

As Introduced

133rd General Assembly

Regular Session

2019-2020

H. B. No. 215

Representatives Boggs, Carfagna

**Cosponsors: Representatives Brown, Cera, Crawley, Crossman, Edwards,
Galonski, Hicks-Hudson, Kent, Leland, Lightbody, Liston, O'Brien, Romanchuk,
Sheehy, Smith, K., Weinstein**

A BILL

To amend sections 181.21, 181.26, 2967.14, 1
5120.021, 5120.038, 5120.113, and 5149.04 of the 2
Revised Code to modify the Corrections Law 3
regarding a Department of Rehabilitation and 4
Correction reentry program for certain 5
offenders, maximum workload and caseload 6
standards for parole and field officers, GPS 7
monitoring of offenders released from prison, 8
and entry into LEADS of specified information 9
about GPS-monitored offenders, and to require 10
the Ohio Criminal Sentencing Commission to 11
appoint an Offender Supervision Study Committee. 12

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

Section 1. That sections 181.21, 181.26, 2967.14, 13
5120.021, 5120.038, 5120.113, and 5149.04 of the Revised Code be 14
amended to read as follows: 15

Sec. 181.21. (A) There is hereby created within the 16
supreme court the state criminal sentencing commission, 17

consisting of thirty-one members. One member shall be the chief 18
justice of the supreme court, who shall be the chairperson of 19
the commission. The following ten members of the commission, no 20
more than six of whom shall be members of the same political 21
party, shall be appointed by the chief justice: one judge of a 22
court of appeals, three judges of courts of common pleas who are 23
not juvenile court judges, three judges of juvenile courts, and 24
three judges of municipal courts or county courts. Four members 25
shall be the superintendent of the state highway patrol, the 26
state public defender, the director of youth services, and the 27
director of rehabilitation and correction, or their individual 28
designees. The following twelve members, no more than seven of 29
whom shall be members of the same political party, shall be 30
appointed by the governor after consulting with the appropriate 31
state associations, if any, that are represented by these 32
members: one sheriff; two county prosecuting attorneys, at least 33
one of whom shall be experienced in the prosecution of cases in 34
juvenile court involving alleged delinquent children, unruly 35
children, and juvenile traffic offenders; two peace officers of 36
a municipal corporation or township, at least one of whom shall 37
be experienced in the investigation of cases involving 38
juveniles; one former victim of a violation of Title XXIX of the 39
Revised Code; one attorney whose practice of law primarily 40
involves the representation of criminal defendants; one member 41
of the Ohio state bar association; one attorney whose practice 42
of law primarily involves the representation in juvenile court 43
of alleged delinquent children, unruly children, and juvenile 44
traffic offenders; one full-time city prosecuting attorney; one 45
county commissioner; and one mayor, city manager, or member of a 46
legislative authority of a municipal corporation. Two members 47
shall be members of the senate, one appointed by the president 48
of the senate and one appointed by the minority leader of the 49

senate. Two members shall be members of the house of 50
representatives, one appointed by the speaker of the house of 51
representatives and one appointed by the minority leader of the 52
house of representatives. 53

The chief justice shall become a member of the commission 54
on August 22, 1990, and the chief justice's successors in office 55
shall become members of the commission on the day that they 56
assume the office of chief justice. The term of office of the 57
chief justice as a member of the commission shall continue for 58
as long as that person holds the office of chief justice. The 59
term of office of the member who is an attorney whose practice 60
of law primarily involves the representation of criminal 61
defendants, the term of office of the member who is an attorney 62
whose practice of law primarily involves the representation in 63
juvenile court of alleged delinquent children, unruly children, 64
and juvenile traffic offenders, and the term of office of the 65
former victim of a violation of Title XXIX of the Revised Code 66
shall be four years. The term of office of the superintendent of 67
the state highway patrol, the state public defender, the 68
director of youth services, and the director of rehabilitation 69
and correction, or their individual designees, as members of the 70
commission shall continue for as long as they hold the office of 71
superintendent of the state highway patrol, state public 72
defender, director of youth services, or director of 73
rehabilitation and correction. The term of office of a municipal 74
corporation or township peace officer as a member of the 75
commission shall be the lesser of four years or until that 76
person ceases to be a peace officer of a municipal corporation 77
or township. Unless the full-time city prosecuting attorney is 78
an elected official, the term of office of the full-time city 79
prosecuting attorney shall be the lesser of four years or until 80

the full-time city prosecuting attorney ceases to be a full-time 81
city prosecuting attorney. All of the members of the commission 82
who are elected officials shall serve the lesser of four years 83
or until the expiration of their term of office. Any vacancy on 84
the commission shall be filled in the same manner as the 85
original appointment. 86

When the chief justice and governor make their 87
appointments to the commission, they shall consider adequate 88
representation by race and gender. 89

(B) The commission shall select a vice-chairperson and any 90
other necessary officers and adopt rules to govern its 91
proceedings. The commission shall meet as necessary at the call 92
of the chairperson or on the written request of eight or more of 93
its members. Sixteen members of the commission constitute a 94
quorum, and the votes of a majority of the quorum present shall 95
be required to validate any action of the commission. All 96
business of the commission shall be conducted in public 97
meetings. 98

The members of the commission shall serve without 99
compensation, but each member shall be reimbursed for the 100
member's actual and necessary expenses incurred in the 101
performance of the member's official duties on the commission. 102
In the absence of the chairperson, the vice-chairperson shall 103
perform the duties of the chairperson. 104

(C) The commission shall establish an office and shall 105
appoint and fix the compensation of a project director and any 106
other employees necessary to assist the commission in the 107
execution of its authority under sections 181.21 to 181.26 of 108
the Revised Code. The project director shall have a thorough 109
understanding of the criminal laws of this state and experience 110

in committee-oriented research. The other employees may include 111
a research coordinator with experience and training in policy- 112
oriented research; professional staff employees with backgrounds 113
in criminal law, criminal justice, political science, or related 114
fields of expertise; administrative assistants; and secretaries. 115
The commission also may appoint and fix the compensation of 116
part-time data collectors, clerical employees, and other 117
temporary employees as needed to enable the commission to 118
execute its authority under sections 181.21 to 181.26 of the 119
Revised Code. 120

(D) The sentencing commission shall establish a standing 121
juvenile committee. The committee shall consist of the following 122
commission members: the chief justice of the supreme court or 123
the chief justice's designee, the director of youth services, 124
the three juvenile court judges, one court of common pleas judge 125
who is not a juvenile court judge, one county prosecuting 126
attorney who is experienced in the prosecution of cases in 127
juvenile court involving alleged delinquent children, unruly 128
children, and juvenile traffic offenders, the attorney whose 129
practice of law primarily involves the representation in 130
juvenile court of alleged delinquent children, unruly children, 131
and juvenile traffic offenders, the former victim of a violation 132
of Title XXIX of the Revised Code, the county commissioner, one 133
legislator from each political party, the sheriff, and one 134
municipal corporation or township peace officer who is 135
experienced in the investigation of cases involving juveniles. 136
The members of the commission may serve on the committee by 137
designation of the chief justice. The chief justice shall 138
designate a member to serve as chairperson of the committee. The 139
committee shall meet as necessary at the call of the chairperson 140
or on the written request of four or more of the committee's 141

members. A majority of the members of the committee shall 142
constitute a quorum, and the votes of a majority of the quorum 143
present shall be required to validate any action of the 144
committee, including recommendations to the commission. The 145
committee and the commission shall comply with section 181.26 of 146
the Revised Code. 147

(E) (1) The sentencing commission shall establish an ad 148
hoc, standing offender supervision study committee. The 149
committee shall consist of one member who is a person appointed 150
by the governor and the following twelve members appointed by 151
the commission: one active parole line officer; one active 152
probation officer; two members of the house of representatives 153
who shall not be members of the same political party; two 154
members of the senate who shall not be members of the same 155
political party; one judge of a court of common pleas; one 156
representative of the Ohio community corrections association; 157
the director of rehabilitation and corrections or the director's 158
representative; one county prosecuting attorney; the state 159
public defender, the state public defender's representative, or 160
a county public defender; and one sheriff. The members of the 161
commission may serve on the committee by designation of the 162
chief justice, to the extent that the members satisfy the 163
criteria for service on the committee. The chief justice shall 164
designate a member to serve as chairperson of the committee. The 165
committee shall select a vice-chairperson. The committee shall 166
meet as necessary at the call of the chairperson or on the 167
written request of four or more of the committee's members. In 168
the absence of the chairperson, the vice-chairperson shall 169
perform the duties of the chairperson. A majority of the members 170
of the committee shall constitute a quorum, and the votes of a 171
majority of the quorum present shall be required to validate any 172

action of the committee, including the content of reports and 173
recommendations to the commission. 174

The members of the committee who are not members of the 175
commission shall serve without compensation, but each such 176
member shall be reimbursed for the member's actual and necessary 177
expenses incurred in the performance of the member's official 178
duties on the commission. Section 181.21 of the Revised Code 179
applies to the members of the committee who are members of the 180
commission. 181

(2) The offender supervision study committee shall study 182
and review all issues related to the supervision of offenders, 183
including issues related to parole, community control, 184
probation, community corrections, and transitional control, and 185
issues related to interstate compact policies. The committee 186
shall submit a report to the commission not later than the 187
thirty-first day of December in each even-numbered year that 188
contains its findings with respect to the issues it studies and 189
reviews and recommendations regarding possible changes in the 190
law based on those findings. 191

The commission shall comply with division (D) of section 192
181.26 of the Revised Code with respect to the reports submitted 193
to it under this division. 194

(3) The sentencing commission may appoint persons who are 195
experts in issues related to the supervision of offenders to 196
assist the committee in the performance of its duties under 197
division (E) (2) of this section. No person appointed in a 198
capacity under this division may vote on any action of the 199
committee, including the content of any report or recommendation 200
to the commission. 201

Sec. 181.26. (A) In addition to its duties set forth in	202
sections 181.23 to 181.25 of the Revised Code, the state	203
criminal sentencing commission shall do all of the following:	204
(1) Review all statutes governing delinquent child, unruly	205
child, and juvenile traffic offender dispositions in this state;	206
(2) Review state and local resources, including facilities	207
and programs, used for delinquent child, unruly child, and	208
juvenile traffic offender dispositions and profile the	209
populations of youthful offenders in the facilities and	210
programs;	211
(3) Report to the general assembly no later than October	212
1, 1999, a comprehensive plan containing recommendations based	213
on the reviews required under divisions (A) (1) and (2) of this	214
section. The recommendations shall do all of the following:	215
(a) Assist in the managing of the number of persons in,	216
and costs of, the facilities, the programs, and other resources	217
used in delinquent child, unruly child, and juvenile traffic	218
offender dispositions;	219
(b) Foster rehabilitation, public safety, sanctions,	220
accountability, and other reasonable goals;	221
(c) Provide greater certainty, proportionality,	222
uniformity, fairness, and simplicity in delinquent child, unruly	223
child, and juvenile traffic offender dispositions while	224
retaining reasonable judicial discretion;	225
(d) Provide for the restoration of victims of juvenile	226
offenses.	227
(B) The commission shall project the impact of the	228
comprehensive plan recommended by the commission under <u>division</u>	229

(A) of this section on state and local resources used in 230
delinquent child, unruly child, and juvenile traffic offender 231
dispositions. The commission shall determine whether any 232
additional facilities, programs, or other resources are needed 233
to implement the comprehensive plan. 234

(C) If the general assembly enacts all or a substantial 235
part of the comprehensive plan recommended by the commission 236
under division (A) of this section, the commission shall do all 237
of the following: 238

(1) Assist in the implementation of the enacted plan; 239

(2) Monitor the operation of the plan, periodically report 240
to the general assembly on the plan's operation and the plan's 241
impact on resources used in delinquent child, unruly child, and 242
juvenile traffic offender dispositions, and periodically 243
recommend changes in the plan to the general assembly based on 244
this monitoring; 245

(3) Review all bills that are introduced in the general 246
assembly that relate to delinquent child, unruly child, and 247
juvenile traffic offender dispositions and assist the general 248
assembly in making legislation consistent with the plan. 249

(D) In addition to its duties set forth in sections 181.23 250
to 181.25 of the Revised Code and divisions (A) to (C) of this 251
section, the state criminal sentencing commission shall review 252
all reports submitted to it by the offender supervision study 253
committee under division (E)(2) of section 181.21 of the Revised 254
Code and, for each report so received, not later than ninety 255
days after receiving the report, shall submit a report to the 256
general assembly that contains the commission's recommendations 257
regarding possible changes in the law based on the findings of 258

the committee that are set forth in the report. In preparing its 259
report to the general assembly, the commission shall consider 260
all findings and recommendations of the committee contained in 261
the report the committee submitted to the commission, and the 262
commission's report to the general assembly may be, but is not 263
required to be, the same as the report of the committee 264
submitted to the commission. 265

Sec. 2967.14. (A) The department of rehabilitation and 266
correction or the adult parole authority may require or allow a 267
parolee, a releasee, or a prisoner otherwise released from a 268
state correctional institution to reside in a halfway house or 269
other suitable community residential center that has been 270
licensed by the division of parole and community services 271
pursuant to division (C) of this section or, in the 272
circumstances described in division (E) of section 5120.113 of 273
the Revised Code, in the reentry program and facility 274
established under that division, during a part or for the entire 275
period of the offender's or parolee's conditional release or of 276
the releasee's term of post-release control. The court of common 277
pleas that placed an offender under a sanction consisting of a 278
term in a halfway house or in an alternative residential 279
sanction may require the offender to reside in a halfway house 280
or other suitable community residential center that is 281
designated by the court and that has been licensed by the 282
division pursuant to division (C) of this section during a part 283
or for the entire period of the offender's residential sanction. 284

(B) The division of parole and community services may 285
negotiate and enter into agreements with any public or private 286
agency or a department or political subdivision of the state 287
that operates a halfway house, reentry center, or community 288
residential center that has been licensed by the division 289

pursuant to division (C) of this section. An agreement under 290
this division shall provide for the purchase of beds, shall set 291
limits of supervision and levels of occupancy, and shall 292
determine the scope of services for all eligible offenders, 293
including those subject to a residential sanction, as defined in 294
rules adopted by the director of rehabilitation and correction 295
in accordance with Chapter 119. of the Revised Code, or those 296
released from prison without supervision. The payments for beds 297
and services shall not exceed the total operating costs of the 298
halfway house, reentry center, or community residential center 299
during the term of an agreement. The director of rehabilitation 300
and correction shall adopt rules in accordance with Chapter 119. 301
of the Revised Code for determining includable and excludable 302
costs and income to be used in computing the agency's average 303
daily per capita costs with its facility at full occupancy. 304

The director of rehabilitation and correction shall adopt 305
rules providing for the use of no more than fifteen per cent of 306
the amount appropriated to the department each fiscal year for 307
the halfway house, reentry center, and community residential 308
center program to pay for contracts with licensed halfway houses 309
for nonresidential services for offenders under the supervision 310
of the adult parole authority, including but not limited to, 311
offenders supervised pursuant to an agreement entered into by 312
the adult parole authority and a court of common pleas under 313
section 2301.32 of the Revised Code. The nonresidential services 314
may include, but are not limited to, treatment for substance 315
abuse, mental health counseling, counseling for sex offenders, 316
electronic monitoring services, aftercare, and other 317
nonresidential services that the director identifies by rule. 318

(C) The division of parole and community services may 319
license a halfway house, reentry center, or community 320

residential center as a suitable facility for the care and 321
treatment of adult offenders, including offenders sentenced 322
under section 2929.16 or 2929.26 of the Revised Code, only if 323
the halfway house, reentry center, or community residential 324
center complies with the standards that the division adopts in 325
accordance with Chapter 119. of the Revised Code for the 326
licensure of halfway houses, reentry centers, and community 327
residential centers. The division shall annually inspect each 328
licensed halfway house, licensed reentry center, and licensed 329
community residential center to determine if it is in compliance 330
with the licensure standards. 331

(D) The division of parole and community services may 332
expend up to one-half per cent of the annual appropriation made 333
for halfway house programs, for goods or services that benefit 334
those programs. 335

Sec. 5120.021. (A) The provisions of Chapter 5120. of the 336
Revised Code, as they existed prior to July 1, 1996, and that 337
address the duration or potential duration of incarceration or 338
parole or other forms of supervised release, apply to all 339
persons upon whom a court imposed a term of imprisonment prior 340
to July 1, 1996, and all persons upon whom a court, on or after 341
July 1, 1996, and in accordance with law existing prior to July 342
1, 1996, imposed a term of imprisonment for an offense that was 343
committed prior to July 1, 1996. 344

(B) (1) The provisions of Chapter 5120. of the Revised 345
Code, as they exist on or after July 1, 1996, and that address 346
the duration or potential duration of incarceration or 347
supervised release, apply to all persons upon whom a court 348
imposed a stated prison term for an offense committed on or 349
after July 1, 1996. 350

(2) The provisions of Chapter 5120. of the Revised Code, 351
as they exist on or after ~~the effective date of this amendment~~ 352
March 22, 2019, and prior to the effective date of this 353
amendment apply to an offender who is released from confinement 354
in a state correctional institution on or after ~~that date~~ March 355
22, 2019, and prior to the effective date of this amendment. 356

(3) The provisions of Chapter 5120. of the Revised Code, 357
as they exist on or after the effective date of this amendment, 358
apply to an offender who is released from confinement in a state 359
correctional institution on or after that date. 360

(C) Nothing in this section limits or affects the 361
applicability of any provision in Chapter 5120. of the Revised 362
Code, as amended or enacted on or after July 1, 1996, that 363
pertains to an issue other than the duration or potential 364
duration of incarceration or supervised release, to persons in 365
custody or under the supervision of the department of 366
rehabilitation and correction. 367

Sec. 5120.038. (A) As used in this section~~7~~: 368

(1) "GPS-monitored offender" means an offender who, on or 369
after the effective date of divisions (C) to (E) of this 370
section, is released from confinement in a state correctional 371
institution under a conditional pardon, parole, other form of 372
authorized release, or transitional control that includes global 373
positioning system monitoring as a condition of the person's 374
release, or who, on or after that date, is placed under post- 375
release control that includes global positioning system 376
monitoring as a condition under the post-release control. 377

(2) "Law enforcement automated data system" means the law 378
enforcement automated data system, also known as LEADS, 379

established under section 5503.10 of the Revised Code. 380

(3) "Secondary entity" means an entity under contract with 381
a third-party contract administrator with which the department 382
of rehabilitation and correction has entered into a contract for 383
global positioning system monitoring of GPS-monitored offenders. 384

(B) Not later than June 30, 2019, the department of 385
rehabilitation and correction shall ~~study the feasibility of~~ 386
~~contracting with a third party contract administrator for global~~ 387
~~position system monitoring that would include a crime scene~~ 388
~~correlation program that could interface by link with a~~ 389
~~statewide database for GPS-monitored offenders. The study also~~ 390
~~shall analyze~~ conduct a study that analyzes the use of GPS 391
monitoring as a supervision tool. ~~In conducting the study, the~~ 392
~~department shall consider all of the following factors:~~ 393

~~(1) The ability of the department or another state entity~~ 394
~~to establish and operate a statewide internet database of GPS-~~ 395
~~monitored offenders and the specific information that such a~~ 396
~~database could include.~~ 397

~~(2) The capability for a GPS monitoring system run by a~~ 398
~~third party contract administrator to include a crime scene~~ 399
~~correlation program that interfaces by link with a statewide~~ 400
~~database of GPS-monitored offenders.~~ 401

~~(3) The ability of local law enforcement representatives~~ 402
~~to remotely search a statewide internet database of GPS-~~ 403
~~monitored offenders that is linked with a crime scene~~ 404
~~correlation program.~~ 405

~~(4) The capability for a GPS monitoring system with crime-~~ 406
~~scene correlation features to allow local law enforcement~~ 407
~~representatives without a subpoena or warrant to access~~ 408

~~information contained in the crime scene correlation program~~ 409
~~about a GPS-monitored offender, including the offender's current~~ 410
~~location, the offender's location at previous points in time,~~ 411
~~the location of recent criminal activity in or near the~~ 412
~~offender's inclusionary or exclusionary zones included as~~ 413
~~restrictions under the offender's supervision, and any possible~~ 414
~~connection between the offender's location and that recent~~ 415
~~criminal activity.~~ 416

~~(5) The ability of law enforcement representatives to~~ 417
~~obtain, without a warrant or subpoena, information about a GPS-~~ 418
~~monitored offender from either an employee of the department or~~ 419
~~a third party contract administrator who is monitoring the~~ 420
~~offender, including information of the types listed in division-~~ 421
~~(B)(4) of this section.~~ 422

~~(6) The types of offenders for whom GPS monitoring would~~ 423
~~be beneficial, the appropriate length for monitoring, and the~~ 424
~~costs related to GPS monitoring.~~ 425

~~(C) Upon completion of the study specified in this~~ 426
~~division (B) of this section, the department shall submit copies~~ 427
~~of the study to the president and minority leader of the senate,~~ 428
~~the speaker and minority leader of the house of representatives,~~ 429
~~and the governor.~~ 430

(C) (1) On and after the effective date of this amendment, 431
each global positioning system monitor that is used to monitor a 432
GPS-monitored offender shall specify and monitor restrictions 433
for the offender. The restrictions shall include for the 434
offender inclusionary zones and, to the extent necessary, 435
exclusionary zones, and may include for the offender a curfew 436
specifying times of required presence in the inclusionary zone 437
and any other reasonable restrictions. 438

(2) Each contract that the department of rehabilitation and correction enters into on or after the effective date of this amendment with a third-party contract administrator for global positioning system monitoring of GPS-monitored offenders shall require all of the following: 439
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(a) That the global positioning system used by the administrator, or by any secondary entity under contract with the administrator to perform the actual monitoring of the offender, include a crime scene correlation program to which access can be obtained as described in division (E)(2) of this section; 444
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(b) That the crime scene correlation program included in the administrator's system, or in the system of a secondary entity under contract with the administrator to perform the actual monitoring of the offender, will allow local law enforcement representatives or their designees to obtain, without need for a subpoena or warrant, real-time access or active global positioning system access to information contained in the program about a GPS-monitored offender's location at that time and, to the extent that it is available, at other previous points in time identified by the representative or designee, about the location of recent criminal activity in or near the offender's inclusionary or exclusionary zones, and about any possible connection between the offender's location and that recent criminal activity; 450
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(c) That the administrator, or the secondary entity under contract with the administrator to perform the actual monitoring of the offender, allow access to the crime scene correlation program included in the administrator's or secondary entity's system to law enforcement representatives as described in 464
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division (E) (2) of this section; 469

(d) That the global positioning system used by the 470
administrator, or by any secondary entity under contract with 471
the administrator to perform the actual monitoring of the 472
offender, be monitored continuously and that the access 473
described in divisions (C) (2) (b) and (c) of this section be 474
afforded twenty-four hours a day and seven days a week. 475

(D) (1) On and after the effective date of this amendment, 476
any third-party contract administrator used for global 477
positioning system monitoring of a GPS-monitored offender, and 478
any secondary entity under contract with such a third-party 479
contract administrator to perform the actual monitoring of a 480
GPS-monitored offender, shall comply in the monitoring of the 481
offender with system requirements of the department of 482
rehabilitation and correction that exist on that date for global 483
positioning system monitoring of such offenders. 484

(2) If, on the effective date of this amendment, the 485
department of rehabilitation and correction has not established 486
system requirements of the type described in division (D) (1) of 487
this section, within a reasonable period of time after that 488
effective date, the department shall establish system 489
requirements for global positioning system monitoring of GPS- 490
monitored offenders. After establishment of the requirements, 491
the department, any third-party contract administrator used for 492
global positioning system monitoring, and any secondary entity 493
under contract with such a third-party contract administrator to 494
perform the actual monitoring of a GPS-monitored offender, shall 495
comply with the established system requirements in the 496
monitoring of a GPS-monitored offender. 497

(E) (1) (a) As soon as possible after, but not later than 498

twelve months after, the effective date of this amendment, the 499
department of rehabilitation and correction shall adopt 500
procedures that the department and third-party contract 501
administrators that are being used for global positioning system 502
monitoring of a GPS-monitored offender shall use to provide to 503
the bureau of criminal identification and investigation the 504
information specified in division (E)(3) of this section for 505
each GPS-monitored offender being monitored by the department or 506
administrator. 507

(b) On and after the date on which the department of 508
rehabilitation and correction adopts the procedures specified in 509
division (E)(1)(a) of this section, the department shall provide 510
to the bureau of criminal identification and investigation the 511
information specified in division (E)(3) of this section for 512
each GPS-monitored offender that is being monitored by the 513
department, and each third-party contract administrator that is 514
being used for global positioning system monitoring of a GPS- 515
monitored offender shall provide to the bureau the information 516
specified in division (E)(3) of this section for each GPS- 517
monitored offender that is being monitored by the administrator. 518
If the third-party contract administrator has contracted with a 519
secondary entity to perform the actual monitoring of a GPS- 520
monitored offender, the information the administrator provides 521
to the bureau also shall include the information specified in 522
division (E)(3) of this section for each GPS-monitored offender 523
that is being monitored by the secondary entity. The department 524
and each third-party administrator shall provide the information 525
in accordance with the procedures adopted by the department 526
under division (E)(1)(a) of this section. Upon receipt of such 527
information, the bureau immediately shall enter the information 528
into the law enforcement automated data system. The 529

superintendent of the state highway patrol shall ensure that the 530
law enforcement automated data system is so configured as to 531
permit the entry into, and transmission through, the system of 532
that information. 533

(c) If any information the department of rehabilitation 534
and correction provides under divisions (E)(1)(a) and (b) of 535
this section to the bureau of criminal identification and 536
investigation becomes inaccurate, the department immediately 537
shall update the information so that it is current and accurate 538
and immediately provide the updated information to the bureau. 539
If any information a third-party contract administrator provides 540
under divisions (E)(1)(a) and (b) of this section to the bureau 541
of criminal identification and investigation, including any 542
information with respect to a secondary entity under contract 543
with the administrator, becomes inaccurate, the administrator 544
immediately shall update the information so that it is current 545
and accurate and immediately provide the updated information to 546
the bureau. Upon receipt of such updated information, the bureau 547
immediately shall enter the updated information into the law 548
enforcement automated data system. 549

(2) If a local law enforcement representative, through use 550
of the law enforcement automated data system or in any other 551
manner, learns the identity of, and contact information for, an 552
employee of the department who is monitoring a GPS-monitored 553
offender, the identity of, and contact information for, a third- 554
party contract administrator that is being used for global 555
positioning system monitoring of a GPS-monitored offender, or 556
the identity of, and contact information for, a secondary entity 557
under contract with such a third-party contract administrator to 558
perform the actual monitoring of a GPS-monitored offender, the 559
representative or another law enforcement officer designated by 560

the representative may contact the employee, the administrator, 561
or the secondary entity and, without need for a subpoena or 562
warrant, request real-time access or active global positioning 563
system access to information about the offender's location at 564
that time and at other previous points in time identified by the 565
representative or designee. Upon receipt of a request as 566
described in this division, the employee of the department, the 567
third-party contract administrator, or the secondary entity, 568
without need for a subpoena or warrant, shall provide the 569
representative or designee with the requested information 570
regarding the offender's location at that time and, to the 571
extent that it is available, at the other identified previous 572
points in time. A request under this division also may request 573
information that the employee, administrator, or secondary 574
entity has obtained about the location of recent criminal 575
activity in or near the GPS-monitored offender's inclusionary or 576
exclusionary zones, and about any possible connection between 577
the offender's location and that recent criminal activity, and, 578
upon receipt of such a request, the employee, administrator, or 579
secondary entity, without need for a subpoena or warrant, shall 580
provide the representative or designee with that information to 581
the extent that it is available. 582

(3) The information to be entered into the law enforcement 583
automated data system as required under division (E) (1) of this 584
section shall include, for each GPS-monitored offender for whom 585
the information is required, all of the following: 586

(a) The offender's name; 587

(b) The offense or offenses for which the offender is 588
subject to global positioning system monitoring and the 589
offender's other criminal history; 590

<u>(c) The offender's residence address;</u>	591
<u>(d) The monitoring parameters and restrictions for the offender, including all inclusionary zones, exclusionary zones, and inclusionary zone curfews for the offender and all other restrictions placed on the offender;</u>	592 593 594 595
<u>(e) The identity of, and contact information for, whichever of the following is applicable:</u>	596 597
<u>(i) If an employee of the department is monitoring the offender, the employee;</u>	598 599
<u>(ii) If a third-party contract administrator is being used for global positioning system monitoring of the offender, the third-party contract administrator;</u>	600 601 602
<u>(iii) If a secondary entity under contract with a third-party contract administrator is performing the actual monitoring of a GPS-monitored offender, the secondary entity.</u>	603 604 605
<u>(f) All previous violations of the monitoring parameters and restrictions applicable to the offender under the global positioning system monitoring that then is in effect for the offender.</u>	606 607 608 609
Sec. 5120.113. (A) For each inmate committed to the department of rehabilitation and correction, except as provided in division (B) of this section, the department shall prepare a written reentry plan for the inmate to help guide the inmate's rehabilitation program during imprisonment, to assist in the inmate's reentry into the community, and to assess the inmate's needs upon release.	610 611 612 613 614 615 616
(B) Division (A) of this section does not apply to an inmate who has been sentenced to life imprisonment without	617 618

parole or who has been sentenced to death. Division (A) of this 619
section does not apply to any inmate who is expected to be 620
imprisoned for thirty days or less, but the department may 621
prepare a written reentry plan of the type described in that 622
division if the department determines that the plan is needed. 623

(C) The department may collect, if available, any social 624
and other information that will aid in the preparation of 625
reentry plans under this section. 626

(D) In the event the department does not prepare a written 627
reentry plan as specified in division (A) of this section, or 628
makes a decision to not prepare a written reentry plan under 629
division (B) of this section or to not collect information under 630
division (C) of this section, that fact does not give rise to a 631
claim for damages against the state, the department, the 632
director of the department, or any employee of the department. 633

(E) (1) As used in this division, "target offender" means a 634
parolee, a releasee, or a prisoner otherwise released from a 635
state correctional institution with respect to whom both of the 636
following apply: 637

(a) The department of rehabilitation and correction or the 638
adult parole authority intends to require the parolee, releasee, 639
or prisoner to reside in a halfway house, reentry center, or 640
community residential center that has been licensed by the 641
division of parole and community services pursuant to division 642
(C) of section 2967.14 of the Revised Code during a part or for 643
the entire period of the prisoner's or parolee's conditional 644
release or of the releasee's term of post-release control. 645

(b) No halfway house, reentry center, or community 646
residential center that has been licensed as described in 647

division (E) (1) of this section will accept the prisoner, 648
parolee, or releasee to reside in the facility. 649

(2) Not later than twenty-four months after the effective 650
date of this amendment, the department, through the adult parole 651
authority, shall establish and implement a reentry program for 652
all target offenders. The program shall include a facility. The 653
program and facility shall satisfy all of the standards that the 654
division of parole and community services adopts in accordance 655
with Chapter 119. of the Revised Code for the licensure of 656
halfway houses, reentry centers, and community residential 657
centers. Upon the establishment and implementation of the 658
program and facility, the department or authority shall require 659
that all target offenders reside in the program's facility 660
during a part or for the entire period of the target offender's 661
conditional release or term of post-release control. 662

Sec. 5149.04. (A) Persons paroled, conditionally pardoned, 663
or released to community supervision shall be under jurisdiction 664
of the adult parole authority and shall be supervised by the 665
field services section through its staff of parole and field 666
officers in such manner as to insure as nearly as possible the 667
offender's rehabilitation while at the same time providing 668
maximum protection to the general public. All state and local 669
officials shall furnish such information to officers of the 670
section as they may request in the performance of their duties. 671

(B) The superintendent, or superintendents, of the field 672
services section shall be a person, or persons, especially 673
qualified by training and experience in the field of 674
corrections. The superintendent, or superintendents, shall 675
supervise the work of the section and shall formulate and 676
execute an effective program of offender supervision. The 677

superintendent, or superintendents, shall collect and preserve 678
any records and statistics with respect to offenders that are 679
required by the chief of the authority. The section also shall 680
include other personnel who are necessary for the performance of 681
the section's duties. 682

No person shall be appointed as a superintendent who is 683
not qualified by education or experience in correctional work 684
including law enforcement, probation, or parole work, in law, in 685
social work, or in a combination of the three categories. 686

(C) The superintendent, or superintendents, of the field 687
services section, with the approval of the chief of the 688
authority, may establish district offices for the section and 689
may assign necessary parole and field officers and clerical 690
staff to the district offices. 691

(D) The field services section in the exercise of its 692
supervision over offenders and persons conditionally pardoned 693
shall carry out all lawful orders, terms, and conditions 694
prescribed by the authority, the chief of the division of parole 695
and community services, or the governor. 696

(E) (1) As used in division (E) of this section: 697

(a) "Caseload" means the maximum number of persons 698
paroled, conditionally pardoned, or released to community 699
supervision who should be under the supervision of any parole or 700
field officer, based on the aggregate of the workload of the 701
officer for each of those persons. 702

(b) "Parole or field officer" means a parole or field 703
officer of the field services section. 704

(c) "Workload" means the minimum number of hours that a 705
parole or field officer is expected to dedicate to each person 706

paroled, conditionally pardoned, or released to community 707
supervision who is under the officer's supervision, based on the 708
person's risk classification. 709

(2) Not later than one year after the effective date of 710
this amendment, the adult parole authority shall establish 711
supervision standards for parole and field officers. The 712
standards shall include a specification of a caseload and a 713
workload for parole and field officers. The caseload and 714
workload specified in the standards shall comport with industry 715
standards set forth by the American probation and parole 716
association. 717

(3) Not later than two years after establishing the 718
standards required under division (E) (2) of this section, the 719
department of rehabilitation and correction shall ensure that 720
the field services section has enough parole and field officers 721
to comply with the standards and that the officers have been 722
trained to the extent required to comply with the standards. 723

Section 2. That existing sections 181.21, 181.26, 2967.14, 724
5120.021, 5120.038, 5120.113, and 5149.04 of the Revised Code 725
are hereby repealed. 726