



Ohio Administrative Code Rule 5120-12-06 Issuance of passes.

Effective: October 24, 2011

(A) The supervising authority may issue passes for the temporary release from a licensed facility of prisoners transferred to transitional control status for certain limited purposes in accordance with division (D) of section 2967.26 of the Revised Code.

(B) Passes may be issued only for the following purposes:

(1) To visit a dying relative;

(2) To attend the funeral of a relative;

(3) To visit with family;

(4) To aid in the prisoner's rehabilitation and facilitate successful reentry, as determined by the facility director (or designee).

(C) A pass from a licensed facility in which a prisoner is confined on transitional control may only be granted for a period of time no longer than is reasonably necessary to accomplish the purpose or purposes for which the pass is intended and only if all of the following requirements are met:

(1) The prisoner shall be in the transitional control program for the following minimum number of days, which shall be determined on the basis of the prisoner's risk level as assessed using the Ohio risk assessment system:

(a) Very high, ninety days.

(b) High, sixty days.

(c) Moderate, thirty days.



(d) Low/moderate, thirty days.

(e) Low, no minimum number of days are required.

(2) No single pass shall exceed forty-eight consecutive hours.

(3) No series of passes shall exceed three hundred and thirty six hours cumulative in any six month period of time, unless authorized by the bureau of community sanctions designee.

(4) No prisoner on transitional control shall be granted a pass to a destination outside the state of Ohio.

(5) A pass request for overnight leave shall be granted only to a single pre-approved location.

(6) No prisoner on transitional control shall be permitted to go on a pass to or be transported by an individual convicted of a felony offense within the past five years or released from felony supervision within the last five years.

(D) The pass approval process shall follow the steps outlined below:

(1) Any prisoner on transitional control applying for a pass shall submit the request to the case manager of the licensed facility in which the prisoner resides.

(2) The supervising authority shall review the pass request.

(3) For any unescorted pass, the supervising authority shall investigate the destination within five business days after receipt of the request for investigation. If the prisoner requests a pass outside the region of the supervising authority, the supervising authority shall request that the transitional control halfway house or adult parole authority unit in the area of the pass location conduct the investigation. In this instance the investigation shall be completed within five business days after receipt of this request. The investigation shall include at a minimum:



- (a) The investigating authority shall verify that the location of the pass is a legitimate residence.
- (b) The investigating authority shall verify that the prisoner is visiting the person designated on the pass request and that no adults residing at the pass location have a record of any felony convictions or have been released from felony supervision within the past ten years.
- (c) The investigating authority shall verify the purpose of the pass and that all other pass requirements have been met.
- (4) The facility director or designee shall approve or disapprove of the pass request, within a reasonable amount of time, and communicate their decision to the relevant parties. No pass request shall be granted or considered valid unless signed by the facility director or designee.
- (E) Passes are authorized at any time for a verifiable emergency when approved by the supervising authority.
- (F) Any prisoner released on a pass pursuant to this rule who violates any part of this rule or any condition or rule of transitional control, shall be subject to a violation sanction, which may include revocation of transitional control. Any prisoner who presents an immediate threat to the safety or security of any person or place may be returned directly to the prison institution from which he was transferred to transitional control, notwithstanding any provision to the contrary in any other administrative rule.
- (G) Any prisoner released on a pass who fails to return as designated, or whose deviation from the conditions and terms of the pass and the transitional control program constitutes a substantial risk of failure to return as designated, may be declared 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.