

As Introduced

**132nd General Assembly
Regular Session
2017-2018**

S. B. No. 231

Senator Gardner

A BILL

To amend sections 2967.121, 5120.07, and 5120.114, 1
to enact sections 2903.41, 2903.42, 2903.43, and 2
2903.44, and to repeal section 2967.122 of the 3
Revised Code to provide for a violent offender 4
database, require violent offenders to enroll in 5
the database, and name those provisions of the 6
act "Sierah's Law;" to modify the membership and 7
duties of the Ex-Offender Reentry Coalition and 8
eliminate its repeal; to require halfway houses 9
to use the single validated risk assessment tool 10
for adult offenders that the Department of 11
Rehabilitation and Correction has developed; and 12
to provide that the notice of release from 13
prison of specified serious offense offenders 14
that is given to sheriffs is to be the same as 15
that provided to prosecuting attorneys and 16
eliminate the notice to sheriffs regarding 17
pardons, commutations, paroles, and transitional 18
control transfers of offenders. 19

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 2967.121, 5120.07, and 5120.114 20

be amended and sections 2903.41, 2903.42, 2903.43, and 2903.44 21
of the Revised Code be enacted to read as follows: 22

Sec. 2903.41. As used in sections 2903.41 to 2903.44 of 23
the Revised Code: 24

(A) "Violent offender" means any of the following: 25

(1) A person who on or after the effective date of this 26
section is convicted of or pleads guilty to any of the 27
following: 28

(a) A violation of section 2903.01, 2903.02, 2903.03, 29
2905.01 of the Revised Code or a violation of section 2905.02 of 30
the Revised Code that is a felony of the second degree; 31

(b) Any attempt to commit, conspiracy to commit, or 32
complicity in committing any offense listed in division (A) (1) 33
(a) of this section. 34

(2) A person who on the effective date of this section has 35
been convicted of or pleaded guilty to an offense listed in 36
division (A) (1) of this section and is confined in a jail, 37
workhouse, state correctional institution, or other institution, 38
-serving a prison term, term of imprisonment, or other term of 39
confinement for the offense. 40

(B) "Community control sanction," "jail," and "prison" 41
have the same meanings as in section 2929.01 of the Revised 42
Code. 43

(C) "Out-of-state violent offender" means a person who is 44
convicted of, pleads guilty to, has been convicted of, or has 45
pleaded guilty to a violation of any existing or former 46
municipal ordinance or law of another state or the United 47
States, or any existing or former law applicable in a military 48

court or in an Indian tribal court, that is or was substantially 49
equivalent to any offense listed in division (A) (1) of this 50
section. 51

(D) "Qualifying out-of-state violent offender" means an 52
out-of-state violent offender who has a duty under division (B) 53
of section 2903.43 of the Revised Code to enroll in the violent 54
offender database, or who previously has enrolled or re-enrolled 55
in that database. 56

(E) "Post-release control sanction" and "supervised 57
release" have the same meanings as in section 2950.01 of the 58
Revised Code. 59

(F) "Change of address" means a change to a violent 60
offender's or out-of-state violent offender's residence address, 61
employment address, or school or institution of higher education 62
address. 63

(G) "Violent offender database" means the database of 64
violent offenders and out-of-state violent offenders that is 65
established and maintained by the bureau of criminal 66
identification and investigation under division (F) (2) of 67
section 2903.43 of the Revised Code, that is operated by 68
sheriffs under sections 2903.42 and 2903.43 of the Revised Code, 69
and for which sheriffs obtain information from violent offenders 70
and out-of-state violent offenders pursuant to sections 2903.42 71
and 2903.43 of the Revised Code. 72

Sec. 2903.42. (A) Each violent offender shall be provided 73
notice of the violent offender's duty to enroll in the violent 74
offender database personally with the sheriff of the county in 75
which the violent offender resides or that sheriff's designee. 76
The following persons shall provide the notice at the following 77

times:

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(1) On or after the effective date of this section, the
official in charge of a jail, workhouse, state correctional
institution, or other institution in which a violent offender is
serving a prison term, term of imprisonment, or other term of
confinement, or the official's designee, shall provide the
notice to the violent offender before the violent offender is
released pursuant to any type of supervised release or before
the violent offender is otherwise released from the prison term,
term of imprisonment, or other term of confinement.

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(2) If a violent offender is sentenced on or after the
effective date of this section for an offense listed in division
(A) (1) of section 2903.41 of the Revised Code and the judge does
not sentence the violent offender to a prison term, term of
imprisonment, or other term of confinement in a jail, workhouse,
state correctional institution, or other institution for that
offense, the judge shall provide the notice to the violent
offender at the time of the violent offender's sentencing.

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(B) The judge, official, or official's designee providing
the notice under divisions (A) (1) and (2) of this section shall
require the violent offender to read and sign a form stating
that the violent offender has received and understands the
notice. If the violent offender is unable to read, the judge,
official, or official's designee shall inform the violent
offender of the violent offender's duties as set forth in the
notice and shall certify on the form that the judge, official,
or official's designee informed the violent offender of the
violent offender's duties and that the violent offender
indicated an understanding of those duties.

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(C) The attorney general shall prescribe the notice and

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the form provided under division (B) of this section. The notice 108
shall include notice of the violent offender's duties to re- 109
enroll annually and when the violent offender has a change of 110
address. 111

(D) The person providing the notice under division (B) of 112
this section shall provide a copy of the notice and signed form 113
to the violent offender. The person providing the notice also 114
shall determine the county in which the violent offender intends 115
to reside and shall provide a copy of the signed form to the 116
sheriff of that county in accordance with rules adopted by the 117
attorney general pursuant to Chapter 119. of the Revised Code. 118

Sec. 2903.43. (A) Each violent offender who has received 119
notice pursuant to section 2903.42 of the Revised Code shall 120
enroll in the violent offender database personally with the 121
sheriff of the county in which the violent offender resides or 122
that sheriff's designee within the following time periods: 123

(1) A violent offender who receives notice under division 124
(A) (1) of section 2903.42 of the Revised Code shall enroll in 125
the violent offender database within ten days after the violent 126
offender is released from a jail, workhouse, state correctional 127
institution, or other institution, unless the violent offender 128
is being transferred to the custody of another jail, workhouse, 129
state correctional institution, or other institution. The 130
violent offender is not required to enroll in the violent 131
offender database with any sheriff or designee prior to release. 132

(2) A violent offender who receives notice under division 133
(A) (2) of section 2903.42 of the Revised Code shall enroll in 134
the violent offender database within ten days after the 135
sentencing hearing. 136

(B) Each out-of-state violent offender who is aware of the 137
existence of the violent offender database shall enroll in the 138
database personally with the sheriff of the county in which the 139
out-of-state violent offender resides or that sheriff's designee 140
within ten days after either of the following: 141

(1) Residing in or occupying a dwelling in this state, 142
after the offender becomes aware of the database, for more than 143
three consecutive days; 144

(2) Residing in or occupying a dwelling in this state, 145
after the offender becomes aware of the database, for an 146
aggregate period in a calendar year of fourteen or more days in 147
that calendar year. 148

(C) (1) A violent offender, or a qualifying out-of-state 149
violent offender, shall enroll in the violent offender database, 150
personally with the sheriff of the county in which the offender 151
resides or that sheriff's designee. The enrollee shall obtain 152
from the sheriff or designee a copy of an enrollment form 153
prescribed by the attorney general that conforms to division (C) 154
(2) of this section, shall complete and sign the form, and shall 155
return to the sheriff or designee the completed and signed form 156
together with the identification records required under division 157
(C) (3) of this section. 158

(2) The enrollment form to be used under division (C) (1) 159
of this section shall include or contain all of the following 160
for the violent offender or qualifying out-of-state violent 161
offender who is enrolling: 162

(a) The violent offender's or out-of-state violent 163
offender's full name and any alias used; 164

(b) The violent offender's or out-of-state violent 165

<u>offender's residence address;</u>	166
<u>(c) The violent offender's or out-of-state violent offender's social security number;</u>	167 168
<u>(d) Any driver's license number, commercial driver's license number, or state identification card number issued to the violent offender or out-of-state violent offender by this or another state;</u>	169 170 171 172
<u>(e) The offense that the violent offender or out-of-state violent offender was convicted of or pleaded guilty to;</u>	173 174
<u>(f) The name and address of any place where the violent offender or out-of-state violent offender is employed;</u>	175 176
<u>(g) The name and address of any school or institution of higher education that the violent offender or out-of-state violent offender is attending;</u>	177 178 179
<u>(h) The identification license plate number of each vehicle owned or operated by the violent offender or out-of-state violent offender or registered in the violent offender's or out-of-state violent offender's name, the vehicle identification number of each vehicle, and a description of each vehicle;</u>	180 181 182 183 184 185
<u>(i) A description of any scars, tattoos, or other distinguishing marks on the violent offender or out-of-state violent offender.</u>	186 187 188
<u>(3) The violent offender or qualifying out-of-state violent offender who is enrolling shall provide fingerprints and palm prints at the time of enrollment. The sheriff or sheriff's designee shall obtain a photograph of the violent offender or out-of-state violent offender at the time of enrollment.</u>	189 190 191 192 193

(D) (1) Each violent offender or qualifying out-of-state 194
violent offender shall re-enroll in the violent offender 195
database annually, in person, with the sheriff of the county in 196
which the offender resides or that sheriff's designee within ten 197
days prior to the anniversary of the calendar date on which the 198
offender initially enrolled. The enrollee shall re-enroll by 199
completing, signing, and returning to the sheriff or designee a 200
copy of the enrollment form prescribed by the attorney general 201
and described in divisions (C) (1) and (2) of this section, 202
amending any information required under division (C) of this 203
section that has changed since the enrollee's last enrollment, 204
and providing any additional enrollment information required by 205
the attorney general. The sheriff or designee with whom the 206
violent offender or qualifying out-of-state violent offender re- 207
enrolls shall obtain a new photograph of the offender annually 208
when the offender re-enrolls. Additionally, if the violent 209
offender's or qualifying out-of-state violent offender's most 210
recent enrollment or re-enrollment was with a sheriff or 211
designee of a sheriff of a different county, as part of the duty 212
to re-enroll, the offender shall provide written notice of the 213
offender's change of residence address to that sheriff or a 214
designee of that sheriff. 215

(2) It is presumed that a violent offender's or a 216
qualifying out-of-state violent offender's duty to re-enroll in 217
the violent offender database shall terminate on the expiration 218
of ten years after the duty is imposed at the violent offender's 219
sentencing hearing or ten years after the qualifying out-of- 220
state violent offender initially enrolls in the database. The 221
presumption established by this division is a rebuttable 222
presumption. For a violent offender, the presumption may be 223
rebutted only if the sentencing court finds that the offender 224

has violated a term or condition of a sanction imposed under the 225
offender's sentence or has committed another felony or any 226
misdemeanor offense of violence during the ten-year period. For 227
a qualifying out-of-state offender, the presumption may be 228
rebutted only if the court of common pleas of the county in 229
which the offender resides finds that the offender has violated 230
a term or condition of a sanction imposed under the offender's 231
sentence by the court of the other jurisdiction or has committed 232
another felony or any misdemeanor offense of violence during the 233
ten-year period. If a court finds as described in this division 234
that the offender has violated a term or condition of a sanction 235
imposed under the offender's sentence or that the offender has 236
committed another felony or any misdemeanor offense of violence 237
during the ten-year period, the duty of the violent offender or 238
qualifying out-of-state violent offender to re-enroll in the 239
violent offender database annually shall continue indefinitely, 240
subject to termination under section 2903.44 of the Revised 241
Code. 242

(3) The official in charge of a jail, workhouse, state 243
correctional institution, or other institution shall notify the 244
attorney general in accordance with rules adopted by the 245
attorney general pursuant to Chapter 119. of the Revised Code if 246
a violent offender or qualifying out-of-state violent offender 247
is confined in the jail, workhouse, state correctional 248
institution, or other institution. 249

(E) Each violent offender or qualifying out-of-state 250
violent offender shall notify the sheriff with whom the offender 251
most recently enrolled or re-enrolled or that sheriff's designee 252
in person within three business days of a change of address. 253

(F) (1) After a violent offender or qualifying out-of-state 254

violent offender enrolls or re-enrolls in the violent offender 255
database with a sheriff or a sheriff's designee pursuant to this 256
section, the sheriff or designee shall forward the offender's 257
signed, written enrollment form, photograph, fingerprints, palm 258
prints, and other materials to the bureau of criminal 259
identification and investigation in accordance with forwarding 260
procedures adopted by the attorney general under division (G) of 261
this section. The bureau shall include the information and 262
materials forwarded to it under this division in the violent 263
offender database established and maintained under division (E) 264
(2) of this section. 265

(2) The bureau of criminal identification and 266
investigation shall establish and maintain a database of violent 267
offenders and qualifying out-of-state violent offenders that 268
includes the information and materials the bureau receives 269
pursuant to division (D) (1) of this section. The bureau shall 270
make the database available to federal, state, and local law 271
enforcement officers. The database of violent offenders and 272
qualifying out-of-state violent offenders maintained by the 273
bureau is not a public record under section 149.43 of the 274
Revised Code. 275

(3) (a) Except as otherwise provided in division (F) (3) (b) 276
of this section, any statements, information, photographs, 277
fingerprints, or materials that are provided by a violent 278
offender or qualifying out-of-state violent offender pursuant to 279
this section and that are in the possession of a county sheriff 280
are public records open to public inspection under section 281
149.43 of the Revised Code. 282

(b) A violent offender or qualifying out-of-state violent 283
offender may file a motion with the court of common pleas in the 284

county in which the offender resides stating that the offender 285
fears for the offender's safety if the statements, information, 286
photographs, fingerprints, or materials provided by the offender 287
pursuant to this section and that are in the possession of a 288
county sheriff are open for public inspection, and requesting 289
the court to issue an order to ban or restrict access to those 290
statements, information, photographs, fingerprints, and 291
materials. A motion filed with a court under this division shall 292
expressly state the reasons for which the violent offender or 293
qualifying out-of-state violent offender fears for the 294
offender's safety, shall identify each county in which the 295
offender has enrolled or re-enrolled, and shall provide 296
information and materials in support of the motion. The court, 297
upon the filing of the motion under this division, may determine 298
whether to grant or deny the motion without a hearing or may 299
conduct a hearing to determine whether to grant or deny the 300
motion. The court may grant the motion if it determines, upon 301
review of the motion, the supporting information and materials 302
provided with the motion, and, if the court conducts a hearing, 303
any additional information provided at the hearing, that the 304
offender's fears for the offender's safety are valid and that 305
the interests of justice and the offender's safety require that 306
the motion be granted. 307

If the court grants the motion, the statements, 308
information, photographs, fingerprints, or materials provided by 309
the offender pursuant to this section and that are in the 310
possession of a county sheriff are not public records open to 311
public inspection under section 149.43 of the Revised Code and 312
the court shall issue an order to that effect. A court that 313
grants a motion and issues an order under this division shall 314
notify the sheriff in each county in which the offender has 315

enrolled or re-enrolled of the issuance of the order, and each 316
of those sheriffs shall comply with the order. 317

(G) The attorney general shall prescribe the forms to be 318
used by violent offenders and qualifying out-of-state violent 319
offenders to enroll, re-enroll, and provide notice of a change 320
of address under divisions (A) to (D) of this section. The 321
attorney general shall adopt procedures for sheriffs to use to 322
forward information, photographs, fingerprints, palm prints, and 323
other materials to the bureau of criminal identification and 324
investigation pursuant to division (F) (1) of this section. 325

(H) The attorney general, in accordance with Chapter 119. 326
of the Revised Code, may adopt rules regarding enrollment dates 327
different than those prescribed in divisions (A), (B), and (D) 328
of this section for any violent offender or qualifying out-of- 329
state violent offender who also is an arson offender, as defined 330
in section 2909.13 of the Revised Code, or a sex offender or 331
child-victim offender, both as defined in section 2950.01 of the 332
Revised Code. 333

(I) (1) No violent offender or qualifying out-of-state 334
violent offender shall recklessly fail to enroll, re-enroll, or 335
notify the sheriff or sheriff's designee of a change of address 336
as required by this section. 337

(2) Whoever violates division (I) (1) of this section is 338
guilty of a felony of the fifth degree. If a violent offender or 339
qualifying out-of-state violent offender who violates division 340
(I) (1) of this section is subject to a community control 341
sanction, is on parole, is subject to one or more post-release 342
control sanctions, or is subject to any other type of supervised 343
release at the time of the violation, the violation shall 344
constitute a violation of the terms and conditions of the 345

community control sanction, parole, post-release control 346
sanction, or other type of supervised release. 347

Sec. 2903.44. (A) (1) As used in this section, "prosecutor" 348
means the office of the prosecuting attorney who handled a 349
violent offender's or qualifying out-of-state violent offender's 350
underlying case or the office of that prosecutor's successor in 351
office. 352

(2) Pursuant to this section, a violent offender or 353
qualifying out-of-state violent offender may file a motion to 354
the court of common pleas of the county in which the offender 355
resides requesting that the court terminate the offender's duty 356
to enroll and re-enroll in the violent offender database after 357
ten years of enrollment in the violent offender database. A 358
violent offender or qualifying out-of-state violent offender may 359
file not more than one motion under this division. 360

(B) A violent offender or qualifying out-of-state violent 361
offender who makes a motion under division (A) of this section 362
shall include with the motion all of the following: 363

(1) A certified copy of the judgment entry and any other 364
documentation of the sentence or disposition given for the 365
offense or offenses for which the offender was enrolled in the 366
violent offender database; 367

(2) Documentation of the date of the offender's discharge 368
from supervision or release, whichever is applicable; 369

(3) Evidence that the offender has not been convicted of 370
or pleaded guilty to any other felony or any misdemeanor offense 371
of violence within ten years of the offender's original 372
enrollment in the violent offender database; 373

(4) Evidence that the eligible offender has paid all 374

financial sanctions imposed upon the offender pursuant to 375
section 2929.18 or 2929.28 of the Revised Code. 376

(C) Upon the filing of a motion pursuant to division (A) 377
of this section, the offender shall serve a copy of the motion 378
on the prosecutor. 379

Upon the filing of the motion, the court shall set a 380
tentative date for a hearing on the motion that, except as 381
otherwise provided in this division, is not later than ninety 382
days after the date on which the motion is filed. The court may 383
set a tentative date for a hearing that is later than that 384
specified time if good cause exists to hold the hearing at a 385
later date. The court shall notify the offender and the 386
prosecutor of the date, time, and place of the hearing. The 387
court shall forward a copy of the motion and its supporting 388
documentation to the court's probation department or another 389
appropriate agency to investigate the merits of the motion. The 390
probation department or agency shall submit a written report 391
detailing its investigation to the court within sixty days after 392
receiving the motion and supporting documentation. 393

Upon receipt of the written report from the probation 394
department or other appropriate agency, the court shall forward 395
a copy of the motion, the supporting documentation, and the 396
written report to the prosecutor. 397

(D) After the prosecutor is served with a copy of the 398
motion and notice of the hearing as described in division (C) of 399
this section, at least seven days before the hearing date, the 400
prosecutor may file an objection to the motion with the court 401
and serve a copy of the objection to the motion to the offender 402
or the offender's attorney. 403

(E) In determining whether to grant a motion made under 404
division (A) of this section, the court shall consider the 405
evidence that accompanies the motion described in division (B) 406
of this section and shall consider the written report submitted 407
pursuant to division (C) of this section. 408

(F) (1) The court, without a hearing, may issue an order 409
denying the offender's motion to terminate the offender's duty 410
to enroll and re-enroll in the violent offender database if the 411
court, after considering the evidence, materials, and 412
information specified under division (E) of this section, finds 413
that the duty should not be terminated. If the court issues an 414
order under this division denying the motion, the offender may 415
not subsequently file another motion under this section 416
requesting termination of the duty. 417

(2) If the prosecutor does not file an objection to the 418
offender's application as provided in division (D) (2) of this 419
section, the court, without a hearing, may issue an order that 420
terminates the eligible offender's duty to enroll and re-enroll 421
in the violent offender database if the court, after considering 422
the evidence, materials, and information specified under 423
division (E) of this section, finds that the duty should be 424
terminated. This division does not apply if the prosecutor files 425
an objection to the offender's application as provided in 426
division (D) (2) of this section. 427

(3) If the court does not issue an order under division 428
(F) (1) or (2) of this section, the court shall hold a hearing to 429
determine whether to grant or deny the motion. At the hearing, 430
the Rules of Civil Procedure apply, except to the extent that 431
those Rules would by their nature be clearly inapplicable. At 432
the hearing, the offender has the burden of going forward with 433

the evidence and the burden of proof that the duty should be 434
terminated. If, after considering the evidence, materials, and 435
information specified under division (E) of this section, the 436
court finds that the offender has satisfied the burden of proof 437
described in this division, the court shall issue an order that 438
terminates the offender's duty to enroll and re-enroll in the 439
violent offender database. If the court finds that the offender 440
has not satisfied the burden of proof, the court shall issue an 441
order denying the motion. If the court issues an order under 442
this division denying the motion, the offender may not 443
subsequently file another motion under this section requesting 444
termination of the duty. 445

(4) (a) Upon its issuance of an order under division (F) 446
(1), (2), or (3) of this section, the court shall provide prompt 447
notice of the order to the offender or the offender's attorney. 448

(b) If the court issues an order under division (F) (2) or 449
(3) of this section terminating the offender's duty to enroll 450
and re-enroll in the violent offender database, the court shall 451
promptly forward a copy of the order to the bureau of criminal 452
identification and investigation and to the prosecutor. Upon 453
receipt of the order from the court, the bureau shall update all 454
records pertaining to the offender to reflect the termination 455
order. The bureau also shall provide notice of the issuance of 456
the termination order to every sheriff with whom the offender 457
has most recently enrolled or re-enrolled. Upon receipt of the 458
order from the court, the prosecutor shall notify the victim of 459
any offense for which the offender is enrolled in the violent 460
offender database that the offender's duty to enroll and re- 461
enroll in the database has been terminated. 462

Sec. 2967.121. (A) Subject to division (D) of this 463

section, at least two weeks before any convict who is serving a 464
sentence for committing aggravated murder, murder, or a felony 465
of the first, second, or third degree or who is serving a 466
sentence of life imprisonment is released from confinement in 467
any state correctional institution pursuant to a pardon, 468
commutation of sentence, parole, or completed prison term, the 469
adult parole authority shall provide notice of the release to 470
the prosecuting attorney of the county in which the indictment 471
of the convict was found and a separate notice of that release 472
to the sheriff of that county. The notice to prosecuting 473
attorneys and the notice to sheriffs required by this division 474
may be contained in a weekly list of all convicts who are 475
serving a sentence for aggravated murder, murder, or a felony of 476
the first, second, or third degree or are serving a sentence of 477
life imprisonment and who are scheduled for release. 478

(B) Subject to division (D) of this section, if a convict 479
who is serving a sentence for committing aggravated murder, 480
murder, or a felony of the first, second, or third degree or who 481
is serving a sentence of life imprisonment is released from 482
confinement pursuant to a pardon, commutation of sentence, 483
parole, or completed prison term, the adult parole authority 484
shall send notice of the release to the prosecuting attorney of 485
the county in which the indictment of the convict was filed. The 486
notice required by this division shall be sent to the 487
appropriate prosecuting attorney at the end of the month in 488
which the convict is released and may be contained in a monthly 489
list of all convicts who are released in that month and for whom 490
this division requires a notice to be sent to that prosecuting 491
attorney. 492

(C) The notices required by divisions (A) and (B) of this 493
section shall contain all of the following: 494

(1) The name of the convict being released;	495
(2) The date of the convict's release;	496
(3) The offense for the violation of which the convict was convicted and incarcerated;	497 498
(4) The date of the convict's conviction pursuant to which the convict was incarcerated;	499 500
(5) The sentence imposed for that conviction;	501
(6) The length of any supervision that the convict will be under;	502 503
(7) The name, business address, and business phone number of the convict's supervising officer;	504 505
(8) The address at which the convict will reside.	506
(D) (1) Divisions (A) , (B), and (C) of this section do not apply to the release from confinement of an offender if the offender is serving a prison term imposed under division (A) (3), (B) (1) (a), (b), or (c), (B) (2) (a), (b), or (c), or (B) (3) (a), (b), (c), or (d) of section 2971.03 of the Revised Code, if the court pursuant to section 2971.05 of the Revised Code modifies the requirement that the offender serve that entire term in a state correctional institution, and if the release from confinement is pursuant to that modification. In a case of that type, the court that modifies the requirement promptly shall provide written notice of the modification and the order that modifies the requirement or revises the modification to the offender, the department of rehabilitation and correction, the prosecuting attorney, and any state agency or political subdivision that is affected by the order.	507 508 509 510 511 512 513 514 515 516 517 518 519 520 521
(2) Divisions (A), (B), and (C) of this section do not	522

apply to the release from confinement of an offender if, upon 523
admission to the state correctional institution, the offender 524
has less than fourteen days to serve on the sentence. 525

Sec. 5120.07. (A) There is hereby created the ex-offender 526
reentry coalition consisting of the following ~~seventeen~~twenty- 527
one members or their designees: 528

- (1) The director of rehabilitation and correction; 529
- (2) The director of aging; 530
- (3) The director of mental health and addiction services; 531
- (4) The director of development services; 532
- (5) The superintendent of public instruction; 533
- (6) The director of health; 534
- (7) The director of job and family services; 535
- (8) The director of developmental disabilities; 536
- (9) The director of public safety; 537
- (10) The director of youth services; 538
- (11) The chancellor of the Ohio board of regents; 539
- (12) A representative or member of the governor's staff; 540
- (13) The executive director of the opportunities for 541
Ohioans with disabilities agency; 542
- (14) The director of the department of commerce; 543
- (15) The executive director of a health care licensing 544
board created under Title XLVII of the Revised Code, as 545
appointed by the chairperson of the coalition; 546

(16) The director of veterans services;	547
(17) An ex-offender appointed by the director of rehabilitation and correction;	548 549
<u>(18) Two members of the house of representatives appointed by the speaker of the house of representatives, one of whom shall be the chairperson of the standing committee in the house of representatives that primarily addresses criminal justice matters and the other of whom shall be a member of the minority party in the house of representatives;</u>	550 551 552 553 554 555
<u>(19) Two members of the senate appointed by the president of the senate, one of whom shall be the chairperson of the standing committee in the senate that primarily addresses criminal justice matters and the other of whom shall be a member of the minority party in the senate.</u>	556 557 558 559 560
(B) The members of the coalition shall serve without compensation. The director of rehabilitation and correction or the director's designee shall be the chairperson of the coalition.	561 562 563 564
(C) 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, <u>the members of the coalition shall identify and examine social service barriers and other obstacles to the reentry of ex-offenders into the community 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</u>	565 566 567 568 569 570 571 572 573 574 575

while simultaneously maintaining public safety and reducing 576
recidivism in this state. Not later than one year after April 7, 577
2009, and on or before the same date of each year thereafter, 578
the coalition shall submit to the speaker of the house of 579
representatives and the president of the senate a report, 580
including recommendations for legislative action, the activities 581
of the coalition, and the barriers affecting the successful 582
reentry of ex-offenders into the community. The report shall 583
analyze the effects of those barriers on ex-offenders and on 584
their children and other family members in various areas, 585
including but not limited to, the following: 586

- (1) Admission to public and other housing; 587
- (2) Child support obligations and procedures; 588
- (3) Parental incarceration and family reunification; 589
- (4) Social security benefits, veterans' benefits, food 590
stamps, and other forms of public assistance; 591
- (5) Employment; 592
- (6) Education programs and financial assistance; 593
- (7) Substance abuse and sex offender treatment programs 594
and financial assistance and mental health services and 595
financial assistance; 596
- (8) Civic and political participation; 597
- (9) Other collateral consequences under the Revised Code 598
or the Ohio administrative code law that may result from a 599
criminal conviction. 600

(D)(1) The report shall also include the following 601
information: 602

(a) Identification of state appropriations for reentry programs;	603 604
(b) Identification of other funding sources for reentry programs that are not funded by the state + .	605 606
(2) The coalition shall gather information about reentry programs in a repository maintained and made available by the coalition. Where available, the information shall include the following:	607 608 609 610
(a) The amount of funding received;	611
(b) The number of program participants;	612
(c) The composition of the program, including program goals, methods for measuring success, and program success rate;	613 614
(d) The type of post-program tracking that is utilized;	615
(e) Information about employment rates and recidivism rates of ex-offenders.	616 617
(E) The coalition shall cease to exist on December 31, 2019.	618 619
Sec. 5120.114. (A) The department of rehabilitation and correction shall select a single validated risk assessment tool for adult offenders. This assessment tool shall be used by the following entities:	620 621 622 623
(1) Municipal courts, when the particular court orders an assessment of an offender for sentencing or another purpose;	624 625
(2) Common pleas courts, when the particular court orders an assessment of an offender for sentencing or another purpose;	626 627
(3) County courts, when the particular court orders an assessment of an offender for sentencing or another purpose;	628 629

(4) Municipal court departments of probation;	630
(5) County departments of probation;	631
(6) Probation departments established by two or more counties;	632 633
(7) State and local correctional institutions;	634
(8) Private correctional facilities;	635
(9) Community-based correctional facilities;	636
(10) <u>Halfway houses</u> ;	637
<u>(11)</u> The adult parole authority;	638
(11) <u>(12)</u> The parole board.	639
(B) For each entity required to use the assessment tool, every employee of the entity who actually uses the tool shall be trained and certified by a trainer who is certified by the department. Each entity utilizing the assessment tool shall develop policies and protocols regarding all of the following activities:	640 641 642 643 644 645
(1) Application and integration of the assessment tool into operations, supervision, and case planning;	646 647
(2) Administrative oversight of the use of the assessment tool;	648 649
(3) Staff training;	650
(4) Quality assurance;	651
(5) Data collection and sharing as described under section 5120.115 of the Revised Code.	652 653
Section 2. That existing sections 2967.121, 5120.07, and	654

5120.114 and section 2967.122 of the Revised Code are hereby	655
repealed.	656
Section 3. Sections 2903.41, 2903.42, 2903.43, and 2903.44	657
of the Revised Code, as enacted in this act, shall be known as	658
"Sierah's Law."	659