



Ohio Administrative Code Rule 109:5-2-05 Victim notification.

Effective: August 25, 2015

(A) Offender or delinquent child sentenced to serve term of imprisonment in the department of rehabilitation and correction or department of youth services.

(1) If a person subject to victim notification pursuant to section 2950.10 of the Revised Code has been sentenced to serve a term of imprisonment in the Ohio department of rehabilitation and correction, a victim of said person who desires notification of the person's registration as a sexually oriented or child-victim oriented offender shall send a request in writing to the "Office of Victim Services, Ohio Department of Rehabilitation and Correction, 770 West Broad Street, Columbus, Ohio 43222." The request must include the victim's name and address, the offender's name, and the county where the conviction occurred, and may include the victim's telephone number. The request may also include the offender's inmate number, the date or approximate date of conviction and the crime for which the offender was convicted. The victim is responsible for informing the department of rehabilitation and correction in writing of any changes in the victim's address.

(2) If a delinquent child subject to victim notification pursuant to section 2950.10 of the Revised Code has been sentenced to serve a term of imprisonment in the Ohio department of youth services, a victim of said person who desires notification of the delinquent child's registration as a sexually oriented or child-victim oriented offender shall send a request in writing to the "Office of Victim Services, Ohio Department of Youth Services, 30 W. Spring St., 5th Floor, Columbus, Ohio 43215." The request must include the victim's name and address, the delinquent child's name, and the county where the adjudication occurred, and may include the victim's telephone number. The request may also include any identifying number used by the department to identify the delinquent child, the date or approximate date of the adjudication of delinquency and the offense for which the delinquent child was adjudicated delinquent. The victim is responsible for informing the department of youth services in writing of any changes in the victim's address.

(3) Upon receipt of a victim's written request for notification, the department of rehabilitation and correction or department of youth services shall maintain that request in the appropriate file. When



the offender or delinquent child, in preparation for release, informs the department of their anticipated county of residence, the department shall send the victim written notice, by regular mail, of the county where the offender or delinquent child intends to reside, the address of that county's sheriff, and the date by which the offender or delinquent child must register. The department shall make reasonable and diligent attempts to mail this notice at least a week prior to the offender's or delinquent child's release. If that letter comes back to the department as undeliverable, the department shall have no further responsibilities to notify the victim.

(B) Offender or delinquent child not sentenced to serve term of imprisonment in the department of rehabilitation and correction or department of youth services.

(1) If a person subject to victim notification was not sentenced to serve a term of imprisonment in the Ohio department of rehabilitation and correction or committed to the department of youth services, a victim of said person subject to victim notification who desires notification of the offender's or delinquent child's registration shall send a request in writing to the sentencing judge within seven days of the registrant being sentenced or adjudicated delinquent. The request must include the victim's name and address, the offender's or delinquent child's name and the case docket number. The victim is responsible for informing the sentencing judge or juvenile judge of any changes in the victim's address.

(2) If the person subject to victim notification was sentenced to serve a term of imprisonment at a facility other than one operated by the department of rehabilitation and correction or the department of youth services, the sentencing judge, juvenile judge or said judge's designee shall maintain the victim's written request for notification until the registrant is to be released. When the registrant, prior to release, has completed the "Notice of Registration Duties of Sexually Oriented Offender or Child Victim Offender" form, or "Notice of Registration Duties of Juvenile Offender Registrant" form, the sentencing judge, juvenile judge or said judge's designee shall, within five days, send the victim written notice, by regular mail, of the county where the registrant intends to reside, the address of that county's sheriff, and the date by which the registrant must register. If that letter comes back to the sentencing judge, juvenile judge or said judge's designee as undeliverable, the sentencing judge or juvenile judge shall have no further responsibilities to notify the victim.

(3) If the person subject to victim notification was not sentenced to a term of confinement in any



institution, the sentencing judge, juvenile judge or said judge's designee shall, within five days of receiving the victim's written request for notification, send the victim written notice, by regular mail, of the county where the registrant intends to reside, the address of that county's sheriff, and the date by which the registrant must register. If that letter comes back to the sentencing judge, juvenile judge or said judge's designee as undeliverable, the sentencing judge or juvenile judge shall have no further responsibilities to notify the victim.

(C) Upon receiving notice of the county where the registrant intends to reside from either the department of rehabilitation and correction, the department of youth services or the sentencing judge, juvenile judge or said judge's designee, or at any time thereafter whether or not the victim has previously requested notice, the victim may send a request for victim notification, in writing, to the sheriff of any county where the registrant is registered. The request must identify the writer as a victim and include the victim's name and address, the registrant's name, and a request for the notices described in section 2950.10 of the Revised Code. If known to the victim, it may also include the date by which the registrant is to register at the sheriff's office.

(D) The sheriff shall send the victim all required notifications by regular mail within five days of the notification to the sheriff of an event requiring victim notification. If the registrant registers before the sheriff receives the victim's written request for notification, the sheriff shall send the current victim notification information within five days of receipt of the victim's written request. The victim is responsible for informing the sheriff of any changes in the victim's address. If any letter, sent to the victim, is returned undeliverable, the sheriff shall have no further responsibilities to notify the victim. Information regarding the victim, that is kept by the sheriff from or as a result of the victim's request for notification, is confidential and not a matter of public record, pursuant to division (A)(4) of section 2950.10 of the Revised Code.

(E) Unless otherwise specified, any requirement in section 2950.10 of the Revised Code that a government agency or official provide or send written notice within a specified time period is met if the notice is placed in the mail within the specified time period.