Ohio Department of Rehabilitation and Correction

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John Kasich, Governor   **www.drc.ohio.gov**   **Gary C. Mohr, Director**

PUBLIC HEARING NOTICE

The Ohio Department of Rehabilitation and Correction (ODRC) will conduct a public hearing to receive comments concerning ODRC's proposed enactment of, and changes to, the following administrative rules:

5120-2-03.2   Determination of multiple sentences.

ODRC is proposing to amend the rule to make changes necessitated by the enactment of House Bill 86 of the 129th General Assembly, which changes the number of credit days that offenders may earn while incarcerated for certain offenses committed on or after the act's effective date. Specifically, ODRC is proposing to amend the rule to specify how the Department of Rehabilitation and Correction will calculate earned credit for offenders committed to the Department on multiple sentences.

5120-2-06   Earned credit for productive program participation.

ODRC is proposing to amend the rule to make changes necessitated by the enactment of House Bill 86 of the 129th General Assembly. Specifically, in accordance with the changes made by House Bill 86 relative to the calculation of earned credit, ODRC is proposing to amend the rule to specify the number of credit days that an offender may earn while serving sentences imposed for various types of offenses committed on or after the act's effective date. In addition to those amendments, which are necessitated by the enactment of House Bill 86, ODRC is also proposing to amend the rule to specify that a Rules Infraction Board may withdraw more than fifty per cent of an offender's previously earned credit in any month only if the rule violation for which credit is being withdrawn involved a serious act of violence.

5120-2-14   Risk reduction sentence.

ODRC is proposing to enact the rule to identify procedures governing ODRC's administration of "risk reduction" sentences, which are a new form of sentence created by House Bill 86 of the 129th General Assembly.

5120-13-01   **Ohio risk assessment system.**

ODRC is proposing to enact the rule to identify a "single validated risk assessment tool," as required by House Bill 86 of the 129th General Assembly. House Bill 86 requires ODRC to identify a single validated risk assessment tool to be used by courts, probation departments, and other criminal justice agencies when assessing adult offenders' risk of reoffending. The proposed rule identifies the Ohio Risk Assessment System developed by the University of Cincinnati's Center for Criminal Justice Research as the single validated risk assessment tool.

5120-14-01   **Certificate of achievement and employability.**

ODRC is proposing to enact the rule to identify procedures governing ODRC's issuance of certificates of achievement and employability to inmates and released offenders who are under the Department's post-release supervision. The certificate program is created by House Bill 86 of the 129th General Assembly. Under the program, certificate holders may receive individualized consideration for professional licenses and other employment-related opportunities. The proposed rule creates procedures by which interested individuals may apply to the Department for a certificate. The proposed rule also identifies the types of vocational and rehabilitative programming that, if completed by an offender, qualify an offender for a certificate. The proposed rule establishes procedures for issuing and revoking certificates.

5120:1-1-17   **Responding to release violations.**

ODRC is proposing to amend the rule to correct a cross-reference to a division in Rule 5120:1-1-41 of the Administrative Code. The proposed amendment is necessitated by ODRC's proposed amendments to Rule 5120:1-1-41 (see below).

The public hearing on this rule is being held in accordance with section 119.03 of the Revised Code.

5120:1-1-41   **Standards for imposing, modifying, and reducing post-release control.**

ODRC is proposing to amend the rule to provide for the post-release supervision of every offender released prior to the expiration of their stated prison terms pursuant to a risk reduction sentence, which is a new type of court-imposed criminal sentence created by House Bill 86 of the 129th General Assembly. To satisfy House Bill 86's requirement that every such offender be released to

"supervised release," ODRC is proposing to amend the rule to provide for post-release control for every such offender to commence upon release from prison.

The public hearing on this rule is being held in accordance with section 119.03 of the Revised Code.

5120:1-1-42   Designation of post-release control period as favorable or unfavorable when terminated.

ODRC is proposing to amend the rule to correct a cross-reference to a division in Rule 5120:1-1-41 of the Administrative Code. The proposed amendment is necessitated by ODRC's proposed amendments to Rule 5120:1-1-41 (see above).

The public hearing on this rule is being held in accordance with section 119.03 of the Revised Code.

ODRC will conduct the hearing on **Thursday October 20, 2011** in the Parole Board Hearing Room at the Department's offices at 770 West Broad Street, Columbus Ohio 43222. The hearing will begin at **10:00 a.m**. and will continue until all parties in attendance at that time have had an opportunity to provide comment.

Any person may direct written comments or requests for information concerning the proposed actions to Andre Imbrogno at the Department on or before the date of the hearing by writing to Andre Imbrogno, Staff Counsel, Division of Legal Services, 770 West Broad Street, Columbus Ohio 43222 or by emailing to andre.imbrogno@odrc.state.oh.us.