

## Chapter 169

### Local and Regional Correctional Facilities; Prisoners

#### 169.010

ATTY. GEN. OPINIONS: Duty to have jail windows, 1966-68, p 293.

#### 169.020

ATTY. GEN. OPINIONS: County jail construction bids involving less than \$1,500, 1958-60, p 219.

#### 169.030

CASE CITATIONS: State v. Gilmore, (1964) 236 Or 349, 388 P2d 451.

ATTY. GEN. OPINIONS: Duty to have jail windows, 1966-68, p 293; authority for city-county jail, 1966-1968, p 349.

#### 169.050

ATTY. GEN. OPINIONS: Concurrent operation of this section and ORS 169.220, 1956-58, p 240.

#### 169.110

ATTY. GEN. OPINIONS: Using time confined prior to commitment or time served under vacated sentence in allowing "good time" reductions, 1966-68, p 317.

#### 169.120

ATTY. GEN. OPINIONS: Authority of sheriff to release prisoner before expiration of his sentence, 1922-24, p 635; effect of subsection (2), 1924-26, p 210; using time confined prior to commitment or time served under vacated sentence in allowing "good time" reductions, 1966-68, p 317.

#### 169.140

##### NOTES OF DECISIONS

The county must compensate the sheriff for blankets furnished by him to prisoners. Kelly v. Multnomah County, (1890) 18 Or 356, 22 P 1110.

Person under guard in the hospital was in the custody of the sheriff. Sisters of Charity of Providence v. Washington County, (1966) 244 Or 499, 419 P2d 36.

ATTY. GEN. OPINIONS: Liability of county for medical services rendered to wounded prisoner who was never committed to the county jail, 1926-28, p 337; right of sheriff to refuse to board prisoners in county jail, 1930-32, p 172; liability of county for the medical expenses of a person injured while attempting to escape arrest, 1950-52, p 198; liability for cost of medical care of prisoner held by city for county authorities, 1966-68, p 336.

#### 169.150

##### NOTES OF DECISIONS

A sheriff who has purchased necessities for the prisoners in his charge is entitled to be reimbursed therefore by the county. Kelly v. Multnomah County, (1890) 18 Or 356, 22 P 1110.

The county is liable for medical expenses although the jail is not the place of confinement. Sisters of Charity of Providence v. Washington County, (1966) 244 Or 499, 419 P2d 36.

ATTY. GEN. OPINIONS: Liability of county for medical services rendered to wounded prisoner who was never committed to county jail, 1926-28, p 337; expense of maintaining prisoner whose sentence has been commuted on confinement in penitentiary to a shorter term in a county jail, 1936-38, p 159; liability of county for the medical expenses of a person injured while attempting to escape arrest, 1950-52, p 198; liability for cost of medical care of prisoner held by city for county authorities, 1966-68, p 336.

#### 169.170 to 169.210

ATTY. GEN. OPINIONS: Agency responsible for costs, supervision of prisoners on litter patrol (1969) Vol 34, p 889.

#### 169.170

CASE CITATIONS: In re Murphy, (1926) 119 Or 658, 250 P 834, 49 ALR 384.

ATTY. GEN. OPINIONS: Authority of county to sell crushed rock made by county prisoners, 1920-22, p 519; authority of county court to parole prisoners from county jail, 1920-22, p 593, 1932-34, p 279; authority of sheriff to release prisoner before expiration of his sentence, 1922-24, p 635; effect of section, 1924-26, p 210; authority of county court to work federal prisoners at hard labor, 1930-32, p 249.

#### 169.180

CASE CITATIONS: State v. Gilmore, (1964) 236 Or 349, 388 P2d 451.

#### 169.220

ATTY. GEN. OPINIONS: Concurrent operation of this section and ORS 169.050, 1956-58, p 240.

#### 169.320

CASE CITATIONS: Sisters of Charity of Providence v. Washington County, (1966) 244 Or 499, 419 P2d 36.

ATTY. GEN. OPINIONS: Liability of county for the medical expenses of a person injured while attempting to escape

arrest, 1950-1952, p 198; agency responsible for costs, supervision of prisoners on litter patrol, (1969) Vol 34, p 889.

**169.330**

CASE CITATIONS: Habersham v. Sears, (1884) 11 Or 431, 5 P 208.

ATTY. GEN. OPINIONS: Authority of county court to release prisoners from county jail, 1930-32, p 279.

**169.360****NOTES OF DECISIONS**

This section does not provide for payment by the county for the services of a jailer, and the county is not liable therefor. Crossen v. Wasco County (1876) 6 Or 215.

ORS 204.635 (4) limits the application of the liability provision of this section to counties which do not have civil service. Barendrecht v. Clark, (1967) 246 Or 535, 426 P2d 445.

**169.530**

CASE CITATIONS: United States v. Martin, (1889) 17 Fed 150, 9 Sawy 90.