



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

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S.B. 231

132nd General Assembly
(As Introduced)

Sen. Gardner

BILL SUMMARY

- Provides for a Violent Offender Database, requires violent offenders to enroll in the database, and names the database-related provisions of the act "Sierah's Law."
 - Provides that the notice of release from prison of specified serious offense offenders that is given to sheriffs is to be the same as that provided to prosecuting attorneys and eliminates the notice to sheriffs regarding pardons, commutations, paroles, and transitional control transfers of offenders.
 - Modifies the membership and duties of the Ex-Offender Reentry Coalition and eliminates the repeal of the Coalition.
 - Requires halfway houses to use the single validated risk assessment tool for adult offenders that the Department of Rehabilitation and Correction has selected.
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CONTENT AND OPERATION

Violent offender database

In general

The bill provides for the establishment and operation by the Bureau of Criminal Identification and Investigation (BCII) of a Violent Offender Database (VOD), requires persons convicted of specified violent offenses in Ohio (violent offenders) or those convicted of a comparable offense in another state (out-of-state violent offenders) who become aware of the Database to enroll in the Database, and names the Database-related provisions of the act "Sierah's Law." For purposes of the Database-related provisions:¹

¹ R.C. 2903.41(A) and (C).

"Violent offender" means: (1) a person who on or after the bill's effective date is convicted of aggravated murder, murder, voluntary manslaughter, kidnapping, abduction when it is a second degree felony, or any attempt or conspiracy to commit or complicity in committing any of the previously specified offenses, or (2) a person who on the bill's effective date has been convicted of an offense listed in clause (1) and is confined in a jail, workhouse, state correctional institution, or other institution, serving a term of confinement for the offense.

"Out-of-state violent offender" means a person who is or has been convicted of a violation of any existing or former municipal ordinance or law of another state or the United States, or any existing or former law applicable in a military court or in an Indian tribal court, that is or was substantially equivalent to any offense specified in clause (1) under the definition of violent offender.

"Community control sanction," "jail," "prison," "post-release control sanction," and **"supervised release"** have the same meanings as under the Criminal Sentencing Law and Sex Offender Registration and Notification Law.²

Notification of duty to enroll

The bill requires that each violent offender be provided notice of the violent offender's duty, described below in **"Enrollment duties"** and **"Re-enrollment duties,"** to enroll in the VOD personally with the sheriff of the county in which the offender resides or that sheriff's designee. The bill specifies the categories of persons who must provide the notice and the times at which it must be provided. If the violent offender is serving a term of confinement, the official in charge of the jail, workhouse, state correctional institution, or other institution in which the offender is serving the term, or the official's designee, must provide the notice to the offender before the offender is released pursuant to any type of supervised release or before the offender is otherwise released from the term of confinement. If the violent offender is sentenced on or after the bill's effective date for the offense that classifies the person as a violent offender and the judge does not sentence the offender to a term of confinement in a jail, workhouse, state correctional institution, or other institution for that offense, the judge must provide the notice to the offender at the time of the offender's sentencing.³

The Attorney General (AG) must prescribe the notice and the form to be used in notifying a violent offender of the VOD duties. The notice must include notice of the offender's duties to re-enroll annually and when the offender has a change of address.⁴

² R.C. 2903.41(B) and (E), by reference to R.C. 2929.01 and 2950.01, not in the bill.

³ R.C. 2903.42(A).

⁴ R.C. 2903.42(C).



The judge, official, or designee providing the notice to a violent offender must do all of the following:⁵

(1) Require the offender to read and sign the form stating that the offender has received and understands the notice;

(2) If the offender is unable to read, inform the offender of the offender's duties as set forth in the notice and certify on the form that the judge, official, or designee informed the offender of the offender's duties and that the offender indicated an understanding of those duties;

(3) Provide a copy of the notice and signed form to the offender, determine the county in which the offender intends to reside, and provide a copy of the signed form to the sheriff of that county in accordance with rules adopted by the AG.

Enrollment duties

Duty of violent offenders

The bill requires that each violent offender who has received notice as described above must enroll in the VOD personally with the sheriff of the county in which the offender resides or that sheriff's designee within a specified period of time. A violent offender who receives notice before release from confinement in a jail, workhouse, state correctional institution, or other institution must enroll in the VOD within ten days after being released from the confinement, unless the offender is being transferred to the custody of another such confinement institution. The violent offender is not required to enroll in the VOD with any sheriff or designee prior to release. A violent offender who, upon being sentenced for the offense that classifies the person as a violent offender without being sentenced to a term of confinement in a jail, workhouse, state correctional institution, or other institution for that offense, receives notice from the sentencing judge must enroll in the violent offender database within ten days after the sentencing hearing.⁶

Duty of out-of-state violent offenders

The bill requires that each out-of-state violent offender who is aware of the existence of the VOD must enroll in the VOD personally with the sheriff of the county in which the out-of-state violent offender resides or that sheriff's designee within ten days after either of the following: (1) residing in or occupying a dwelling in Ohio, after the offender becomes aware of the VOD, for more than three consecutive days, or

⁵ R.C. 2903.42(B) and (D).

⁶ R.C. 2903.43(A).



(2) residing in or occupying a dwelling in Ohio, after the offender becomes aware of the VOD, for an aggregate period in a calendar year of 14 or more days in that calendar year.⁷ The bill specifies that an out-of-state violent offender who has a duty under this provision to enroll in the VOD, or who previously has enrolled or re-enrolled in the VOD, is designated a "qualifying out-of-state offender."⁸

Manner of enrollment

Under the bill, a violent offender, or a qualifying out-of-state violent offender, must enroll in the VOD personally with the sheriff of the county in which the offender resides or that sheriff's designee. The enrollee must obtain from the sheriff or designee a copy of an enrollment form prescribed by the AG that must include spaces for specified information (see below), complete and sign the form, and return to the sheriff or designee the completed and signed form, together with fingerprints and palm prints and a photograph.⁹

The enrollment form to be used under the VOD must include or contain all of the following for the violent offender or qualifying out-of-state violent offender who is enrolling:¹⁰

- (1) The offender's full name, any alias used, and residence address;
- (2) The offender's Social Security number;
- (3) Any driver's license number, commercial driver's license number, or state identification card number issued to the offender by Ohio or another state;
- (4) The offense of which the offender was convicted;
- (5) The name and address of any place where the offender is employed and of any school or institution of higher education that the offender is attending;
- (6) The identification license plate number of each vehicle owned or operated by the offender or registered in the offender's name, the vehicle identification number of each vehicle, and a description of each vehicle;
- (7) A description of any scars, tattoos, or other distinguishing marks on the offender.

⁷ R.C. 2903.43(B).

⁸ R.C. 2903.41(D).

⁹ R.C. 2903.43(C)(1) and (3).

¹⁰ R.C. 2903.43(C)(2).



Re-enrollment duties

Duty of violent offenders and out-of-state violent offenders and manner of re-enrollment

Under the bill, each violent offender or qualifying out-of-state violent offender must re-enroll in the VOD annually, in person, with the sheriff of the county in which the offender resides or that sheriff's designee within ten days prior to the anniversary of the calendar date on which the offender initially enrolled. The enrollee must re-enroll by completing, signing, and returning to the sheriff or designee a copy of the enrollment form prescribed by the AG and described above regarding initial enrollment, amending any information required to be provided at initial enrollment that has changed since the enrollee's last enrollment, and providing any additional enrollment information required by the AG. The sheriff or designee with whom the offender re-enrolls must obtain a new photograph of the offender annually at re-enrollment. Additionally, if the offender's most recent enrollment or re-enrollment was with a sheriff or designee of a sheriff of a different county, as part of the re-enrollment duty, the offender must provide written notice of the offender's change of residence address to that sheriff or a designee of that sheriff.¹¹

Presumed termination of re-enrollment duty

Under the bill, it is presumed that a violent offender's or a qualifying out-of-state violent offender's duty to re-enroll in the VOD terminates on the expiration of ten years after the duty is imposed at the violent offender's sentencing hearing or ten years after the qualifying out-of-state violent offender initially enrolls in the VOD. The presumption is a rebuttable presumption. For a violent offender, the presumption may be rebutted only if the sentencing court finds that the offender has violated a term or condition of a sanction imposed under the offender's sentence or has committed another felony or any misdemeanor offense of violence during the ten-year period. For a qualifying out-of-state offender, the presumption may be rebutted only if the common pleas court of the county in which the offender resides finds that the offender has violated a term or condition of a sanction imposed under the offender's sentence by the court of the other jurisdiction or has committed another felony or any misdemeanor offense of violence during the ten-year period. If the specified court makes either of the specified findings, the duty of the violent offender or qualifying out-of-state violent offender to re-enroll in the VOD annually continues indefinitely, subject to termination as described below in "**Court termination of re-enrollment duty after ten years.**"¹²

¹¹ R.C. 2903.43(D)(1).

¹² R.C. 2903.43(D)(2).



Duty to notify sheriff of change of address

The bill requires each violent offender or qualifying out-of-state violent offender to notify the sheriff with whom the offender most recently enrolled or re-enrolled or that sheriff's designee in person within three business days of a "change of address." As used in this provision, a "change of address" is a change to a violent offender's or out-of-state violent offender's residence address, employment address, or school or institution of higher education address.¹³

Official's notice to Attorney General of offender's confinement

The bill requires the official in charge of a jail, workhouse, state correctional institution, or other institution to notify the AG in accordance with rules adopted by the AG if a violent offender or qualifying out-of-state violent offender is confined in the jail, workhouse, state correctional institution, or other institution.¹⁴

Sheriff's duties after offender's enrollment or re-enrollment

After a violent offender or qualifying out-of-state violent offender enrolls or re-enrolls in the VOD with a sheriff or a sheriff's designee, the sheriff or designee must forward the offender's signed, written enrollment form, photograph, fingerprints, palm prints, and other materials to BCII in accordance with forwarding procedures adopted by the AG, as described below.¹⁵

Access to information provided to sheriff at enrollment or re-enrollment

Except as described in the next paragraph, any statements, information, photographs, fingerprints, or materials provided by a violent offender or qualifying out-of-state violent offender in satisfaction of the offender's enrollment or re-enrollment duty under the bill and that are in the possession of a sheriff are public records open to public inspection under Ohio's Public Records Law.¹⁶

A violent offender or qualifying out-of-state violent offender may file a motion with the common pleas court in the county in which the offender resides stating that the offender fears for the offender's safety if the statements, information, photographs, fingerprints, or materials in the possession of a sheriff as described in the preceding paragraph are open for public inspection, and requesting the court to issue an order to ban or restrict access to those statements, information, etc. The motion must expressly

¹³ R.C. 2903.43(E); also R.C. 2903.41(F).

¹⁴ R.C. 2903.43(D)(3).

¹⁵ R.C. 2903.43(F)(1).

¹⁶ R.C. 2903.43(F)(3)(a).



state the reasons for which the offender fears for the offender's safety, identify each county in which the offender has enrolled or re-enrolled, and provide information and materials in support of the motion. The court, upon the filing of the motion, may determine whether to grant or deny the motion without a hearing or may conduct a hearing to determine whether to grant or deny the motion. The court may grant the motion if it determines, upon review of the motion, the supporting information and materials, and, if the court conducts a hearing, any additional information provided at the hearing, that the offender's fears for the offender's safety are valid and that the interests of justice and the offender's safety require that the motion be granted. If the court grants the motion, the statements, information, photographs, fingerprints, or materials provided by the offender that are in the possession of a county sheriff are not public records open to public inspection under Ohio's Public Records Law, the court must issue an order to that effect, and the court must notify the sheriff in each county in which the offender has enrolled or re-enrolled of the issuance of the order. Each sheriff so notified must comply with the order.¹⁷

Establishment of, and access to, Violent Offender Database

The bill requires BCII to establish and maintain a VOD and to include the information and materials forwarded to it under this provision in the VOD. BCII must make the VOD available to federal, state, and local law enforcement officers, but the VOD is not a public record under Ohio's Public Records Law.¹⁸

Attorney General adoption of forms, procedures, and rules

The bill requires the AG, with respect to the VOD, to: (1) prescribe the forms to be used by violent offenders and qualifying out-of-state violent offenders to enroll, re-enroll, and provide notice of a change of address under its provisions, and (2) adopt procedures for sheriffs to use to forward information, photographs, fingerprints, palm prints, and other materials to BCII under its provisions.¹⁹

The bill authorizes the AG to adopt rules regarding enrollment dates different than those it prescribes, as described above in "**Enrollment duties**" and "**Re-enrollment duties**," for any violent offender or qualifying out-of-state violent offender who also is an arson offender, as defined²⁰ with respect to the Arson Offender Registry, or a sex

¹⁷ R.C. 2903.43(F)(3)(b).

¹⁸ R.C. 2903.43(F)(1) and (2); also R.C. 2903.41(G).

¹⁹ R.C. 2903.43(G).

²⁰ R.C. 2909.13, not in the bill.



offender or child-victim offender as defined²¹ with respect to the Sex Offender Registration and Notification Law.²²

Prohibition and penalty for failure to enroll or re-enroll

The bill prohibits a violent offender or qualifying out-of-state violent offender from recklessly failing to enroll, re-enroll, or notify the sheriff or sheriff's designee of a change of address as required by its provisions described above in "**Enrollment duties**" and "**Re-enrollment duties**," and "**Duty to notify sheriff of change of address**." A violation of the prohibition is a fifth degree felony. If a violent offender or qualifying out-of-state violent offender who violates the prohibition is subject to a community control sanction, is on parole, is subject to one or more post-release control sanctions, or is subject to any other type of supervised release at the time of the violation, the violation constitutes a violation of the terms and conditions of the community control sanction, parole, post-release control sanction, or other type of supervised release.²³

Court termination of re-enrollment duty after ten years

Filing of motion requesting termination

The bill authorizes a violent offender or qualifying out-of-state violent offender to file a motion in the common pleas court of the county in which the offender resides requesting that the court terminate the offender's duty to enroll and re-enroll in the VOD after ten years of enrollment in the VOD (a "termination motion"). A violent offender or qualifying out-of-state violent offender may file not more than one such motion.²⁴

A violent offender or qualifying out-of-state violent offender who files a termination motion must include with the motion all of the following: (1) a certified copy of the judgment entry and any other documentation of the sentence or disposition given for the offense or offenses for which the offender was enrolled in the VOD, (2) documentation of the date of the offender's discharge from supervision or release, whichever is applicable, (3) evidence that the offender has not been convicted of any other felony or any misdemeanor offense of violence within ten years of the offender's original VOD enrollment, and (4) evidence that the offender has paid all financial

²¹ R.C. 2950.01, not in the bill.

²² R.C. 2903.43(H).

²³ R.C. 2903.43(I).

²⁴ R.C. 2903.44(A)(2).



sanctions imposed upon the offender as a sanction for conviction of an offense under the Criminal Sentencing Law.²⁵

Procedures upon filing of a motion

Upon the filing of a termination motion, the offender is required to serve a copy of the motion on the prosecutor (defined²⁶ for purposes of the termination provisions as the office of the prosecuting attorney who handled a violent offender's or qualifying out-of-state violent offender's underlying case or the office of that prosecutor's successor in office).

Upon the filing of the motion, the court must set a tentative date for a hearing on the motion that is not later than 90 days after the date on which the motion is filed, except that the court may set a tentative date for a hearing that is later than that 90-day time if good cause exists to hold the hearing at a later date. The court must notify the offender and the prosecutor of the date, time, and place of the hearing. The court must forward a copy of the motion and its supporting documentation to the court's probation department or another appropriate agency to investigate the merits of the motion, the department or agency must submit a written report detailing its investigation to the court within 60 days after receiving the motion and documentation, and the court upon receipt of the report must forward a copy of the motion, the documentation, and the report to the prosecutor.²⁷

After the prosecutor is served with a copy of the motion and notice of the hearing, at least seven days before the hearing date, the prosecutor may file an objection to the motion with the court and serve a copy of the objection to the motion to the offender or the offender's attorney.²⁸

Court's decision on a motion

In determining whether to grant a termination motion, the court must consider the evidence that accompanies the motion and the written report submitted as described above.²⁹ The procedures for deciding a termination motion are as follows:³⁰

²⁵ R.C. 2903.44(B).

²⁶ R.C. 2903.44(A)(1).

²⁷ R.C. 2903.44(C).

²⁸ R.C. 2903.44(D).

²⁹ R.C. 2903.44(E).

³⁰ R.C. 2903.44(F)(1) to (3).



(1) The court, without a hearing, may issue an order denying the motion if, after considering the evidence, materials, and information specified above, it finds that the offender's duty to enroll and re-enroll in the VOD should not be terminated. If the court issues such an order denying the motion, the offender may not subsequently file another termination motion.

(2) If the prosecutor does not file an objection to the offender's application as described above, the court, without a hearing, may issue an order that grants the motion if, after considering the evidence, materials, and information specified above, it finds that the offender's duty to enroll and re-enroll in the VOD should be terminated. This provision does not apply if the prosecutor files an objection to the offender's application.

(3) If the court does not issue an order under the provision described above in either paragraph (1) or (2), it must hold a hearing to determine whether to grant or deny the motion. At the hearing, the Rules of Civil Procedure apply, except to the extent that by their nature they clearly would be inapplicable. At the hearing, the offender has the burden of going forward with the evidence and the burden of proof that the duty should be terminated. If, after considering the evidence, materials, and information specified above, the court finds that the offender has satisfied the burden of proof, the court must issue an order that terminates the offender's duty to enroll and re-enroll in the VOD. If the court finds that the offender has not satisfied the burden of proof, the court must issue an order denying the motion. If the court issues such an order denying the motion, the offender may not subsequently file another termination motion.

Court's duties upon deciding a motion

Upon its issuance of an order denying or granting a termination motion, the court must provide prompt notice of the order to the offender or the offender's attorney. A court that issues an order that terminates the offender's duty to enroll and re-enroll in the VOD must promptly forward a copy of the order to BCII and to the prosecutor. Upon receipt of the termination order from the court, BCII must update all records pertaining to the offender to reflect the order and provide notice of the issuance of the order to every sheriff with whom the offender has most recently enrolled or re-enrolled. Upon receipt of the termination order from the court, the prosecutor must notify the victim of any offense for which the offender is enrolled in the VOD that the offender's duty to enroll and re-enroll in the VOD has been terminated.³¹

³¹ R. C. 2903.44(F)(4).



Sierah's Law

The bill specifies that all of its provisions described above are to be known as "Sierah's Law."³²

Notice to sheriff of release from prison of specified categories of offenders

The bill provides that the notice of release from prison of specified serious offense offenders that is given to sheriffs is to be the same as that provided to prosecuting attorneys and eliminates the notice to sheriffs regarding pardons, commutations, paroles, and transitional control transfers of offenders.

Under the bill, except as described in the next paragraph, at least two weeks before any convict who is serving a sentence for aggravated murder, murder, or a first, second, or third degree felony or who is serving a sentence of life imprisonment is released from confinement in any state correctional institution pursuant to a pardon, commutation of sentence, parole, or completed prison term, the Adult Parole Authority (APA) must provide notice of the release to the sheriff of the county in which the indictment of the convict was found. Currently, unchanged by the bill, a notice of this nature must be provided at the same time to the prosecuting attorney of the county in which the indictment was found. The notice to sheriffs required by the bill may be contained in a weekly list of all convicts who are serving a sentence for any of the specified offenses or a sentence of life imprisonment and who are scheduled for release.³³ The bill does not extend to sheriffs an existing provision that requires notice to the prosecuting attorney of the actual release of a convict serving a sentence for any of the specified offenses or a sentence of life imprisonment.³⁴

The notice provisions under the bill and under existing law do not apply to the release from confinement of an offender if, upon admission to prison, the offender has less than 14 days to serve on the sentence. They also do not apply to the release from confinement of a convict serving a prison term under the Sexually Violent Predator Sentencing Law, when the release is granted by a court. In that situation, the court promptly must provide written notice of the release to the offender, DRC, the prosecuting attorney, and any state agency or political subdivision affected by the order.³⁵

³² Section 3 of the bill.

³³ R.C. 2967.121(A).

³⁴ R.C. 2967.121(B).

³⁵ R.C. 2967.121(D).



The notices to a sheriff under the bill, and to a prosecuting attorney under existing law, must contain: (1) the name of the convict being released, the date of the release, and the address at which the convict will reside, (2) the offense for the violation of which the convict was convicted and incarcerated, the date of that conviction, and the sentence imposed for that conviction, (3) the length of any supervision the convict will be under, and (4) the name, business address, and business phone number of the convict's supervising officer.³⁶

Related to the expansion of the existing notice to prosecuting attorneys to also apply to sheriffs, the bill eliminates the notice to sheriffs regarding pardons, commutations, paroles, and transitional control transfers of offenders.³⁷ Currently, except as otherwise described in this paragraph, at least two weeks before any offender who is serving a prison term for a felony is released from confinement, the APA must notify the sheriff of the county in which the offender was convicted, and the sheriff of the county in which the offender will reside, of the release. The notices may be contained in a weekly list of all offenders scheduled for release. Also, at least 60 days before the APA recommends a pardon or commutation of sentence for an offender or conducts a hearing regarding a grant of parole to an offender, and at least 60 days before an offender is transferred to transitional control, the APA must notify the sheriff of the county in which the offender was convicted and the county in which the offender will reside. The notice must contain specified information, and the requirements do not apply if, upon admission to prison, the offender has less than 14 days to serve on the sentence.³⁸

Ex-Offender Reentry Coalition

In general

The bill modifies the membership and duties of the Ex-Offender Reentry Coalition and eliminates the repeal of the Coalition.

Coalition membership

Currently, the Ex-Offender Reentry Coalition consists of 17 specified members or their designees. The bill adds four members to the Coalition. Two of the members added will be members of the House of Representatives appointed by the Speaker of the House of Representatives, one of whom will be the chairperson of the House standing committee that primarily addresses criminal justice matters and the other of

³⁶ R.C. 2967.121(C).

³⁷ R.C. 2967.122, repealed by the bill.

³⁸ R.C. 2967.122, repealed by the bill.



whom will be a member of the minority party in the House. The other two members added will be members of the Senate appointed by the Senate President, one of whom will be the chairperson of the Senate standing committee that primarily addresses criminal justice matters and the other of whom will be a member of the minority party in the Senate. All members of the coalition serve without compensation.

The members of the commission currently are: (1) the Directors of Rehabilitation and Correction, Aging, Mental Health and Addiction Services, Development Services, Health, Job and Family Services, Developmental Disabilities, Public Safety, Youth Services, Commerce, and Veterans Services, (2) the Superintendent of Public Instruction, (3) the Chancellor of the Ohio Board of Regents, (4) a representative or member of the Governor's staff, (5) the Executive Director of the Opportunities for Ohioans with Disabilities Agency, (6) the Executive Director of a health care licensing board created under R.C. Title XLVII, as appointed by the chairperson of the coalition, and (7) an ex-offender appointed by the Director of Rehabilitation and Correction.³⁹

Coalition duties

The bill modifies the duties of the Coalition to specify that, in consultation with persons interested and involved in the reentry of ex-offenders into the community, the members of the Coalition must meet periodically for the purpose of formulating, discussing, and developing policies and practices that facilitate the expansion and improvement of reentry services provided by state and local agencies in the collaborative efforts of those agencies to reintegrate offenders into society while simultaneously maintaining public safety and reducing recidivism in this state. Currently, the Coalition, in consultation with persons interested and involved in the reentry of ex-offenders into the community, including but not limited to, services providers, community-based organizations, and local governments, is required to identify and examine social service barriers and other obstacles to the reentry of ex-offenders into the community.

Under existing law, unchanged by the bill, not later than one year after April 7, 2009, and on or before the same date of each year thereafter, the Coalition must submit to the Speaker of the House of Representatives and the Senate President a report, including recommendations for legislative action, the activities of the coalition, and the barriers affecting the successful reentry of ex-offenders into the community. The report must analyze the effects of those barriers on ex-offenders and on their children and other family members in various areas, including but not limited to, nine specified types of issues and collateral sanctions (e.g., housing, child support, employment, education, substance abuse, etc.) and must include identification of state appropriations

³⁹ R.C. 5120.07(A) and (B).



for reentry programs and of other funding sources for reentry programs that are not funded by the state. The coalition is required to gather information about reentry programs in a repository maintained and made available by the coalition, including, where available, the amount of funding, the number of participants, the program's composition, the type of post-program tracking utilized, and information about ex-offender employment and recidivism rates.⁴⁰

Elimination of repeal of Coalition

The bill eliminates the currently specified repeal, on December 31, 2019, of the Coalition.⁴¹

Risk assessment tool for adult offenders

The bill requires halfway houses to use the single validated risk assessment tool for adult offenders that DRC has selected. Current law, which will apply to halfway houses, specifies that every employee of an entity required to use the tool who actually uses the tool must be trained and certified by a trainer certified by DRC and each entity utilizing the tool must develop policies and protocols regarding all of the following activities: (1) application and integration of the tool into operations, supervision, and case planning, (2) administrative oversight of the use of the assessment tool, (3) staff training, (4) quality assurance, and (5) data collection and sharing.

The entities that currently are required to use the single validated risk assessment tool for adult offenders that DRC has selected are: (1) municipal courts, common pleas courts, and county courts, when the particular court orders an assessment of an offender for sentencing or another purpose, (2) municipal court departments of probation, county departments of probation, and multicounty probation departments, (3) state and local correctional institutions and private correctional facilities, (4) community-based correctional facilities, (5) the APA, and (6) the Parole Board.⁴²

HISTORY

ACTION	DATE
Introduced	11-14-17

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⁴⁰ R.C. 5120.07(C) and (D).

⁴¹ Repeal of R.C. 5120.07(E).

⁴² R.C. 5120.114.

