services and legal library services for adults in custody.

RULE TEXT:

- (1) Adult in Custody: Any person under the supervision of the Department of Corrections who is not on parole, probation, or post-prison supervision status.
- (2) Department of Corrections Facility: Any institution, facility, or staff office, including the grounds, operated by the Department of Corrections.
- (3) General Library: A collection of books and other materials, not including Law Library books or materials.
- (4) Library Clerk: An adult in custody assigned to work in a Department of Corrections facility library.
- (5) Library Coordinator: A department employee assigned to provide general and law library services to adults in custody in a Department of Corrections facility.
- (6) Special Housing: Adult in custody housing assignments other than general population, including but not limited to, disciplinary segregation unit, administrative segregation, intensive management unit, mental health infirmary, behavioral health unit, intermediate care housing, and infirmary.

STATUTORY/OTHER AUTHORITY: ORS 179.040, 423.020, 423.030, 423.075

STATUTES/OTHER IMPLEMENTED: ORS 179.040, 423.020, 423.030, 423.075

AMEND: 291-141-0015

RULE TITLE: Services

NOTICE FILED DATE: 07/28/2025

RULE SUMMARY: Amends rule to change the term "inmate" to "adult in custody", align with current practice, reorganize, make a distinction between general library services and legal library services for adults in custody, and clarify duties.

RULE TEXT:

- (1) Information regarding general library services will be a part of the adult in custody's orientation to the Department of Corrections facility.
- (2) Each Department of Corrections facility with a library coordinator shall provide adult in custody library services. Those facilities without a library coordinator shall provide a level and variety of general reading material.
- (3) Books and materials acquired from interlibrary loan shall be subject to the procedures governing facility library books and materials unless the lending libraries have specific requirements.
- (4) Library Coordinator Duties: The library coordinator or other employee assigned to the general library shall:
 - (a) Maintain a comprehensive variety of books and materials to reflect the varying interests, reading abilities, languages, and needs of adults in custody and will update the books and materials through donations and planned acquisition.
 - (b) Acquire books and reading materials that complement the facilities education and treatment programs.
 - (c) Accept or decline donations of material using the same criteria as described in this rule.
 - (d) Coordinate and supervise general library services, including assisting adults in custody to obtain information and reference services either from that general library's own collection or from the Oregon State Library according to procedures established by the Oregon State Library for that purpose.
 - (e) Select, train, and supervise adults in custody as library clerks.

STATUTORY/OTHER AUTHORITY: ORS 179.040, 423.020, 423.030, 423.075

STATUTES/OTHER IMPLEMENTED: ORS 179.040, 423.020, 423.030, 423.075

AMEND: 291-141-0020

RULE TITLE: Schedule

NOTICE FILED DATE: 07/28/2025

RULE SUMMARY: Amends rule to change the term "inmate" to "adult in custody", to clarify, make a distinction between general library services and legal library services for adults in custody, and for consistency with other department rules.

RULE TEXT:

(1) At facilities with a general library that allows in-person library book and material check out, a schedule of general library hours will be posted in areas convenient for adult in custody observation and notification.

(2) This schedule will afford adults in custody the opportunity to use the general library in accordance with available space and supervision.

(3) Adults in custody in special housing will be provided general library services in accordance with the department's rules on Segregation (Disciplinary) (OAR 291-011) and Intensive Management Unit (OAR 291-055).

STATUTORY/OTHER AUTHORITY: ORS 179.040, 423.020, 423.030, 423.075

STATUTES/OTHER IMPLEMENTED: ORS 179.040, 423.020, 423.030, 423.075

AMEND: 291-141-0035

RULE TITLE: Returned, Overdue, Lost, and Damaged Library Books and Materials

NOTICE FILED DATE: 07/28/2025

RULE SUMMARY: Amends rule to change the term "inmate" to "adult in custody", to make a distinction between general library services and legal library services for adults in custody, for consistency with other department rules, and to further define process for returned, overdue, lost, or damaged library books or materials.

RULE TEXT:

(1) When transferring to another Department of Corrections facility, adults in custody shall make every effort to leave all general library books and materials at their originating facility. If an adult in custody inadvertently transfers to another correctional facility with any general library book or material, they shall immediately turn the item into the general library at the facility to which they have been transferred.

(2) General Library Books and Materials:

(a) Adults in custody who lose, damage, or fail to return general library books or materials may receive a conduct order for a cell-in. General library books or materials will be considered overdue if not returned within two weeks of due date. After three overdue notices the item will be considered lost, and a conduct order can be issued for the lost or damaged general library books or materials process outlined above. The adult in custody's conduct history will be used to determine the length of cell-in.

(A) 1st time – Up to 24 Hours

(B) 2nd time – Up to 48 hours

(C) 3rd time – Up to 72 hours

(b) If an adult in custody has already received three conduct orders for losing, damaging, or failing to return a general library book or material, a misconduct report may be written. The offense on the misconduct report will be consistent with the criteria established in 1.06 Property II (Minor).

(3) Damage to or defects in general library books and materials shall be documented on the item before it is reissued.

STATUTORY/OTHER AUTHORITY: ORS 179.040, 423.020, 423.030, 423.075

STATUTES/OTHER IMPLEMENTED: ORS 179.040, 423.020, 423.030, 423.075

AMEND: 291-141-0040

RULE TITLE: Legal Library Services

NOTICE FILED DATE: 07/28/2025

RULE SUMMARY: Amends rule to change "inmate" to "adult in custody" and for consistency with language used in other department rules.

RULE TEXT:

Legal library services to adults in custody residing in Department of Corrections facilities will be provided in accordance with the department's rules on Legal Affairs (AIC) (OAR 291-139).

STATUTORY/OTHER AUTHORITY: ORS 179.040, 423.020, 423.030, 423.075

STATUTES/OTHER IMPLEMENTED: ORS 179.040, 423.020, 423.030, 423.075

AMEND: 291-141-0045

RULE TITLE: General

NOTICE FILED DATE: 07/28/2025

RULE SUMMARY: Amends rule to change "inmate" to "adult in custody", for consistency within these rules and with other department rules, to make a distinction between general library services and legal library services for adults in custody, to clarify.

RULE TEXT:

(1) All general library books and materials entering Department of Corrections facilities and made available to adults in custody shall conform to the department's standards for mail in OAR 291-131.

(2) The following information will be included in the general library services handout at the adult in custody's orientation to the Department of Corrections facility:

- (a) Days and times when the general library is open for use, depending on available space and supervision;
- (b) The process for checking out, renewing, and returning books and materials;
- (c) The maximum number of five general library books and materials that may be checked out from the general library at any given time; and
- (d) The length of time books and materials may be kept before it is considered overdue.

STATUTORY/OTHER AUTHORITY: ORS 179.040, 423.020, 423.030, 423.075

STATUTES/OTHER IMPLEMENTED: ORS 179.040, 423.020, 423.030, 423.075