



## MEMORANDUM

**TO:** Ryan Dolan, Ohio Department of Rehabilitation and Correction

**FROM:** Sydney King, Regulatory Policy Advocate

**DATE:** January 27, 2016

**RE:** **CSI Review – Community-Based Correctional Facilities (OAC 5120:1-14-01, 5120:1-14-02, 5120:1-14-03, 5120:1-14-04, 5120:1-14-05, 5120:1-14-06, 5120:1-14-08, and 5120:1-14-10)**

---

On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (O.R.C.) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

### Analysis

This rule package consists of eight no-change rules submitted by the Ohio Department of Rehabilitation and Correction (DRC). The rule package was submitted to the CSI Office on December 21, 2015 and the public comment period was held open through December 29, 2015.

The rule package establishes the regulatory framework for community-based correctional facilities (CBCF) programs. The CBCF programs divert eligible offenders convicted of a felony from the state prison system and provide offenders the opportunity to remain in their community while offering substance abuse treatment, job training and placement assistance, educational services, cognitive skills, and requiring completion of community service. The regulations include eligibility requirements for CBCF programs, the screening standards for offenders, fiscal management and personnel service requirements for facility governing boards, the application process for CBCF programs, and operating standard requirements for CBCF programs.

The BIA identified community-based correctional facilities as the impacted industry and provided an analysis of the associated costs with compliance. Additional impacts were identified

during the CSI review period. This includes personnel requirements, fiscal and administrative requirements, operating requirements, and the administrative time needed to complete the application process. To understand the costs to the business community, DRC performed stakeholder outreach requesting feedback and suggestions via email. DRC provided the feedback received during the early stakeholder outreach to CSI. The majority of the emails stated that no changes were necessary. One comment suggested amendments and DRC followed up explaining why the changes could not be made at this time. No comments were received during the CSI public comment period. DRC states the rules are necessary to comply with statutory requirements.

### **Recommendations**

For the reasons discussed above, the CSI Office does not have any recommendations for this rule package.

### **Conclusion**

Based on the above comments, the CSI Office concludes that the Ohio Department of Rehabilitation & Correction should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.