



Ohio Revised Code

Section 2930.17 Statement of victim prior to judicial release or early release.

Effective: April 6, 2023

Legislation: Senate Bill 288 (GA 134), House Bill 343 (GA 134)

(A) In determining whether to grant a judicial release to a defendant from a prison term pursuant to section 2929.20 of the Revised Code at a time before the defendant's stated prison term expires, or in determining whether to grant a judicial release or early release to an alleged juvenile offender from a commitment to the department of youth services pursuant to section 2151.38 of the Revised Code, the court shall permit a victim of a criminal offense or delinquent act for which the defendant or alleged juvenile offender was incarcerated or committed, and the victim's representative, if applicable, to be heard orally, in writing, or both, in addition to any other statement made under this chapter, concerning the effects of that criminal offense or delinquent act on the victim, the circumstances surrounding the criminal offense or delinquent act, the manner in which the criminal offense or delinquent act was perpetrated, and the victim's or victim's representative's opinion whether the defendant or alleged juvenile offender should be released. The victim and victim's representative, if applicable, may be heard in writing, orally, or both at the victim's or victim's representative's discretion. The court shall allow the defendant or alleged juvenile offender to review a copy of any written impact statement made by the victim or victim's representative under this section and shall give either the adult parole authority or the department of youth services, whichever is applicable, a copy of any written impact statement made by the victim or victim's representative under this division.

(B) In deciding whether to grant a judicial release or early release to the defendant or alleged juvenile offender, the court shall consider a statement made by the victim and the victim's representative, if applicable, under division (A) of this section or section 2930.14 or 2947.051 of the Revised Code.

(C) Upon making a determination whether to grant a judicial release to a defendant from a prison term pursuant to section 2929.20 of the Revised Code or a judicial release or early release to an alleged juvenile offender from a commitment to the department of youth services pursuant to section 2151.38 of the Revised Code, the court promptly shall send notice of its determination to the prosecutor of the county in which the criminal or delinquency proceeding was held against the



defendant or alleged juvenile offender. Before ordering a defendant or alleged juvenile offender released from custody, the court shall send the custodial agency a copy of its journal entry of the determination.

The Legislative Service Commission presents the text of this section as a composite of the section as amended by multiple acts of the General Assembly. This presentation recognizes the principle stated in R.C. 1.52(B) that amendments are to be harmonized if reasonably capable of simultaneous operation.