

Sub. S. B. No. 66
As Passed by the Senate

Topic: Permissible disclosure of risk assessment results 1

_____ moved to amend as follows:

In line 3 of the title, after "2967.28," insert "5120.114,
5120.115," 2 3

In line 29, after "2967.28," insert "5120.114, 5120.115," 4

After line 2074, insert: 5

"Sec. 5120.114. (A) The department of rehabilitation and 6
correction shall select a single validated risk assessment tool 7
for adult offenders. This assessment tool shall be used by the 8
following entities: 9

(1) Municipal courts, when the particular court orders an 10
assessment of an offender for sentencing or another purpose; 11

(2) Common pleas courts, when the particular court orders 12
an assessment of an offender for sentencing or another purpose; 13

(3) County courts, when the particular court orders an 14
assessment of an offender for sentencing or another purpose; 15



(4) Municipal court departments of probation;	16
(5) County departments of probation;	17
(6) Probation departments established by two or more counties;	18 19
(7) State and local correctional institutions;	20
(8) Private correctional facilities;	21
(9) Community-based correctional facilities;	22
(10) The adult parole authority;	23
(11) The parole board;	24
<u>(12) The department of mental health and addiction</u> <u>services.</u>	25 26
(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:	27 28 29 30 31 32
(1) Application and integration of the assessment tool into operations, supervision, and case planning;	33 34
(2) Administrative oversight of the use of the assessment tool;	35 36
(3) Staff training;	37
(4) Quality assurance;	38
(5) Data collection and sharing as described under section 5120.115 of the Revised Code.	39 40

Sec. 5120.115. (A) Each authorized user of the single 41
validated risk assessment tool described in section 5120.114 of 42
the Revised Code shall have access to all reports generated by 43
the risk assessment tool and all data stored in the risk 44
assessment tool. An authorized user may disclose any report 45
generated by the risk assessment tool to law enforcement 46
agencies, halfway houses, and medical, mental health, and 47
substance abuse treatment providers for penological and 48
rehabilitative purposes. ~~The user shall make the disclosure~~ An 49
authorized user may also disclose any report generated by the 50
risk assessment tool to qualified persons and research 51
organizations for research, evaluative, and statistical purposes 52
under the terms of written agreements between the authorized 53
user and the recipients of the report. Reports generated by the 54
risk assessment tool shall be disclosed in a manner calculated 55
to maintain that ensures the report's security and 56
confidentiality of information in the reports. 57

(B) All reports generated by or data collected in the risk 58
assessment tool are confidential information and are not a 59
public record. No person shall disclose any report generated by 60
or data collected in the risk assessment tool except as provided 61
in division (A) of this section. 62

(C) As used in this section, "public record" has the same 63
meaning as in section 149.43 of the Revised Code." 64

In line 2314, before "5503.02" insert "5120.114, 5120.115," 65

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The motion was _____ agreed to.