

ORS 169.320¹ Control over prisoners

- work by prisoners

(1) Except as otherwise provided in ORS 169.170 (Assignment of county prisoners to public works) to 169.210 (Contracts for private employment of prisoners), each county sheriff has custody and control of all persons legally committed or confined in the county local correctional facility of the county of the sheriff during the period of the commitment or confinement. Under the direction of the county court or board of county commissioners of the county, the sheriff may cause the prisoners in the county local correctional facility to engage in any work that is otherwise authorized by law. The work shall be performed at the places and times and in the manner as the court or board may direct. The sheriff may retain and put to work any prisoners as may be required to perform necessary services in and about the facility.

(2)(a) If the county is located within an intergovernmental corrections entity formed under ORS 190.265 (Intergovernmental corrections entities), the county sheriff of the county in which the facility is located is responsible for the physical custody and control of all persons legally committed to or confined in the facility during the period of the commitment or confinement and as provided in the intergovernmental agreement. The county sheriff may cause the prisoners in the local correctional facility to engage in any work that is otherwise authorized by law. The work shall be performed at the places and times and in the manner as the governing body of the intergovernmental corrections entity may direct. The sheriff may retain and put to work any prisoners as may be required to perform necessary services in and about the facility.

(b) Notwithstanding paragraph (a) of this subsection, a sheriff oversight committee has the responsibilities described in paragraph (a) of this subsection if the following requirements have been met:

(A) The agreement establishing the intergovernmental corrections entity provides for the formation and operation of a sheriff oversight committee;

(B) A sheriff oversight committee consisting of the sheriff of each county that is a member of the intergovernmental corrections entity has been formed; and

(C) Each sheriff has an equal vote on the sheriff oversight committee.

(c) A sheriff oversight committee formed as described in this subsection has all the duties and liabilities regarding the management of the local correctional facility and the physical custody and control of all persons legally committed to or confined in the facility as described in ORS 169.320 (Control over prisoners) to 169.360 (Appointment of keeper of local correctional facility) and 169.610 (Policy) to 169.677 (Converted facilities to house felony or misdemeanor prisoners). [Amended by 1973 c.740 §21; 1996 c.4 §5; 1999 c.801 §4]

Annotations

Notes of Decisions

County jail inmates performing work authorized by this section were not subject workers under ORS 656.027 (Who are subject workers) where county had not filed election of coverage required by ORS 656.041 (City or county may elect to provide coverage for jail inmates). *Westfall v. Multnomah County*, 57 Or App 459, 645 P2d 561 (1982)

Chapter 169

Law Review Citations

53 OLR 32 (1973)

¹ Legislative Counsel Committee, CHAPTER 169—Local and Regional Correctional Facilities; Prisoners; Juvenile Facilities, https://www.-oregonlegislature.-gov/-bills_laws/-lawsstatutes/-2013ors169.-html External_link_icon(2013) (last accessed Apr. 27, 2014)