

As Passed by the House

132nd General Assembly

Regular Session

2017-2018

Sub. S. B. No. 231

Senator Gardner

Cosponsors: Senators Balderson, Burke, Eklund, Hackett, Hoagland, Hottinger, Huffman, Kunze, Lehner, Manning, McColley, O'Brien, Oelslager, Terhar, Thomas, Uecker, Wilson, Yuko Representatives Manning, Gavarone, Anielski, Antani, Antonio, Arndt, Blessing, Boggs, Brenner, Brown, Butler, Carfagna, Celebrezze, Dever, Duffey, Edwards, Faber, Fedor, Ginter, Gonzales, Green, Greenspan, Hagan, Hambley, Holmes, Hoops, Householder, Hughes, Johnson, Kent, Landis, LaTourette, Leland, McClain, Merrin, Miller, O'Brien, Patterson, Patton, Reineke, Riedel, Roegner, Rogers, Romanchuk, Ryan, Schaffer, Scherer, Schuring, Sheehy, Slaby, Smith, T., Sprague, Stein, Strahorn, Thompson, West, Wilkin, Young, Speaker Smith

A BILL

To amend sections 2929.34, 2967.121, 5120.07, and 1
5120.114, to enact sections 2903.41, 2903.42, 2
2903.421, 2903.43, and 2903.44, and to repeal 3
section 2967.122 of the Revised Code to provide 4
for a violent offender database, establish a 5
presumption that violent offenders must enroll 6
in the database for ten years, establish 7
procedures for a violent offender to rebut the 8
presumption and avoid the duty and procedures 9
for court extension of the duty and termination 10
of an extended duty, and name those provisions 11
of the act "Sierah's Law;" to modify the 12
membership and duties of the Ex-Offender Reentry 13
Coalition and eliminate its repeal; to require 14
halfway houses to use the single validated risk 15
assessment tool for adult offenders that the 16
Department of Rehabilitation and Correction has 17

developed; and to provide that the notice of 18
release from prison of specified serious offense 19
offenders that is given to sheriffs is to be the 20
same as that provided to prosecuting attorneys 21
and eliminate the notice to sheriffs regarding 22
pardons, commutations, paroles, and transitional 23
control transfers of offenders. 24

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

Section 1. That sections 2929.34, 2967.121, 5120.07, and 25
5120.114 be amended and sections 2903.41, 2903.42, 2903.421, 26
2903.43, and 2903.44 of the Revised Code be enacted to read as 27
follows: 28

Sec. 2903.41. As used in sections 2903.41 to 2903.44 of 29
the Revised Code: 30

(A) "Violent offender" means any of the following: 31

(1) A person who on or after the effective date of this 32
section is convicted of or pleads guilty to any of the 33
following: 34

(a) A violation of section 2903.01, 2903.02, 2903.03, 35
2905.01 of the Revised Code or a violation of section 2905.02 of 36
the Revised Code that is a felony of the second degree; 37

(b) Any attempt to commit, conspiracy to commit, or 38
complicity in committing any offense listed in division (A) (1) 39
(a) of this section. 40

(2) A person who on the effective date of this section has 41
been convicted of or pleaded guilty to an offense listed in 42

division (A) (1) of this section and is confined in a jail, 43
workhouse, state correctional institution, or other institution, 44
serving a prison term, term of imprisonment, or other term of 45
confinement for the offense. 46

(B) "Community control sanction," "jail," and "prison" 47
have the same meanings as in section 2929.01 of the Revised 48
Code. 49

(C) "Out-of-state violent offender" means a person who is 50
convicted of, pleads guilty to, has been convicted of, or has 51
pleaded guilty to a violation of any existing or former 52
municipal ordinance or law of another state or the United 53
States, or any existing or former law applicable in a military 54
court or in an Indian tribal court, that is or was substantially 55
equivalent to any offense listed in division (A) (1) of this 56
section. 57

(D) "Qualifying out-of-state violent offender" means an 58
out-of-state violent offender who is aware of the existence of 59
the violent offender database. 60

(E) "Post-release control sanction" and "supervised 61
release" have the same meanings as in section 2950.01 of the 62
Revised Code. 63

(F) "Change of address" means a change to a violent 64
offender's or out-of-state violent offender's residence address, 65
employment address, or school or institution of higher education 66
address. 67

(G) "Violent offender database" means the database of 68
violent offenders and out-of-state violent offenders that is 69
established and maintained by the bureau of criminal 70
identification and investigation under division (F) (2) of 71

section 2903.43 of the Revised Code, that is operated by 72
sheriffs under sections 2903.42 and 2903.43 of the Revised Code, 73
and for which sheriffs obtain information from violent offenders 74
and out-of-state violent offenders pursuant to sections 2903.42 75
and 2903.43 of the Revised Code. 76

(H) "Violent offender database duties" and "VOD duties" 77
mean the duty to enroll, duty to re-enroll, and duty to provide 78
notice of a change of address imposed on a violent offender or a 79
qualifying out-of-state violent offender under section 2903.42, 80
2903.421, 2903.43, or 2903.44 of the Revised Code. 81

(I) "Ten-year enrollment period" means, for a violent 82
offender who has violent offender database duties pursuant to 83
section 2903.42 of the Revised Code or a qualifying out-of-state 84
violent offender who has violent offender database duties 85
pursuant to section 2903.421 of the Revised Code, ten years from 86
the date on which the offender initially enrolls in the violent 87
offender database. 88

(J) "Extended enrollment period" means, for a violent 89
offender who has violent offender database duties pursuant to 90
section 2903.42 of the Revised Code or a qualifying out-of-state 91
violent offender who has violent offender database duties 92
pursuant to section 2903.421 of the Revised Code, the offender's 93
enrollment period as extended pursuant to division (D)(2) of 94
section 2903.43 of the Revised Code. 95

(K) "Prosecutor" means one of the following: 96

(1) As used in section 2903.42 of the Revised Code, the 97
office of the prosecuting attorney who handled a violent 98
offender's underlying case or the office of that prosecutor's 99
successor. 100

(2) As used in sections 2903.421, 2903.43, and 2903.44 of 101
the Revised Code, the office of the prosecuting attorney of the 102
county in which a violent offender resides or of the county in 103
which an out-of-state violent offender resides or occupies a 104
dwelling. 105

Sec. 2903.42. (A) (1) For each person who is classified a 106
violent offender, it is presumed that the violent offender shall 107
be required to enroll in the violent offender database with 108
respect to the offense that so classifies the person and shall 109
have all violent offender database duties with respect to that 110
offense for ten years after the offender initially enrolls in 111
the database. The presumption is a rebuttable presumption that 112
the violent offender may rebut as provided in division (A)(4) of 113
this section, after filing a motion in accordance with division 114
(A)(2)(a) or (b) of this section, whichever is applicable. Each 115
violent offender shall be informed of the presumption 116
established under this division, of the offender's right to file 117
a motion to rebut the presumption, of the procedure and criteria 118
for rebutting the presumption, and of the effect of a rebuttal 119
and the post-rebuttal hearing procedures and possible outcome, 120
as follows: 121

(a) If the person is classified a violent offender under 122
division (A)(1) of section 2903.41 of the Revised Code, the 123
court that is sentencing the offender for the offense that so 124
classifies the person shall inform the offender before 125
sentencing of the presumption, the right, and the procedure, 126
criteria, and possible outcome. 127

(b) If the person is classified a violent offender under 128
division (A)(2) of section 2903.41 of the Revised Code, the 129
official in charge of the jail, workhouse, state correctional 130

institution, or other institution in which the offender is 131
serving a prison term, term of imprisonment, or other term of 132
confinement for the offense, or the official's designee, shall 133
inform the offender in writing, a reasonable period of time 134
before the offender is released from the confinement, of the 135
presumption, the right, and the procedure, criteria, and 136
possible outcome. 137

(2) A violent offender who wishes to rebut the presumption 138
established under division (A) (1) of this section shall file a 139
motion in accordance with whichever of the following is 140
applicable, and shall serve a copy of the motion on the 141
prosecutor: 142

(a) If the person is classified a violent offender under 143
division (A) (1) of section 2903.41 of the Revised Code, the 144
offender shall file the motion with the court that is sentencing 145
the offender for the offense that classifies the person a 146
violent offender. The motion shall assert that the offender was 147
not the principal offender in the commission of that offense and 148
request that the court not require the offender to enroll in the 149
violent offender database and not have all VOD duties with 150
respect to that offense. The motion shall be filed prior to or 151
at the time of sentencing. 152

(b) If the person is classified a violent offender under 153
division (A) (2) of section 2903.41 of the Revised Code, the 154
offender shall file the motion with the court that sentenced the 155
offender for the offense that classifies the person a violent 156
offender. The motion shall assert that the offender was not the 157
principal offender in the commission of that offense and request 158
that the court not require the offender to enroll in the violent 159
offender database and not have all VOD duties with respect to 160

that offense. The motion shall be filed prior to the time of the 161
person's release from confinement in the jail, workhouse, state 162
correctional institution, or other institution under the prison 163
term, term of imprisonment, or other term of confinement for the 164
offense listed in division (A) (1) of section 2903.41 of the 165
Revised Code. 166

(3) If a violent offender does not file a motion under 167
division (A) (2) (a) or (b) of this section, the violent offender 168
shall be required to enroll in the violent offender database 169
with respect to the offense that classifies the person a violent 170
offender and shall have all VOD duties with respect to that 171
offense for ten years after the offender initially enrolls in 172
the database. If the person is classified a violent offender 173
under division (A) (1) of section 2903.41 of the Revised Code, 174
the court shall provide the offender notice of the duties 175
pursuant to division (C) of this section. If the person is 176
classified a violent offender under division (A) (2) of section 177
2903.41 of the Revised Code, the offender shall be provided 178
notice of the duties pursuant to divisions (B) and (C) of this 179
section. 180

(4) If a violent offender files a motion under division 181
(A) (2) (a) or (b) of this section, the offender has the burden of 182
proving to the court that is sentencing, or that has sentenced, 183
the offender, by a preponderance of the evidence, that the 184
offender was not the principal offender in the commission of the 185
offense that classifies the person a violent offender. If a 186
violent offender files such a motion, one of the following 187
applies: 188

(a) If the violent offender proves to the court, by a 189
preponderance of the evidence, that the offender was not the 190

principal offender in the commission of the offense that 191
classifies the person a violent offender, the presumption is 192
rebutted and the court shall continue the hearing for the 193
purpose of determining whether the offender, notwithstanding the 194
rebuttal of the presumption, should be required to enroll in the 195
violent offender database and have all VOD duties with respect 196
to that offense. In making that determination, the court shall 197
consider all of the factors identified in divisions (A) (4) (a) (i) 198
to (iv) of this section. If the court, after considering those 199
factors at the hearing, determines that the offender, 200
notwithstanding the rebuttal of the presumption, should be 201
required to enroll in the violent offender database and have all 202
VOD duties with respect to that offense, the court shall issue 203
an order specifying that the offender is required to enroll in 204
the violent offender database with respect to that offense and 205
will have all VOD duties with respect to that offense for ten 206
years after the offender initially enrolls in the database. Upon 207
the court's issuance of such an order, the offender shall be 208
required to enroll in the violent offender database and will 209
have all VOD duties with respect to that offense for ten years 210
after the offender initially enrolls in the database. The court 211
shall provide the offender notice of the duties pursuant to 212
division (C) of this section, and shall provide a copy of the 213
order to the prosecutor and to the bureau of criminal 214
identification and investigation. Absent such a determination at 215
the hearing after consideration of those factors, the court 216
shall issue an order specifying that the offender is not 217
required to enroll in the violent offender database and has no 218
VOD duties with respect to the offense that classifies the 219
person a violent offender, and shall provide a copy of the order 220
to the prosecutor and to the bureau of criminal identification 221
and investigation. In making a determination at a hearing under 222

this division, a court shall consider all of the following 223
factors: 224

(i) Whether the offender has any convictions for any 225
offense of violence, prior to the offense at issue that 226
classifies the person a violent offender, and whether those 227
prior convictions, if any, indicate that the offender has a 228
propensity for violence; 229

(ii) The results of a risk assessment of the offender 230
conducted through use of the single validated risk assessment 231
tool established under section 5120.114 of the Revised Code; 232

(iii) The degree of culpability or involvement of the 233
offender in the offense at issue that classifies the person a 234
violent offender; 235

(iv) The public interest and safety. 236

(b) If the violent offender does not prove to the court, 237
by a preponderance of the evidence, that the offender was not 238
the principal offender in the commission of the offense that 239
classifies the person a violent offender, the court shall issue 240
an order specifying that the offender is required to enroll in 241
the violent offender database and has all VOD duties with 242
respect to that offense, and shall provide a copy of the order 243
to the prosecutor and to the bureau of criminal identification 244
and investigation. Upon the court's issuance of such an order, 245
the offender shall be required to enroll in the violent offender 246
database with respect to that offense and will have all VOD 247
duties with respect to that offense for ten years after the 248
offender initially enrolls in the database. The court shall 249
provide the offender notice of the duties pursuant to division 250
(C) of this section. 251

(B) Each person who is classified a violent offender under 252
division (A) (2) of section 2903.41 of the Revised Code and who 253
does not file a motion under division (A) (2) (a) or (b) of this 254
section shall be provided notice of the offender's duty to 255
enroll in the violent offender database with respect to the 256
offense that classifies the person a violent offender and of all 257
VOD duties with respect to that offense and that those duties 258
last for ten years after the offender initially enrolls in the 259
database. The official in charge of the jail, workhouse, state 260
correctional institution, or other institution in which the 261
offender is serving the prison term, term of imprisonment, or 262
other term of confinement, or the official's designee, shall 263
provide the notice to the offender before the offender is 264
released pursuant to any type of supervised release or before 265
the offender is otherwise released from the prison term, term of 266
imprisonment, or other term of confinement. 267

(C) The judge, official, or official's designee providing 268
the notice under division (A) (3), (A) (4), or (B) of this section 269
shall require the violent offender to read and sign a form 270
stating that the violent offender has received and understands 271
the notice. If the violent offender is unable to read, the 272
judge, official, or official's designee shall inform the violent 273
offender of the violent offender's duties as set forth in the 274
notice and shall certify on the form that the judge, official, 275
or official's designee informed the violent offender of the 276
violent offender's duties and that the violent offender 277
indicated an understanding of those duties. 278

The attorney general shall prescribe the notice and the 279
form provided under this division. The notice shall inform the 280
offender that, to satisfy the duty to enroll, the violent 281
offender must enroll personally with the sheriff of the county 282

in which the offender resides or that sheriff's designee and 283
include notice of the offender's duties to re-enroll annually 284
and when the offender has a change of address. 285

The person providing the notice under this division shall 286
provide a copy of the notice and signed form to the violent 287
offender. The person providing the notice also shall determine 288
the county in which the violent offender intends to reside and 289
shall provide a copy of the signed form to the sheriff of that 290
county in accordance with rules adopted by the attorney general 291
pursuant to Chapter 119. of the Revised Code and to the bureau 292
of criminal identification and investigation. 293

This division also applies with respect to a qualifying 294
out-of-state violent offender, when specified under division (C) 295
of section 2903.421 of the Revised Code. 296

Sec. 2903.421. (A) For each person who is a qualifying 297
out-of-state violent offender, it is presumed that the 298
qualifying out-of-state violent offender shall be required to 299
enroll in the violent offender database with respect to the 300
offense that so classifies the person and will have all violent 301
offender database duties with respect to that offense for ten 302
years after the offender initially enrolls in the database. The 303
presumption is a rebuttable presumption that the qualifying out- 304
of-state violent offender may rebut as provided in division (D) 305
of this section, after filing a motion in accordance with 306
division (B) of this section. 307

(B) A qualifying out-of-state violent offender who wishes 308
to rebut the presumption established under division (A) of this 309
section shall file a motion with the court of common pleas of 310
the county in which the offender resides or occupies a dwelling 311
and shall serve a copy of the motion on the prosecutor. The 312

motion shall assert that the offender was not the principal 313
offender in the commission of the offense that classifies the 314
person as an out-of-state violent offender and request that the 315
court not require the offender to enroll in the violent offender 316
database and not have all VOD duties with respect to that 317
offense. The motion shall be filed at any time before the 318
offender's initial enrollment in the database. 319

(C) If a qualifying out-of-state violent offender does not 320
file a motion under division (B) of this section, the offender 321
shall be required to enroll in the violent offender database 322
with respect to the offense that classifies the person an out- 323
of-state violent offender and shall have all VOD duties with 324
respect to that offense for ten years after the offender 325
initially enrolls in the database. 326

(D) If a qualifying out-of-state violent offender files a 327
motion under division (B) of this section, the offender has the 328
burden of proving to the court, by a preponderance of the 329
evidence, that the offender was not the principal offender in 330
the commission of the offense that classifies the person as an 331
out-of-state violent offender. If a qualifying out-of-state 332
violent offender files such a motion, one of the following 333
applies: 334

(1) If the qualifying out-of-state violent offender proves 335
to the court, by a preponderance of the evidence, that the 336
offender was not the principal offender in the commission of the 337
offense that classifies the person an out-of-state violent 338
offender, the presumption is rebutted and the court shall 339
continue the hearing for the purpose of determining whether the 340
offender, notwithstanding the rebuttal of the presumption, 341
should be required to enroll in the violent offender database 342

and have all VOD duties with respect to that offense. In making 343
that determination, the court shall consider all of the factors 344
identified in divisions (A)(4)(a)(i) to (iv) of section 2903.42 345
of the Revised Code. If the court, after considering those 346
factors at the hearing, determines that the offender, 347
notwithstanding the rebuttal of the presumption, should be 348
required to enroll in the violent offender database and have all 349
VOD duties with respect to that offense, the court shall issue 350
an order specifying that the offender is required to enroll in 351
the violent offender database with respect to that offense and 352
will have all VOD duties with respect to that offense for ten 353
years after the offender initially enrolls in the database. Upon 354
the court's issuance of such an order, the offender shall be 355
required to enroll in the violent offender database and will 356
have all VOD duties with respect to that offense for ten years 357
after the offender initially enrolls in the database. The court 358
shall provide the offender notice of the duties in the manner 359
prescribed in division (C) of section 2903.42 of the Revised 360
Code, and shall provide a copy of the order to the prosecutor 361
and to the bureau of criminal identification and investigation. 362
This duty commences when the court issues the order under this 363
division. Absent such a determination at the hearing after 364
consideration of those factors, the court shall issue an order 365
specifying that the offender is not required to enroll in the 366
violent offender database and has no VOD duties with respect to 367
the offense that classifies the person an out-of-state violent 368
offender. 369

(2) If the qualifying out-of-state violent offender does 370
not prove to the court, by a preponderance of the evidence, that 371
the offender was not the principal offender in the commission of 372
the offense that classifies the person an out-of-state violent 373

offender, the court shall issue an order specifying that the 374
offender is required to enroll in the violent offender database 375
and has all VOD duties with respect to that offense, and shall 376
provide a copy of the order to the prosecutor and the bureau of 377
criminal identification and investigation. Upon the court's 378
issuance of such an order, the offender shall be required to 379
enroll in the violent offender database with respect to that 380
offense and will have all VOD duties with respect to that 381
offense for ten years after the offender initially enrolls in 382
the database. The court shall provide the offender notice of the 383
duties in the manner prescribed in division (C) of section 384
2903.42 of the Revised Code. 385

Sec. 2903.43. (A) Each violent offender who has VOD duties 386
imposed pursuant to section 2903.42 of the Revised Code shall 387
enroll in the violent offender database personally with the 388
sheriff of the county in which the violent offender resides or 389
that sheriff's designee within the following time periods: 390

(1) If the person is classified a violent offender under 391
division (A) (1) of section 2903.41 of the Revised Code and the 392
judge sentencing the offender for the offense that so classifies 393
the offender does not sentence the offender to a prison term, 394
term of imprisonment, or other term of confinement in a jail, 395
workhouse, state correctional institution, or other institution 396
for that offense, the offender shall enroll in the violent 397
offender database within ten days after the sentencing hearing. 398

(2) If the person is classified a violent offender under 399
division (A) (2) of section 2903.41 of the Revised Code or the 400
person is classified a violent offender under division (A) (1) of 401
that section and division (A) (1) of this section does not apply, 402
the offender shall enroll in the violent offender database 403

within ten days after the violent offender is released from a 404
jail, workhouse, state correctional institution, or other 405
institution, unless the violent offender is being transferred to 406
the custody of another jail, workhouse, state correctional 407
institution, or other institution. The violent offender is not 408
required to enroll in the violent offender database with any 409
sheriff or designee prior to release. 410

(B) Each qualifying out-of-state violent offender who has 411
VOD duties imposed pursuant to section 2903.421 of the Revised 412
Code shall enroll in the violent offender database personally 413
with the sheriff of the county in which the out-of-state violent 414
offender resides or occupies a dwelling or that sheriff's 415
designee within ten days after either of the following: 416

(1) Residing in or occupying a dwelling in this state, 417
after the offender becomes aware of the database and has the 418
duty, for more than three consecutive days; 419

(2) Residing in or occupying a dwelling in this state, 420
after the offender becomes aware of the database and has the 421
duty, for an aggregate period in a calendar year of fourteen or 422
more days in that calendar year. 423

(C) (1) A violent offender or qualifying out-of-state 424
violent offender who has VOD duties imposed pursuant to section 425
2903.42 or 2903.421 of the Revised Code shall enroll in the 426
violent offender database, personally with the sheriff of the 427
county in which the offender resides or that sheriff's designee. 428
The enrollee shall obtain from the sheriff or designee a copy of 429
an enrollment form prescribed by the attorney general that 430
conforms to division (C) (2) of this section, shall complete and 431
sign the form, and shall return to the sheriff or designee the 432
completed and signed form together with the identification 433

records required under division (C) (3) of this section. 434

(2) The enrollment form to be used under division (C) (1) 435
of this section shall include or contain all of the following 436
for the violent offender or qualifying out-of-state violent 437
offender who is enrolling: 438

(a) The violent offender's or out-of-state violent 439
offender's full name and any alias used; 440

(b) The violent offender's or out-of-state violent 441
offender's residence address; 442

(c) The violent offender's or out-of-state violent 443
offender's social security number; 444

(d) Any driver's license number, commercial driver's 445
license number, or state identification card number issued to 446
the violent offender or out-of-state violent offender by this or 447
another state; 448

(e) The offense that the violent offender or out-of-state 449
violent offender was convicted of or pleaded guilty to; 450

(f) The name and address of any place where the violent 451
offender or out-of-state violent offender is employed; 452

(g) The name and address of any school or institution of 453
higher education that the violent offender or out-of-state 454
violent offender is attending; 455

(h) The identification license plate number of each 456
vehicle owned or operated by the violent offender or out-of- 457
state violent offender or registered in the violent offender's 458
or out-of-state violent offender's name, the vehicle 459
identification number of each vehicle, and a description of each 460
vehicle; 461

(i) A description of any scars, tattoos, or other 462
distinguishing marks on the violent offender or out-of-state 463
violent offender. 464

(3) The violent offender or qualifying out-of-state 465
violent offender who is enrolling shall provide fingerprints and 466
palm prints at the time of enrollment. The sheriff or sheriff's 467
designee shall obtain a photograph of the violent offender or 468
out-of-state violent offender at the time of enrollment. 469

(D) (1) Each violent offender or qualifying out-of-state 470
violent offender who has VOD duties imposed pursuant to section 471
2903.42 or 2903.421 of the Revised Code shall re-enroll in the 472
violent offender database annually, in person, with the sheriff 473
of the county in which the violent offender resides or the out- 474
of-state violent offender resides or occupies a dwelling or that 475
sheriff's designee within ten days prior to the anniversary of 476
the calendar date on which the offender initially enrolled. The 477
duty to re-enroll under this division remains in effect for the 478
entire ten-year enrollment period of the offender. The offender 479
shall re-enroll by completing, signing, and returning to the 480
sheriff or designee a copy of the enrollment form prescribed by 481
the attorney general and described in divisions (C) (1) and (2) 482
of this section, amending any information required under 483
division (C) of this section that has changed since the 484
enrollee's last enrollment, and providing any additional 485
enrollment information required by the attorney general. The 486
sheriff or designee with whom the violent offender or qualifying 487
out-of-state violent offender re-enrolls shall obtain a new 488
photograph of the offender annually when the offender re- 489
enrolls. Additionally, if the violent offender's or qualifying 490
out-of-state violent offender's most recent enrollment or re- 491
enrollment was with a sheriff or designee of a sheriff of a 492

different county, as part of the duty to re-enroll, the offender 493
shall provide written notice of the offender's change of 494
residence address to that sheriff or a designee of that sheriff. 495

(2) Except as otherwise provided in this division, if a 496
violent offender or qualifying out-of-state violent offender has 497
VOD duties imposed pursuant to section 2903.42 or 2903.421 of 498
the Revised Code, the offender's VOD duties shall terminate on 499
the expiration of the ten-year enrollment period of the 500
offender. The ten-year enrollment period may be extended, but 501
only if the prosecutor files a motion with the court of common 502
pleas of the county in which the violent offender resides or in 503
which the qualifying out-of-state offender resides or occupies a 504
dwelling requesting that the court extend the offender's ten- 505
year enrollment period as specified in this division and the 506
court makes the appropriate finding specified in this division. 507
For a violent offender, the court may extend the offender's ten- 508
year enrollment period only if the court finds that the offender 509
has violated a term or condition of a sanction imposed under the 510
offender's sentence or has been convicted of or pleaded guilty 511
to another felony or any misdemeanor offense of violence during 512
that enrollment period. For a qualifying out-of-state offender, 513
the court may extend the offender's ten-year enrollment period 514
only if the court finds that the offender has violated a term or 515
condition of a sanction imposed under the offender's sentence by 516
the court of the other jurisdiction or has been convicted of or 517
pleaded guilty to another felony or any misdemeanor offense of 518
violence during that enrollment period. If a court finds as 519
described in this division that the offender has violated a term 520
or condition of a sanction imposed under the offender's sentence 521
or that the offender has been convicted of or pleaded guilty to 522
another felony or any misdemeanor offense of violence during the 523

ten-year enrollment period, the court shall issue an order that 524
extends the VOD duties of the violent offender or qualifying 525
out-of-state violent offender indefinitely and the offender's 526
VOD duties shall continue indefinitely, subject to termination 527
under section 2903.44 of the Revised Code. 528

If the court issues an order under this division that 529
extends an offender's VOD duties, the court shall promptly 530
forward a copy of the order to the bureau of criminal 531
identification and investigation and to the prosecutor. Upon 532
receipt of the order from the court, the bureau shall update all 533
records pertaining to the offender to reflect the extended 534
enrollment period. The bureau also shall provide notice of the 535
issuance of the order to every sheriff with whom the offender 536
has most recently enrolled or re-enrolled. 537

(3) The official in charge of a jail, workhouse, state 538
correctional institution, or other institution shall notify the 539
attorney general in accordance with rules adopted by the 540
attorney general pursuant to Chapter 119. of the Revised Code if 541
a violent offender or qualifying out-of-state violent offender 542
is confined in the jail, workhouse, state correctional 543
institution, or other institution. 544

(E) Each violent offender or qualifying out-of-state 545
violent offender who has VOD duties imposed pursuant to section 546
2903.42 or 2903.421 of the Revised Code shall notify the sheriff 547
with whom the offender most recently enrolled or re-enrolled or 548
that sheriff's designee in person within three business days of 549
a change of address that occurs during the ten-year enrollment 550
period or extended enrollment period of the offender. 551

(F) (1) After a violent offender or qualifying out-of-state 552
violent offender who has VOD duties imposed pursuant to section 553

2903.42 or 2903.421 of the Revised Code enrolls or re-enrolls in 554
the violent offender database with a sheriff or a sheriff's 555
designee pursuant to this section, the sheriff or designee shall 556
forward the offender's signed, written enrollment form, 557
photograph, fingerprints, palm prints, and other materials to 558
the bureau of criminal identification and investigation in 559
accordance with forwarding procedures adopted by the attorney 560
general under division (G) of this section. The bureau shall 561
include the information and materials forwarded to it under this 562
division in the violent offender database established and 563
maintained under division (F) (2) of this section. 564

(2) The bureau of criminal identification and 565
investigation shall establish and maintain a database of violent 566
offenders and qualifying out-of-state violent offenders that 567
includes the information and materials the bureau receives 568
pursuant to division (D) (1) or (F) (1) of this section. The 569
bureau shall make the database available to federal, state, and 570
local law enforcement officers. The database of violent 571
offenders and qualifying out-of-state violent offenders 572
maintained by the bureau is not a public record under section 573
149.43 of the Revised Code. 574

(3) (a) Except as otherwise provided in divisions (F) (3) (b) 575
and (c) of this section, any statements, information, 576
photographs, fingerprints, or materials that are provided 577
pursuant to this section by a violent offender or qualifying 578
out-of-state violent offender who has VOD duties imposed under 579
section 2903.42 or 2903.421 of the Revised Code and that are in 580
the possession of a county sheriff are public records open to 581
public inspection under section 149.43 of the Revised Code. 582

(b) The following information is not a public record and 583

shall not be open to public inspection: the social security 584
number and any driver's license number, commercial driver's 585
license number, or state identification card number provided to 586
the county sheriff by a violent offender or qualifying out-of- 587
state violent offender. 588

(c) A violent offender or qualifying out-of-state violent 589
offender who has VOD duties imposed under section 2903.42 or 590
2903.421 of the Revised Code may file a motion with the court of 591
common pleas in the county in which the offender resides stating 592
that the offender fears for the offender's safety if the 593
statements, information, photographs, fingerprints, or materials 594
provided by the offender pursuant to this section and that are 595
in the possession of a county sheriff are open for public 596
inspection, and requesting the court to issue an order to ban or 597
restrict access to those statements, photographs, fingerprints, 598
and materials and that information. A motion filed with a court 599
under this division shall expressly state the reasons for which 600
the violent offender or qualifying out-of-state violent offender 601
fears for the offender's safety, shall identify each county in 602
which the offender has enrolled or re-enrolled, and shall 603
provide information and materials in support of the motion. The 604
court, upon the filing of the motion under this division, may 605
determine whether to grant or deny the motion without a hearing 606
or may conduct a hearing to determine whether to grant or deny 607
the motion. The court may grant the motion if it determines, 608
upon review of the motion, the supporting information and 609
materials provided with the motion, and, if the court conducts a 610
hearing, any additional information provided at the hearing, 611
that the offender's fears for the offender's safety are valid 612
and that the interests of justice and the offender's safety 613
require that the motion be granted. 614

If the court grants the motion, the statements, 615
information, photographs, fingerprints, or materials provided by 616
the offender pursuant to this section and that are in the 617
possession of a county sheriff are not public records open to 618
public inspection under section 149.43 of the Revised Code and 619
the court shall issue an order to that effect. A court that 620
grants a motion and issues an order under this division shall 621
notify the sheriff in each county in which the offender has 622
enrolled or re-enrolled of the issuance of the order, and each 623
of those sheriffs shall comply with the order. 624

(G) The attorney general shall prescribe the forms that 625
violent offenders and qualifying out-of-state violent offenders 626
who have VOD duties imposed under section 2903.42 or 2903.421 of 627
the Revised Code shall use to enroll, re-enroll, and provide 628
notice of a change of address under divisions (A) to (D) of this 629
section. The attorney general shall adopt procedures for 630
sheriffs to use to forward information, photographs, 631
fingerprints, palm prints, and other materials to the bureau of 632
criminal identification and investigation pursuant to division 633
(F)(1) of this section. 634

(H) The attorney general, in accordance with Chapter 119. 635
of the Revised Code, may adopt rules regarding enrollment dates 636
different than those prescribed in divisions (A), (B), and (D) 637
of this section for any violent offender or qualifying out-of- 638
state violent offender who has VOD duties imposed under section 639
2903.42 or 2903.421 of the Revised Code and who also is an arson 640
offender, as defined in section 2909.13 of the Revised Code, or 641
a sex offender or child-victim offender, both as defined in 642
section 2950.01 of the Revised Code. 643

(I)(1) No violent offender or qualifying out-of-state 644

violent offender who has VOD duties imposed under section 645
2903.42 or 2903.421 of the Revised Code shall recklessly fail 646
during the ten-year enrollment period or extended enrollment 647
period of the offender to enroll, re-enroll, or notify the 648
sheriff or sheriff's designee of a change of address as required 649
by this section. 650

(2) Whoever violates division (I) (1) of this section is 651
guilty of a felony of the fifth degree. If a violent offender or 652
qualifying out-of-state violent offender who violates division 653
(I) (1) of this section is subject to a community control 654
sanction, is on parole, is subject to one or more post-release 655
control sanctions, or is subject to any other type of supervised 656
release at the time of the violation, the violation shall 657
constitute a violation of the terms and conditions of the 658
community control sanction, parole, post-release control 659
sanction, or other type of supervised release. 660

Sec. 2903.44. (A) Pursuant to this section, if a violent 661
offender or qualifying out-of-state violent offender has VOD 662
duties imposed under section 2903.42 or 2903.421 of the Revised 663
Code and if a court has extended the offender's ten-year 664
enrollment period pursuant to division (D) (2) of section 2903.43 665
of the Revised Code, the offender may file a motion to the court 666
of common pleas of the county in which the offender resides 667
requesting that the court terminate the offender's extended 668
enrollment period and VOD duties during that period. A violent 669
offender or qualifying out-of-state violent offender may file a 670
motion under this division at any time during the offender's 671
extended enrollment period, but may not file more than one 672
motion under this division in any five-year period. 673

(B) A violent offender or qualifying out-of-state violent 674

offender who makes a motion under division (A) of this section 675
shall include with the motion all of the following: 676

(1) A certified copy of the judgment entry and any other 677
documentation of the sentence or disposition given for the 678
offense or offenses for which the offender was enrolled in the 679
violent offender database; 680

(2) Documentation of the date of the offender's discharge 681
from supervision or release, whichever is applicable; 682

(3) A statement asserting that the offender has not been 683
convicted of or pleaded guilty to any other felony or any 684
misdemeanor offense of violence during the offender's ten-year 685
enrollment period or extended enrollment period; 686

(4) Evidence that the eligible offender has paid all 687
financial sanctions imposed upon the offender pursuant to 688
section 2929.18 or 2929.28 of the Revised Code. 689

(C) Upon the filing of a motion pursuant to division (A) 690
of this section, the offender shall serve a copy of the motion 691
on the prosecutor. 692

Upon the filing of the motion, the court shall set a 693
tentative date for a hearing on the motion that, except as 694
otherwise provided in this division, is not later than ninety 695
days after the date on which the motion is filed. The court may 696
set a tentative date for a hearing that is later than that 697
specified time if good cause exists to hold the hearing at a 698
later date. The court shall notify the offender and the 699
prosecutor of the date, time, and place of the hearing. The 700
court shall forward a copy of the motion and its supporting 701
documentation to the court's probation department or another 702
appropriate agency to investigate the merits of the motion. The 703

probation department or agency shall submit a written report 704
detailing its investigation to the court within sixty days after 705
receiving the motion and supporting documentation. 706

Upon receipt of the written report from the probation 707
department or other appropriate agency, the court shall forward 708
a copy of the motion, the supporting documentation, and the 709
written report to the prosecutor. 710

(D) After the prosecutor is served with a copy of the 711
motion and notice of the hearing as described in division (C) of 712
this section, at least seven days before the hearing date, the 713
prosecutor may file an objection to the motion with the court 714
and serve a copy of the objection to the motion to the offender 715
or the offender's attorney. 716

(E) In determining whether to grant a motion made under 717
division (A) of this section, the court shall consider the 718
evidence that accompanies the motion described in division (B) 719
of this section and shall consider the written report submitted 720
pursuant to division (C) of this section. 721

(F) (1) The court, without a hearing, may issue an order 722
denying the offender's motion to terminate the offender's 723
extended enrollment period and VOD duties during that period if 724
the court, after considering the evidence, materials, and 725
information specified under division (E) of this section, finds 726
that the extended enrollment period and duties should not be 727
terminated. 728

(2) If the prosecutor does not file an objection to the 729
offender's motion as provided in division (D) of this section, 730
the court, without a hearing, may issue an order that grants the 731
motion and terminates the eligible offender's extended 732

enrollment period and VOD duties during that period if the 733
court, after considering the evidence, materials, and 734
information specified under division (E) of this section, finds 735
that the extended enrollment period and VOD duties should be 736
terminated. This division does not apply if the prosecutor files 737
an objection to the offender's application as provided in 738
division (D) (2) of this section. 739

(3) If the court does not issue an order under division 740
(F) (1) or (2) of this section, the court shall hold a hearing to 741
determine whether to grant or deny the motion. At the hearing, 742
the Rules of Civil Procedure apply, except to the extent that 743
those Rules would by their nature be clearly inapplicable. At 744
the hearing, the offender has the burden of going forward with 745
the evidence and, except as otherwise provided in this division, 746
the burden of proof, by a preponderance of the evidence, that 747
the extended enrollment period and VOD duties should be 748
terminated. If the prosecutor files an objection to the motion 749
as provided in division (D) of this section that includes an 750
allegation that the offender has been convicted of or pleaded 751
guilty to any other felony or any misdemeanor offense of 752
violence during the offender's ten-year enrollment period or 753
extended enrollment period, the prosecutor has the burden of 754
proving that allegation. 755

The court shall issue an order denying the offender's 756
motion to terminate the offender's extended enrollment period 757
and VOD duties if the prosecutor files such an objection to the 758
motion that includes an allegation that the offender has been 759
convicted of or pleaded guilty to any other felony or any 760
misdemeanor offense of violence during the offender's ten-year 761
enrollment period or extended enrollment period and proves that 762
allegation. If, after considering the evidence, materials, and 763

information specified under division (E) of this section, the 764
court finds that the prosecutor has not alleged in an objection 765
and proved that the offender has been convicted of or pleaded 766
guilty to any other felony or any misdemeanor offense of 767
violence during the offender's ten-year enrollment period or 768
extended enrollment period, the court shall do one of the 769
following: 770

(a) If the court finds that the offender has satisfied the 771
burden of proof imposed on the offender as described in this 772
division, the court shall issue an order that grants the motion 773
and terminates the offender's extended enrollment period and VOD 774
duties. 775

(b) If the court finds that the offender has not satisfied 776
the burden of proof imposed on the offender, the court shall 777
issue an order denying the motion. 778

(4) If the court issues an order under division (F)(1) or 779
(3) of this section denying an offender's motion to terminate 780
the offender's extended enrollment period and VOD duties, the 781
offender may subsequently file another motion under this section 782
requesting termination of the extended enrollment period and VOD 783
duties but may not file more than one such motion in any five- 784
year period. 785

(5)(a) Upon its issuance of an order under division (F) 786
(1), (2), or (3) of this section, the court shall provide prompt 787
notice of the order to the offender or the offender's attorney. 788

(b) If the court issues an order under division (F)(2) or 789
(3) of this section that grants the offender's motion and 790
terminates the offender's extended enrollment period and VOD 791
duties, the court shall promptly forward a copy of the order to 792

the bureau of criminal identification and investigation and to 793
the prosecutor. Upon receipt of the order from the court, the 794
bureau shall update all records pertaining to the offender to 795
reflect the termination order. The bureau also shall provide 796
notice of the issuance of the termination order to every sheriff 797
with whom the offender has most recently enrolled or re- 798
enrolled. Upon receipt of the order from the court, the 799
prosecutor shall notify the victim of any offense for which the 800
offender is enrolled in the violent offender database that the 801
offender's extended enrollment period and VOD duties have been 802
terminated. 803

Sec. 2929.34. (A) A person who is convicted of or pleads 804
guilty to aggravated murder, murder, or an offense punishable by 805
life imprisonment and who is sentenced to a term of life 806
imprisonment or a prison term pursuant to that conviction shall 807
serve that term in an institution under the control of the 808
department of rehabilitation and correction. 809

(B) (1) A person who is convicted of or pleads guilty to a 810
felony other than aggravated murder, murder, or an offense 811
punishable by life imprisonment and who is sentenced to a term 812
of imprisonment or a prison term pursuant to that conviction 813
shall serve that term as follows: 814

(a) Subject to divisions (B) (1) (b), (B) (2), and (B) (3) of 815
this section, in an institution under the control of the 816
department of rehabilitation and correction if the term is a 817
prison term or as otherwise determined by the sentencing court 818
pursuant to section 2929.16 of the Revised Code if the term is 819
not a prison term; 820

(b) In a facility of a type described in division (G) (1) 821
of section 2929.13 of the Revised Code, if the offender is 822

sentenced pursuant to that division. 823

(2) If the term is a prison term, the person may be 824
imprisoned in a jail that is not a minimum security jail 825
pursuant to agreement under section 5120.161 of the Revised Code 826
between the department of rehabilitation and correction and the 827
local authority that operates the jail. 828

(3) (a) As used in divisions (B) (3) (a) to (d) of this 829
section: 830

(i) "Target county" means Franklin county, Cuyahoga 831
county, Hamilton county, Summit county, Montgomery county, Lucas 832
county, Butler county, Stark county, Lorain county, and Mahoning 833
county. 834

(ii) "Voluntary county" means any county in which the 835
board of county commissioners of the county and the 836
administrative judge of the general division of the court of 837
common pleas of the county enter into an agreement of the type 838
described in division (B) (3) (b) of this section and in which the 839
agreement has not been terminated as described in that division. 840

(b) In any county other than a target county, the board of 841
county commissioners of the county and the administrative judge 842
of the general division of the court of common pleas of the 843
county may agree to having the county participate in the 844
procedures regarding local and state confinement established 845
under division (B) (3) (c) of this section. A board of county 846
commissioners and an administrative judge of a court of common 847
pleas that enter into an agreement of the type described in this 848
division may terminate the agreement, but a termination under 849
this division shall take effect only at the end of the state 850
fiscal biennium in which the termination decision is made. 851

(c) Except as provided in division (B) (3) (d) of this 852
section, on and after July 1, 2018, no person sentenced by the 853
court of common pleas of a target county or of a voluntary 854
county to a prison term that is twelve months or less for a 855
felony of the fifth degree shall serve the term in an 856
institution under the control of the department of 857
rehabilitation and correction. The person shall instead serve 858
the sentence as a term of confinement in a facility of a type 859
described in division (C) or (D) of this section. Nothing in 860
this division relieves the state of its obligation to pay for 861
the cost of confinement of the person in a community-based 862
correctional facility under division (D) of this section. 863

(d) Division (B) (3) (c) of this section does not apply to 864
any person to whom any of the following apply: 865

(i) The felony of the fifth degree was an offense of 866
violence, as defined in section 2901.01 of the Revised Code, a 867
sex offense under Chapter 2907. of the Revised Code, a violation 868
of section 2925.03 of the Revised Code, or any offense for which 869
a mandatory prison term is required. 870

(ii) The person previously has been convicted of or 871
pleaded guilty to any felony offense of violence, as defined in 872
section 2901.01 of the Revised Code, unless the felony of the 873
fifth degree for which the person is being sentenced is a 874
violation of division (I) (1) of section 2903.43 of the Revised 875
Code. 876

(iii) The person previously has been convicted of or 877
pleaded guilty to any felony sex offense under Chapter 2907. of 878
the Revised Code. 879

(iv) The person's sentence is required to be served 880

concurrently to any other sentence imposed upon the person for a 881
felony that is required to be served in an institution under the 882
control of the department of rehabilitation and correction. 883

(C) A person who is convicted of or pleads guilty to one 884
or more misdemeanors and who is sentenced to a jail term or term 885
of imprisonment pursuant to the conviction or convictions shall 886
serve that term in a county, multicounty, municipal, municipal- 887
county, or multicounty-municipal jail or workhouse; in a 888
community alternative sentencing center or district community 889
alternative sentencing center when authorized by section 307.932 890
of the Revised Code; or, if the misdemeanor or misdemeanors are 891
not offenses of violence, in a minimum security jail. 892

(D) Nothing in this section prohibits the commitment, 893
referral, or sentencing of a person who is convicted of or 894
pleads guilty to a felony to a community-based correctional 895
facility. 896

Sec. 2967.121. (A) Subject to division (D) of this 897
section, at least two weeks before any convict who is serving a 898
sentence for committing aggravated murder, murder, or a felony 899
of the first, second, or third degree or who is serving a 900
sentence of life imprisonment is released from confinement in 901
any state correctional institution pursuant to a pardon, 902
commutation of sentence, parole, or completed prison term, the 903
adult parole authority shall provide notice of the release to 904
the prosecuting attorney of the county in which the indictment 905
of the convict was found and a separate notice of that release 906
to the sheriff of that county. The notice to prosecuting 907
attorneys and the notice to sheriffs required by this division 908
may be contained in a weekly list of all convicts who are 909
serving a sentence for aggravated murder, murder, or a felony of 910

the first, second, or third degree or are serving a sentence of 911
life imprisonment and who are scheduled for release. 912

(B) Subject to division (D) of this section, if a convict 913
who is serving a sentence for committing aggravated murder, 914
murder, or a felony of the first, second, or third degree or who 915
is serving a sentence of life imprisonment is released from 916
confinement pursuant to a pardon, commutation of sentence, 917
parole, or completed prison term, the adult parole authority 918
shall send notice of the release to the prosecuting attorney of 919
the county in which the indictment of the convict was filed. The 920
notice required by this division shall be sent to the 921
appropriate prosecuting attorney at the end of the month in 922
which the convict is released and may be contained in a monthly 923
list of all convicts who are released in that month and for whom 924
this division requires a notice to be sent to that prosecuting 925
attorney. 926

(C) The notices required by divisions (A) and (B) of this 927
section shall contain all of the following: 928

(1) The name of the convict being released; 929

(2) The date of the convict's release; 930

(3) The offense for the violation of which the convict was 931
convicted and incarcerated; 932

(4) The date of the convict's conviction pursuant to which 933
the convict was incarcerated; 934

(5) The sentence imposed for that conviction; 935

(6) The length of any supervision that the convict will be 936
under; 937

(7) The name, business address, and business phone number 938

of the convict's supervising officer;	939
(8) The address at which the convict will reside.	940
(D) (1) Divisions (A) , (B), and (C) of this section do not	941
apply to the release from confinement of an offender if the	942
offender is serving a prison term imposed under division (A) (3),	943
(B) (1) (a), (b), or (c), (B) (2) (a), (b), or (c), or (B) (3) (a),	944
(b), (c), or (d) of section 2971.03 of the Revised Code, if the	945
court pursuant to section 2971.05 of the Revised Code modifies	946
the requirement that the offender serve that entire term in a	947
state correctional institution, and if the release from	948
confinement is pursuant to that modification. In a case of that	949
type, the court that modifies the requirement promptly shall	950
provide written notice of the modification and the order that	951
modifies the requirement or revises the modification to the	952
offender, the department of rehabilitation and correction, the	953
prosecuting attorney, and any state agency or political	954
subdivision that is affected by the order.	955
(2) Divisions (A), (B), and (C) of this section do not	956
apply to the release from confinement of an offender if, upon	957
admission to the state correctional institution, the offender	958
has less than fourteen days to serve on the sentence.	959
Sec. 5120.07. (A) There is hereby created the ex-offender	960
reentry coalition consisting of the following seventeen <u>twenty-</u>	961
<u>one</u> members or their designees:	962
(1) The director of rehabilitation and correction;	963
(2) The director of aging;	964
(3) The director of mental health and addiction services;	965
(4) The director of development services;	966

(5) The superintendent of public instruction;	967
(6) The director of health;	968
(7) The director of job and family services;	969
(8) The director of developmental disabilities;	970
(9) The director of public safety;	971
(10) The director of youth services;	972
(11) The chancellor of the Ohio board of regents;	973
(12) A representative or member of the governor's staff;	974
(13) The executive director of the opportunities for Ohioans with disabilities agency;	975 976
(14) The director of the department of commerce;	977
(15) The executive director of a health care licensing board created under Title XLVII of the Revised Code, as appointed by the chairperson of the coalition;	978 979 980
(16) The director of veterans services;	981
(17) An ex-offender appointed by the director of rehabilitation and correction;	982 983
<u>(18) Two members of the house of representatives appointed</u> <u>by the speaker of the house of representatives, one of whom</u> <u>shall be the chairperson of the standing committee in the house</u> <u>of representatives that primarily addresses criminal justice</u> <u>matters and the other of whom shall be a member of the minority</u> <u>party in the house of representatives;</u>	984 985 986 987 988 989
<u>(19) Two members of the senate appointed by the president</u> <u>of the senate, one of whom shall be the chairperson of the</u> <u>standing committee in the senate that primarily addresses</u>	990 991 992

criminal justice matters and the other of whom shall be a member 993
of the minority party in the senate. 994

(B) The members of the coalition shall serve without 995
compensation. The director of rehabilitation and correction or 996
the director's designee shall be the chairperson of the 997
coalition. 998

(C) In consultation with persons interested and involved 999
in the reentry of ex-offenders into the community, ~~including but~~ 1000
~~not limited to, services providers, community based~~ 1001
~~organizations, and local governments,~~ the members of the 1002
coalition shall ~~identify and examine social service barriers and~~ 1003
~~other obstacles to the reentry of ex-offenders into the~~ 1004
~~community~~ meet periodically for the purpose of formulating, 1005
discussing, and developing policies and practices that 1006
facilitate the expansion and improvement of reentry services 1007
provided by state and local agencies in the collaborative 1008
efforts of those agencies to reintegrate offenders into society 1009
while simultaneously maintaining public safety and reducing 1010
recidivism in this state. Not later than one year after April 7, 1011
2009, and on or before the same date of each year thereafter, 1012
the coalition shall submit to the speaker of the house of 1013
representatives and the president of the senate a report, 1014
including recommendations for legislative action, the activities 1015
of the coalition, and the barriers affecting the successful 1016
reentry of ex-offenders into the community. The report shall 1017
analyze the effects of those barriers on ex-offenders and on 1018
their children and other family members in various areas, 1019
including but not limited to, the following: 1020

(1) Admission to public and other housing; 1021

(2) Child support obligations and procedures; 1022

(3) Parental incarceration and family reunification;	1023
(4) Social security benefits, veterans' benefits, food stamps, and other forms of public assistance;	1024 1025
(5) Employment;	1026
(6) Education programs and financial assistance;	1027
(7) Substance abuse and sex offender treatment programs and financial assistance and mental health services and financial assistance;	1028 1029 1030
(8) Civic and political participation;	1031
(9) Other collateral consequences under the Revised Code or the Ohio administrative code law that may result from a criminal conviction.	1032 1033 1034
(D)(1) The report shall also include the following information:	1035 1036
(a) Identification of state appropriations for reentry programs;	1037 1038
(b) Identification of other funding sources for reentry programs that are not funded by the state + .	1039 1040
(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:	1041 1042 1043 1044
(a) The amount of funding received;	1045
(b) The number of program participants;	1046
(c) The composition of the program, including program goals, methods for measuring success, and program success rate;	1047 1048

(d) The type of post-program tracking that is utilized;	1049
(e) Information about employment rates and recidivism rates of ex-offenders.	1050 1051
(E) The coalition shall cease to exist on December 31, 2019.	1052 1053
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:	1054 1055 1056 1057
(1) Municipal courts, when the particular court orders an assessment of an offender for sentencing or another purpose;	1058 1059
(2) Common pleas courts, when the particular court orders an assessment of an offender for sentencing or another purpose;	1060 1061
(3) County courts, when the particular court orders an assessment of an offender for sentencing or another purpose;	1062 1063
(4) Municipal court departments of probation;	1064
(5) County departments of probation;	1065
(6) Probation departments established by two or more counties;	1066 1067
(7) State and local correctional institutions;	1068
(8) Private correctional facilities;	1069
(9) Community-based correctional facilities;	1070
(10) <u>Halfway houses;</u>	1071
<u>(11)</u> The adult parole authority;	1072
(11) <u>(12)</u> The parole board.	1073

(B) For each entity required to use the assessment tool, 1074
every employee of the entity who actually uses the tool shall be 1075
trained and certified by a trainer who is certified by the 1076
department. Each entity utilizing the assessment tool shall 1077
develop policies and protocols regarding all of the following 1078
activities: 1079

(1) Application and integration of the assessment tool 1080
into operations, supervision, and case planning; 1081

(2) Administrative oversight of the use of the assessment 1082
tool; 1083

(3) Staff training; 1084

(4) Quality assurance; 1085

(5) Data collection and sharing as described under section 1086
5120.115 of the Revised Code. 1087

Section 2. That existing sections 2929.34, 2967.121, 1088
5120.07, and 5120.114 and section 2967.122 of the Revised Code 1089
are hereby repealed. 1090

Section 3. Sections 2903.41, 2903.42, 2903.421, 2903.43, 1091
and 2903.44 of the Revised Code, as enacted in this act, shall 1092
be known as "Sierah's Law." 1093