As Introduced

132nd General Assembly Regular Session 2017-2018

S. B. No. 231

Senator Gardner

A BILL

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

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

Section 1. That sections 2967.121, 5120.07, and 5120.114

be amended and sections 2903.41, 2903.42, 2903.43, and 2903.44	21
of the Revised Code be enacted to read as follows:	22
Sec. 2903.41. As used in sections 2903.41 to 2903.44 of	23
the Revised Code:	24
<u>the Revised code.</u>	21
(A) "Violent offender" means any of the following:	25
(1) A person who on or after the effective date of this	26
section is convicted of or pleads guilty to any of the	27
<u>following:</u>	28
(a) A violation of section 2903.01, 2903.02, 2903.03,	29
2905.01 of the Revised Code or a violation of section 2905.02 of	30
the Revised Code that is a felony of the second degree;	31
(b) Any attempt to commit, conspiracy to commit, or	32
complicity in committing any offense listed in division (A)(1)	33
(a) of this section.	34
(2) A person who on the effective date of this section has	35
been convicted of or pleaded guilty to an offense listed in	36
division (A)(1) of this section and is confined in a jail,	37
workhouse, state correctional institution, or other institution,	38
serving a prison term, term of imprisonment, or other term of	39
confinement for the offense.	40
(B) "Community control sanction," "jail," and "prison"	41
have the same meanings as in section 2929.01 of the Revised	42
Code.	43
(C) "Out-of-state violent offender" means a person who is	44
convicted of, pleads guilty to, has been convicted of, or has	45
pleaded guilty to a violation of any existing or former	46
municipal ordinance or law of another state or the United	47
States, or any existing or former law applicable in a military	48

court or in an Indian tribal court, that is or was substantially	49
equivalent to any offense listed in division (A)(1) of this	50
section.	51
(D) "Qualifying out-of-state violent offender" means an	52
out-of-state violent offender who has a duty under division (B)	53
of section 2903.43 of the Revised Code to enroll in the violent	54
offender database, or who previously has enrolled or re-enrolled	55
in that database.	56
(E) "Post-release control sanction" and "supervised	57
release" have the same meanings as in section 2950.01 of the	58
Revised Code.	59
(F) "Change of address" means a change to a violent	60
offender's or out-of-state violent offender's residence address,	61
employment address, or school or institution of higher education	62
address.	63
(G) "Violent offender database" means the database of	64
violent offenders and out-of-state violent offenders that is	65
established and maintained by the bureau of criminal	66
identification and investigation under division (F)(2) of	67
section 2903.43 of the Revised Code, that is operated by	68
sheriffs under sections 2903.42 and 2903.43 of the Revised Code,	69
and for which sheriffs obtain information from violent offenders	70
and out-of-state violent offenders pursuant to sections 2903.42	71
and 2903.43 of the Revised Code.	72
Sec. 2903.42. (A) Each violent offender shall be provided	73
notice of the violent offender's duty to enroll in the violent	74
offender database personally with the sheriff of the county in	75
which the violent offender resides or that sheriff's designee.	76
The following persons shall provide the notice at the following	77

times:

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(1) On or after the effective date of this section, the	79
official in charge of a jail, workhouse, state correctional	80
institution, or other institution in which a violent offender is	81
serving a prison term, term of imprisonment, or other term of	82
confinement, or the official's designee, shall provide the	83
notice to the violent offender before the violent offender is	84
released pursuant to any type of supervised release or before	85
the violent offender is otherwise released from the prison term,	86
term of imprisonment, or other term of confinement.	87
(2) If a violent offender is sentenced on or after the	88
effective date of this section for an offense listed in division	89
(A)(1) of section 2903.41 of the Revised Code and the judge does	90
not sentence the violent offender to a prison term, term of	91
imprisonment, or other term of confinement in a jail, workhouse,	92
state correctional institution, or other institution for that	93
offense, the judge shall provide the notice to the violent	94
offender at the time of the violent offender's sentencing.	95
(B) The judge, official, or official's designee providing	96
the notice under divisions (A)(1) and (2) of this section shall	97
require the violent offender to read and sign a form stating	98
that the violent offender has received and understands the	99
notice. If the violent offender is unable to read, the judge,	100
official, or official's designee shall inform the violent	101
offender of the violent offender's duties as set forth in the	102
notice and shall certify on the form that the judge, official,	103
or official's designee informed the violent offender of the	104
violent offender's duties and that the violent offender	105
indicated an understanding of those duties.	106

(C) The attorney general shall prescribe the notice and 107

the form provided under division (B) of this section. The notice	108
shall include notice of the violent offender's duties to re-	109
enroll annually and when the violent offender has a change of	110
address.	111
(D) The person providing the notice under division (B) of	112
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to reside and shall provide a copy of the signed form to the	116
sheriff of that county in accordance with rules adopted by the	117
attorney general pursuant to Chapter 119. of the Revised Code.	118
Sec. 2903.43. (A) Each violent offender who has received	119
notice pursuant to section 2903.42 of the Revised Code shall	120
enroll in the violent offender database personally with the	121
sheriff of the county in which the violent offender resides or	122
that sheriff's designee within the following time periods:	123
(1) A violent offender who receives notice under division	124
(A)(1) of section 2903.42 of the Revised Code shall enroll in	125
the violent offender database within ten days after the violent	126
offender is released from a jail, workhouse, state correctional	127
institution, or other institution, unless the violent offender	128
is being transferred to the custody of another jail, workhouse,	129
state correctional institution, or other institution. The	130
violent offender is not required to enroll in the violent	131
offender database with any sheriff or designee prior to release.	132
(2) A violent offender who receives notice under division	133
(A) (2) of section 2903.42 of the Revised Code shall enroll in	134
the violent offender database within ten days after the	135
sentencing hearing.	136
(A)(2) of section 2903.42 of the Revised Code shall enroll in the violent offender database within ten days after the	134 135

(B) Each out-of-state violent offender who is aware of the	137
existence of the violent offender database shall enroll in the	138
database personally with the sheriff of the county in which the	139
out-of-state violent offender resides or that sheriff's designee	140
within ten days after either of the following:	141
(1) Residing in or occupying a dwelling in this state,	142
after the offender becomes aware of the database, for more than	143
	-
three consecutive days;	144
(2) Residing in or occupying a dwelling in this state,	145
after the offender becomes aware of the database, for an	146
aggregate period in a calendar year of fourteen or more days in	147
that calendar year.	148
(C) (1) \mathcal{N} wisless offender on a multifuing out of state	149
(C)(1) A violent offender, or a qualifying out-of-state	-
violent offender, shall enroll in the violent offender database,	150
personally with the sheriff of the county in which the offender	151
resides or that sheriff's designee. The enrollee shall obtain	152
from the sheriff or designee a copy of an enrollment form	153
prescribed by the attorney general that conforms to division (C)	154
(2) of this section, shall complete and sign the form, and shall	155
return to the sheriff or designee the completed and signed form	156
together with the identification records required under division	157
(C) (3) of this section.	158
(2) The enrollment form to be used under division (C)(1)	159
of this section shall include or contain all of the following	160
for the violent offender or qualifying out-of-state violent	161
offender who is enrolling:	162
orrender who is entorring.	102
(a) The violent offender's or out-of-state violent	163
offender's full name and any alias used;	164
(b) The violent offender's or out-of-state violent	165
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offender's residence address;	166
(c) The violent offender's or out-of-state violent	167
offender's social security number;	168
(d) Any driver's license number, commercial driver's	169
license number, or state identification card number issued to	170
the violent offender or out-of-state violent offender by this or	171
another state;	172
(e) The offense that the violent offender or out-of-state	173
violent offender was convicted of or pleaded guilty to;	174
(f) The name and address of any place where the violent	175
offender or out-of-state violent offender is employed;	176
(q) The name and address of any school or institution of	177
higher education that the violent offender or out-of-state	178
violent offender is attending;	179
(h) The identification license plate number of each	180
vehicle owned or operated by the violent offender or out-of-	181
state violent offender or registered in the violent offender's	182
or out-of-state violent offender's name, the vehicle	183
identification number of each vehicle, and a description of each	184
vehicle;	185
(i) A description of any scars, tattoos, or other	186
distinguishing marks on the violent offender or out-of-state	187
<u>violent offender.</u>	188
(3) The violent offender or qualifying out-of-state	189
violent offender who is enrolling shall provide fingerprints and	190
palm prints at the time of enrollment. The sheriff or sheriff's	191
designee shall obtain a photograph of the violent offender or	192
out-of-state violent offender at the time of enrollment.	193

(D)(1) Each violent offender or qualifying out-of-state	194
violent offender shall re-enroll in the violent offender	195
database annually, in person, with the sheriff of the county in	196
which the offender resides or that sheriff's designee within ten	197
days prior to the anniversary of the calendar date on which the	198
offender initially enrolled. The enrollee shall re-enroll by	199
completing, signing, and returning to the sheriff or designee a	200
copy of the enrollment form prescribed by the attorney general	201
and described in divisions (C)(1) and (2) of this section,	202
amending any information required under division (C) of this	203
section that has changed since the enrollee's last enrollment,	204
and providing any additional enrollment information required by	205
the attorney general. The sheriff or designee with whom the	206
violent offender or qualifying out-of-state violent offender re-	207
enrolls shall obtain a new photograph of the offender annually	208
when the offender re-enrolls. Additionally, if the violent	209
offender's or qualifying out-of-state violent offender's most	210
recent enrollment or re-enrollment was with a sheriff or	211
designee of a sheriff of a different county, as part of the duty	212
to re-enroll, the offender shall provide written notice of the	213
offender's change of residence address to that sheriff or a	214
designee of that sheriff.	215
(2) It is presumed that a violent offender's or a	216
<u>qualifying out-of-state violent offender's duty to re-enroll in</u>	217
the violent offender database shall terminate on the expiration	218

the violent offender database shall terminate on the expiration218of ten years after the duty is imposed at the violent offender's219sentencing hearing or ten years after the qualifying out-of-220state violent offender initially enrolls in the database. The221presumption established by this division is a rebuttable222presumption. For a violent offender, the presumption may be223rebutted only if the sentencing court finds that the offender224

has violated a term or condition of a sanction imposed under the	225
offender's sentence or has committed another felony or any	226
misdemeanor offense of violence during the ten-year period. For	227
a qualifying out-of-state offender, the presumption may be	228
rebutted only if the court of common pleas of the county in	229
which the offender resides finds that the offender has violated	230
a term or condition of a sanction imposed under the offender's	231
sentence by the court of the other jurisdiction or has committed	232
another felony or any misdemeanor offense of violence during the	233
ten-year period. If a court finds as described in this division	234
that the offender has violated a term or condition of a sanction	235
imposed under the offender's sentence or that the offender has	236
committed another felony or any misdemeanor offense of violence	237
during the ten-year period, the duty of the violent offender or	238
qualifying out-of-state violent offender to re-enroll in the	239
violent offender database annually shall continue indefinitely,	240
subject to termination under section 2903.44 of the Revised	241
Code.	242
(3) The official in charge of a jail, workhouse, state	243
correctional institution, or other institution shall notify the	243
attorney general in accordance with rules adopted by the	245
attorney general pursuant to Chapter 119. of the Revised Code if	246
a violent offender or qualifying out-of-state violent offender	247
is confined in the jail, workhouse, state correctional	248
institution, or other institution.	249
(E) Each violent offender or qualifying out-of-state	250
violent offender shall notify the sheriff with whom the offender	251
most recently enrolled or re-enrolled or that sheriff's designee	252
in person within three business days of a change of address.	253
(E) (1) After a violant offender en mulifising out of state	254

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

violent offender enrolls or re-enrolls in the violent offender	255
database with a sheriff or a sheriff's designee pursuant to this	256
section, the sheriff or designee shall forward the offender's	257
signed, written enrollment form, photograph, fingerprints, palm	258
prints, and other materials to the bureau of criminal	259
identification and investigation in accordance with forwarding	260
procedures adopted by the attorney general under division (G) of	261
this section. The bureau shall include the information and	262
materials forwarded to it under this division in the violent	263
offender database established and maintained under division (E)	264
(2) of this section.	265
(2) The bureau of criminal identification and	266
investigation shall establish and maintain a database of violent	267
offenders and qualifying out-of-state violent offenders that	267
includes the information and materials the bureau receives	269
pursuant to division (D)(1) of this section. The bureau shall	270
make the database available to federal, state, and local law	271
enforcement officers. The database of violent offenders and	272
qualifying out-of-state violent offenders maintained by the	273
bureau is not a public record under section 149.43 of the	274
Revised Code.	275
(3)(a) Except as otherwise provided in division (F)(3)(b)	276
of this section, any statements, information, photographs,	277
fingerprints, or materials that are provided by a violent	278
offender or qualifying out-of-state violent offender pursuant to	279
this section and that are in the possession of a county sheriff	280
are public records open to public inspection under section	281
149.43 of the Revised Code.	282
(b) A violent offender or qualifying out-of-state violent	283
offender may file a motion with the court of common pleas in the	284

county in which the offender resides stating that the offender	285
fears for the offender's safety if the statements, information,	286
photographs, fingerprints, or materials provided by the offender	287
pursuant to this section and that are in the possession of a	288
county sheriff are open for public inspection, and requesting	289
the court to issue an order to ban or restrict access to those	290
statements, information, photographs, fingerprints, and	291
materials. A motion filed with a court under this division shall	292
expressly state the reasons for which the violent offender or	293
qualifying out-of-state violent offender fears for the	294
offender's safety, shall identify each county in which the	295
offender has enrolled or re-enrolled, and shall provide	296
information and materials in support of the motion. The court,	297
upon the filing of the motion under this division, may determine	298
whether to grant or deny the motion without a hearing or may	299
conduct a hearing to determine whether to grant or deny the	300
motion. The court may grant the motion if it determines, upon	301
review of the motion, the supporting information and materials	302
provided with the motion, and, if the court conducts a hearing,	303
any additional information provided at the hearing, that the	304
offender's fears for the offender's safety are valid and that	305
the interests of justice and the offender's safety require that	306
the motion be granted.	307
If the court grants the motion, the statements,	308
information, photographs, fingerprints, or materials provided by	309
the offender pursuant to this section and that are in the	310
possession of a county sheriff are not public records open to	311
public inspection under section 149.43 of the Revised Code and	312
the court shall issue an order to that effect. A court that	313
grants a motion and issues an order under this division shall	313
notify the sheriff in each county in which the offender has	315
interest in each county in mitch one offendet had	010

enrolled or re-enrolled of the issuance of the order, and each 316 of those sheriffs shall comply with the order. 317 (G) The attorney general shall prescribe the forms to be 318 used by violent offenders and qualifying out-of-state violent 319 offenders to enroll, re-enroll, and provide notice of a change 320 of address under divisions (A) to (D) of this section. The 321 attorney general shall adopt procedures for sheriffs to use to 322 forward information, photographs, fingerprints, palm prints, and 323 other materials to the bureau of criminal identification and 324 325 investigation pursuant to division (F) (1) of this section. (H) The attorney general, in accordance with Chapter 119. 326 of the Revised Code, may adopt rules regarding enrollment dates 327 different than those prescribed in divisions (A), (B), and (D) 328 of this section for any violent offender or qualifying out-of-329 state violent offender who also is an arson offender, as defined 330 in section 2909.13 of the Revised Code, or a sex offender or 331 child-victim offender, both as defined in section 2950.01 of the 332 333 Revised Code. (I) (1) No violent offender or qualifying out-of-state 334 violent offender shall recklessly fail to enroll, re-enroll, or 335 notify the sheriff or sheriff's designee of a change of address 336 as required by this section. 337 (2) Whoever violates division (I)(1) of this section is 338 quilty of a felony of the fifth degree. If a violent offender or 339 qualifying out-of-state violent offender who violates division 340 (I) (1) of this section is subject to a community control 341 sanction, is on parole, is subject to one or more post-release 342 control sanctions, or is subject to any other type of supervised 343 release at the time of the violation, the violation shall 344 constitute a violation of the terms and conditions of the 345

community control sanction, parole, post-release control	346
sanction, or other type of supervised release.	347
Sec. 2903.44. (A) (1) As used in this section, "prosecutor"	348
means the office of the prosecuting attorney who handled a	349
violent offender's or qualifying out-of-state violent offender's	350
underlying case or the office of that prosecutor's successor in	351
<u>office.</u>	352
(2) Pursuant to this section, a violent offender or	353
qualifying out-of-state violent offender may file a motion to	354
the court of common pleas of the county in which the offender	355
resides requesting that the court terminate the offender's duty	356
to enroll and re-enroll in the violent offender database after	357
ten years of enrollment in the violent offender database. A	358
violent offender or qualifying out-of-state violent offender may	359
file not more than one motion under this division.	360
(B) A violent offender or qualifying out-of-state violent	361
offender who makes a motion under division (A) of this section	362
shall include with the motion all of the following:	363
(1) A certified copy of the judgment entry and any other	364
documentation of the sentence or disposition given for the	365
offense or offenses for which the offender was enrolled in the	366
<u>violent offender database;</u>	367
(2) Documentation of the date of the offender's discharge	368
from supervision or release, whichever is applicable;	369
(3) Evidence that the offender has not been convicted of	370
or pleaded guilty to any other felony or any misdemeanor offense	371
of violence within ten years of the offender's original	372
enrollment in the violent offender database;	373
(4) Evidence that the eligible offender has paid all	374

financial sanctions imposed upon the offender pursuant to 375 section 2929.18 or 2929.28 of the Revised Code. 376 (C) Upon the filing of a motion pursuant to division (A) 377 of this section, the offender shall serve a copy of the motion 378 <u>on the prosecutor.</u> 379 Upon the filing of the motion, the court shall set a 380 tentative date for a hearing on the motion that, except as 381 otherwise provided in this division, is not later than ninety 382 days after the date on which the motion is filed. The court may 383 set a tentative date for a hearing that is later than that 384 specified time if good cause exists to hold the hearing at a 385 later date. The court shall notify the offender and the 386 prosecutor of the date, time, and place of the hearing. The 387 court shall forward a copy of the motion and its supporting 388 documentation to the court's probation department or another 389 appropriate agency to investigate the merits of the motion. The 390 probation department or agency shall submit a written report 391 detailing its investigation to the court within sixty days after 392 receiving the motion and supporting documentation. 393 Upon receipt of the written report from the probation 394 395 department or other appropriate agency, the court shall forward a copy of the motion, the supporting documentation, and the 396 written report to the prosecutor. 397 (D) After the prosecutor is served with a copy of the 398 motion and notice of the hearing as described in division (C) of 399 this section, at least seven days before the hearing date, the 400 prosecutor may file an objection to the motion with the court 401 and serve a copy of the objection to the motion to the offender 402 or the offender's attorney. 403

(E) In determining whether to grant a motion made under_	404
division (A) of this section, the court shall consider the	405
evidence that accompanies the motion described in division (B)	406
	400
of this section and shall consider the written report submitted	-
pursuant to division (C) of this section.	408
(F)(1) The court, without a hearing, may issue an order	409
denying the offender's motion to terminate the offender's duty	410
to enroll and re-enroll in the violent offender database if the	411
court, after considering the evidence, materials, and	412
information specified under division (E) of this section, finds	413
that the duty should not be terminated. If the court issues an	414
order under this division denying the motion, the offender may	415
not subsequently file another motion under this section	416
requesting termination of the duty.	417
	410
(2) If the prosecutor does not file an objection to the	418
offender's application as provided in division (D)(2) of this	419
section, the court, without a hearing, may issue an order that	420
terminates the eligible offender's duty to enroll and re-enroll	421
in the violent offender database if the court, after considering	422
the evidence, materials, and information specified under	423
division (E) of this section, finds that the duty should be	424
terminated. This division does not apply if the prosecutor files	425
an objection to the offender's application as provided in	426
division (D)(2) of this section.	427
(3) If the court does not issue an order under division	428
(F)(1) or (2) of this section, the court shall hold a hearing to	429
determine whether to grant or deny the motion. At the hearing,	430
the Rules of Civil Procedure apply, except to the extent that	431
those Rules would by their nature be clearly inapplicable. At	432
the hearing, the offender has the burden of going forward with	433
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the evidence and the burden of proof that the duty should be	434
terminated. If, after considering the evidence, materials, and	435
information specified under division (E) of this section, the	436
court finds that the offender has satisfied the burden of proof	437
described in this division, the court shall issue an order that	438
terminates the offender's duty to enroll and re-enroll in the	439
violent offender database. If the court finds that the offender	440
has not satisfied the burden of proof, the court shall issue an	441
order denying the motion. If the court issues an order under	442
this division denying the motion, the offender may not	443
subsequently file another motion under this section requesting	444
termination of the duty.	445
<u>(4)(a) Upon its issuance of an order under division (F)</u>	446
(1), (2), or (3) of this section, the court shall provide prompt	447
notice of the order to the offender or the offender's attorney.	448
notice of the order to the offender of the offender's attorney.	440
(b) If the court issues an order under division (F)(2) or	449
(3) of this section terminating the offender's duty to enroll	450
and re-enroll in the violent offender database, the court shall	451
promptly forward a copy of the order to the bureau of criminal	452
identification and investigation and to the prosecutor. Upon	453
receipt of the order from the court, the bureau shall update all	454
records pertaining to the offender to reflect the termination	455
order. The bureau also shall provide notice of the issuance of	456
the termination order to every sheriff with whom the offender	457
has most recently enrolled or re-enrolled. Upon receipt of the	458
order from the court, the prosecutor shall notify the victim of	459
any offense for which the offender is enrolled in the violent	460
offender database that the offender's duty to enroll and re-	461
enroll in the database has been terminated.	462

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

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

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

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

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

(2) Divisions (A), (B), and (C) of this section do not 522

apply to the release from confinement of an offender if, upon 523 admission to the state correctional institution, the offender 524 has less than fourteen days to serve on the sentence. 525 Sec. 5120.07. (A) There is hereby created the ex-offender 526 reentry coalition consisting of the following seventeen twenty-527 one members or their designees: 528 (1) The director of rehabilitation and correction; 529 (2) The director of aging; 530 (3) The director of mental health and addiction services; 531 (4) The director of development services; 532 (5) The superintendent of public instruction; 533 (6) The director of health; 534 (7) The director of job and family services; 535 (8) The director of developmental disabilities; 536 (9) The director of public safety; 537 (10) The director of youth services; 538 (11) The chancellor of the Ohio board of regents; 539 (12) A representative or member of the governor's staff; 540 (13) The executive director of the opportunities for 541 Ohioans with disabilities agency; 542 543 (14) The director of the department of commerce; (15) The executive director of a health care licensing 544 board created under Title XLVII of the Revised Code, as 545

appointed by the chairperson of the coalition;

(16) The director of veterans services; 547 (17) An ex-offender appointed by the director of 548 rehabilitation and correction; 549 (18) Two members of the house of representatives appointed 550 by the speaker of the house of representatives, one of whom 551 shall be the chairperson of the standing committee in the house 552 of representatives that primarily addresses criminal justice 553 matters and the other of whom shall be a member of the minority 554 party in the house of representatives; 555 (19) Two members of the senate appointed by the president 556 of the senate, one of whom shall be the chairperson of the 557 standing committee in the senate that primarily addresses 558 criminal justice matters and the other of whom shall be a member 559 of the minority party in the senate. 560 (B) The members of the coalition shall serve without 561 compensation. The director of rehabilitation and correction or 562 the director's designee shall be the chairperson of the 563 564 coalition. (C) In consultation with persons interested and involved 565 in the reentry of ex-offenders into the community, including but 566 567 not limited to, services providers, community-based organizations, and local governments, the members of the 568 coalition shall identify and examine social service barriers and 569 other obstacles to the reentry of ex-offenders into the 570 community meet periodically for the purpose of formulating, 571 discussing, and developing policies and practices that 572 facilitate the expansion and improvement of reentry services 573 provided by state and local agencies in the collaborative 574

efforts of those agencies to reintegrate offenders into society_

while simultaneously maintaining public safety and reducing	576
recidivism in this state. Not later than one year after April 7,	577
2009, and on or before the same date of each year thereafter,	578
the coalition shall submit to the speaker of the house of	579
representatives and the president of the senate a report,	580
including recommendations for legislative action, the activities	581
of the coalition, and the barriers affecting the successful	582
reentry of ex-offenders into the community. The report shall	583
analyze the effects of those barriers on ex-offenders and on	584
their children and other family members in various areas,	585
including but not limited to, the following:	586
(1) Admission to public and other housing;	587
(2) Child support obligations and procedures;	588
(3) Parental incarceration and family reunification;	589
(4) Social security benefits, veterans' benefits, food	590
stamps, and other forms of public assistance;	591
(5) Employment;	592
(6) Education programs and financial assistance;	593
(7) Substance abuse and sex offender treatment programs	594
and financial assistance and mental health services and	595
financial assistance;	596
(8) Civic and political participation;	597
(9) Other collateral consequences under the Revised Code	598
or the Ohio administrative code law that may result from a	599
criminal conviction.	600
(D)(1) The report shall also include the following	601
information:	602

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

(3) County courts, when the particular court orders an628assessment of an offender for sentencing or another purpose;629

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

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