



Ohio Administrative Code

Rule 5120-12-03 Transfer, transportation, and conditions of supervision.

Effective: April 1, 2018

(A) The transitional control program section of the bureau of community sanctions shall have the following responsibilities:

(1) Notify the institutional records office manager concerning the status of each approved prisoner for transfer;

(2) Coordinate the transfer and transportation of the prisoner with the prison institution, and the halfway house facility to which the prisoner will be confined;

(3) In the case of a prisoner sentenced for an offense committed before July 1, 1996, the bureau of community sanctions shall refer the case back to the parole board for reconsideration in the event of newly discovered evidence; institutional disciplinary infractions subsequent to the transfer approval; input from the victim; or for any reason when the transfer would be contrary to law or when the transfer would be inconsistent with the purposes of transitional control. In any event, whenever the prisoner is not transferred, but referred back to the parole board for reconsideration, the prisoner shall be notified of the reasons for the referral in writing.

(B) The confining prison institution shall have the following responsibilities:

(1) After the prisoner is selected for transfer to transitional control, the institutional records officer or the parole board's designee at the institution in which the prisoner is confined will review the prisoner's file to ensure that the prisoner has not received an additional sentence, been the subject of an institutional disciplinary infraction subsequent to the transfer approval, been disapproved for transfer by the court, or otherwise become ineligible for release pursuant to section 2967.26 of the Revised Code.

(2) The warden's designee shall coordinate the following:



- (a) The prisoner shall be permitted to bring clothing, toiletry articles, and a limited amount of personal property or the prisoner may dispose of this property in a manner approved by the managing officer of the confining institution.
- (b) If the prisoner is taking any prescription medication, the prisoner will be examined by the prison institution physician to determine whether the prisoner will need medication during the pendency of the prisoner's transfer release. If so, the physician shall make appropriate arrangements to provide medications from central pharmacy in accordance with department of rehabilitation and correction policies. This medication shall be mailed directly to the licensed facility in which the prisoner will be confined..
- (c) Prisoners on the mental health caseload shall receive medication from central pharmacy if appropriate in accordance with department of rehabilitation and correction policies. This medication shall be mailed directly to the licensed facility in which the prisoner will be confined.
- (d) Prisoners on the mental health caseload who receive medication shall be scheduled for a thirty-day follow-up videoconference appointment prior to his/her release from the institution. Additional medication shall be ordered at the videoconference appointment based on the psychiatrist's clinical judgment.
- (e) Any funds accumulated in the prisoner's institution account or due to the prisoner upon release shall be released with the prisoner or forwarded to the prisoner's halfway house placement to be deposited in the prisoner account maintained by the halfway house in accordance with rule 5120:1-3-07 of the Administrative Code.
- (f) Any additional information which is relevant to the health of the prisoner or to others housed with the prisoner, such as contagious viruses or diseases contracted by the prisoner, shall be reported to the bureau of community sanctions designee prior to transfer of the prisoner.
- (g) Prisoners released on transitional control shall remain on the prison institution's rolls, but shall be subject to the supervision of the halfway house facility director and designees.
- (C) Prisoners released on transitional control who fail to return as designated, or whose deviation



from the terms of release constitute a substantial risk of failure to return as designated may be declared to be a violator at large. The time between the declaration that the prisoner is a violator at large and the prisoner's subsequent return to an Ohio correctional facility shall not be credited toward the completion of the prisoner's prison term or period of supervision, but all other time on transitional control shall be so credited.

(D) The supervising authority shall impose upon the prisoner conditions of supervision designed to induce the prisoner's compliance as a part of the criminal sentencing sanction of transitional control supervision. At a minimum, the following conditions shall be imposed:

(1) The prisoner shall abide by all federal, state, and local laws and ordinances, and all rules and regulations of the department of rehabilitation and correction;

(2) The prisoner shall not leave the state of Ohio;

(3) The prisoner shall comply with all lawful orders given by duly authorized representatives of the department of rehabilitation and correction or its agencies, which shall include any special conditions of transfer that may be issued orally or in writing at any time during supervision;

(4) The prisoner must not possess, own, use, or have under the prisoner's control any firearms, deadly weapons, dangerous ordinances, or any type of alcohol, non-prescribed drug, or narcotic, or any other type of contraband;

(5) The prisoner shall abide by all rules, regulations, and conditions established by the halfway house to govern the conduct and behavior of prisoners confined at the halfway house facility while under transitional control;

(6) Prisoners determined to be eligible for electronic monitoring when confined at an approved residence may be required to comply with additional or special conditions related to electronic monitoring while under transitional control. Such conditions may be specifically set forth in policies and procedures adopted by the bureau of community sanctions.

(7) The supervising authority in imposing appropriate special conditions of supervision shall



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individualize such conditions to the extent feasible, provided they are related to the prisoner's previous offense pattern and the probability of further serious law violations by the individual prisoner.