

**DIVISION 40**

**OFFENDER USE OF ELECTRONIC NETWORKS WITHIN OYA FACILITIES**

**416-040-0005**

**Purpose**

These rules institute guidelines for acceptable use of electronic networks by offenders within OYA close custody facilities. An offender is a person in the legal and physical custody of the OYA, or a person in the legal custody of the Department of Corrections and the physical custody of the OYA in OYA facilities. Electronic networks are specific computers, hardware, software, storage media, and networks accessible to authorized offenders within OYA close custody facilities. Electronic networks provide offenders access to education and employment information to assist in their successful reintegration from confinement into the community. Access to electronic networks may be granted as described in these rules contingent upon the safety, security, and order of the facility.

Stat. Auth.: ORS 420A.025

Stats. Implemented: ORS 420A.010

Hist.: OYA 4-2010, f. 10-14-10, cert. ef. 10-25-10

**416-040-0010**

**Network Access**

(1) Offender electronic network access must be limited to educational or employment-seeking purposes, including classroom activities, job development, and community transitional activities.

(2) The facility superintendent/camp director or designee must determine, in his or her discretion, whether a proposed access is for appropriate educational or employment-seeking purposes.

(3) OYA staff or school personnel must supervise an offender's activity on the electronic network to ensure it is limited to the criteria listed in section (1).

(4) OYA staff must place reasonable restrictions on material that offenders access or post in the network to ensure the material is for appropriate educational or employment-seeking purposes.

Stat. Auth.: ORS 420A.025

Stats. Implemented: ORS 420A.010

Hist.: OYA 4-2010, f. 10-14-10, cert. ef. 10-25-10

**416-040-0015**

**Written Authorization**

(1) An offender must receive written authorization from an OYA manager prior to accessing an electronic network.

(2) OYA staff must notify offenders, in writing, of general acceptable use of electronic networks and any potential consequences of unacceptable use of electronic networks.

## Oregon Administrative Rules: Chapter 416, Oregon Youth Authority

---

(3) Any offender behavior violation associated with an offender's electronic network use must be managed according to OAR chapter 416, division 470 (Prohibited Offender Behaviors and Processing Behavior Violations).

Stat. Auth.: ORS 420A.025

Stats. Implemented: ORS 420A.010 & 420A.108

Hist.: OYA 4-2010, f. 10-14-10, cert. ef. 10-25-10

### **416-040-0020**

#### **Internet Use**

(1) Electronic mail

(a) The facility superintendent/camp director or designee may provide access to an electronic mail account to an offender for specific educational or employment-seeking projects or activities as determined appropriate by the superintendent/camp director or designee.

(b) An offender may not directly access the offender's electronic mail account. Only an OYA staff member or school personnel may log onto the offender's account for the offender. The staff member or school personnel must maintain a copy of all electronic messages sent or received by the offender.

(2) Offenders may access the World Wide Web only through sites prescreened by OYA staff.

(3) Offender access to real-time, interactive communication must:

(a) Be approved in advance by the facility superintendent or camp director;

(b) Occur only under the direct supervision of an OYA staff or school personnel; and

(c) Be for educational or employment-seeking purposes only.

(4) An offender must promptly disclose to OYA staff or school personnel any communication received or Web site visited that the offender believes may be inappropriate or an unacceptable use of the Internet.

Stat. Auth.: ORS 420A.025

Stats. Implemented: ORS 420A.010

Hist.: OYA 4-2010, f. 10-14-10, cert. ef. 10-25-10