



Ohio Administrative Code Rule 5120-2-10 Life sentences.

Effective: January 29, 2024

(A) As a result of a number of amendments to the Revised Code over a period of years, the provisions for diminution of sentence and eligibility for parole, shock parole, employment/education furlough and home furlough are affected by the language in the sentencing documents (journal entries) concerning the crime and the sentence imposed as well as the date on which the crime was committed. The purpose of this rule is to explain diminution of sentence and eligibility for release for persons serving life sentences as established by the Revised Code. This rule does not expand release eligibility established by any other rule of the Administrative Code.

(B) A sentence of life imprisonment imposed pursuant to section 2929.03 of the Revised Code for the offense of aggravated murder is presumed to be a sentence of life imprisonment with parole eligibility after twenty years, subject to diminution under rules 5120-2-05, 5120-2-06 and 5120-2-07 of the Administrative Code, unless the journal entry of the court specifies that parole eligibility is to be after twenty full years or thirty full years.

(C) A prisoner serving a sentence of imprisonment for life with parole eligibility after serving thirty full years of imprisonment for the offense of aggravated murder with one or more of the specifications enumerated in section 2929.04 of the Revised Code.

(1) Becomes eligible for parole consideration after serving thirty full years:

(a) The thirty full years are reduced by jail-time credit pursuant to rule 5120-2-04 of the Administrative Code.

(b) The thirty full years are not diminished by time off for good behavior pursuant to rule 5120-2-05 of the Administrative Code.

(c) The thirty full years may not be reduced by days of credit earned pursuant to rules 5120-2-06 and 5120-2-07 of the Administrative Code.



(2) Is not eligible for shock parole.

(3) Is not eligible for release on furlough for employment or education pursuant to rule 5120:1-1-23 of the Administrative Code.

(4) Is not eligible for release on furlough for trustworthy prisoners (home furlough) pursuant to rule 5120-9-35 of the Administrative Code except for the purpose of visiting a dying relative or to attend the funeral of a relative.

(D) A prisoner serving a sentence of imprisonment for life with parole eligibility after serving twenty full years of imprisonment for the offense of aggravated murder with one or more of the specifications enumerated in section 2929.04 of the Revised Code.

(1) Becomes eligible for parole consideration after serving twenty full years:

(a) The twenty full years are reduced by jail-time credit pursuant to rule 5120-2-04 of the Administrative Code.

(b) The twenty full years are not diminished by time off for good behavior pursuant to rule 5120-2-05 of the Administrative Code.

(c) The twenty full years may not be reduced by days of credit earned pursuant to rules 5120-2-06 and 5120-2-07 of the Administrative Code.

(2) Is not eligible for shock parole.

(3) Is not eligible for release on furlough for employment or education pursuant to rule 5120:1-1-23 of the Administrative Code.

(4) Is not eligible for release on furlough for trustworthy prisoners pursuant to rule 5120-9-35 of the Administrative Code except for the purpose of visiting a dying relative or attending the funeral of a relative.



(E) A prisoner serving a sentence of imprisonment for life with parole eligibility after serving twenty years of imprisonment for the offense of aggravated murder, committed on or after October 19, 1981, without one or more of the specifications enumerated in section 2929.04 of the Revised Code.

(1) Becomes eligible for parole consideration after serving twenty years:

(a) The twenty years are reduced by jail-time credit pursuant to rule 5120-2-04 of the Administrative Code.

(b) The twenty years are diminished by time off for good behavior pursuant to rule 5120-2-05 of the Administrative Code.

(c) The twenty years may be reduced by days of credit earned pursuant to rules 5120-2-06 and 5120-2-07 of the Administrative Code.

(2) Is not eligible for shock parole.

(3) Is not eligible for release on furlough for employment or education pursuant to rule 5120:1-1-23 of the Administrative Code.

(4) Is not eligible for release on furlough for trustworthy prisoners pursuant to rule 5120-9-35 of the Administrative Code except for the purpose of visiting a dying relative or attending the funeral of a relative.

(F) A prisoner serving a sentence of imprisonment for life for an offense of first degree murder or aggravated murder committed prior to October 19, 1981.

(1) Becomes eligible for parole consideration after serving fifteen full years:

(a) The fifteen years are reduced by jail-time credit pursuant to rule 5120-2-04 of the Administrative Code.



(b) The fifteen years are not diminished by the time off for good behavior pursuant to rule 5120-2-05 of the Administrative Code.

(c) The fifteen years may not be reduced by days of credit earned pursuant to rules 5120-2-06 and 5120-2-07 of the Administrative Code.

(2) Is not eligible for shock parole.

(3) Is eligible for release on furlough for employment or education pursuant to rule 5120:1-1-23 of the Administrative Code.

(4) Is eligible for release on furlough for trustworthy prisoners (home furlough) pursuant to rule 5120-9-35 of the Administrative Code.

(G) A prisoner serving an indefinite term of imprisonment of fifteen years to life for the offense of murder.

(1) Becomes eligible for parole consideration after serving the fifteen-year minimum sentence:

(a) The fifteen years are reduced by jail-time credit pursuant to rule 5120-2-04 of the Administrative Code.

(b) The fifteen years are diminished by time off for good behavior pursuant to rule 5120-2-05 of the Administrative Code.

(c) The fifteen years may be reduced by days of credit earned pursuant to rules 5120-2-06 and 5120-2-07 of the Administrative Code.

(2) Is not eligible for shock parole.

(3) Is eligible for release on furlough for employment or education pursuant to rule 5120:1-1-23 of the Administrative Code.



(4) Is eligible for release on furlough for trustworthy prisoners (home furlough) pursuant to rule 5120-9-35 of the Administrative Code.

(H) A prisoner serving a sentence of imprisonment for life imposed pursuant to division (B) of section 2907.02 of the Revised Code for the crime of rape committed against a victim under the age of thirteen or imposed pursuant to division (B) of section 2907.12 of the Revised Code for the crime of felonious sexual penetration committed by force or threat of force against a victim under the age of thirteen, where the offense was committed prior to July 1, 1996.

(1) Becomes eligible for parole consideration after serving ten full years:

(a) The ten full years are reduced by jail-time credit pursuant to rule 5120-2-04 of the Administrative Code.

(b) The ten full years are not diminished by time off for good behavior pursuant to rule 5120-2-05 of the Administrative Code.

(c) The ten full years may not be reduced by days of credit earned pursuant to rules 5120-2-06 and 5120-2-07 of the Administrative Code.

(2) Is not eligible for shock parole if the offense was committed on or after July 1, 1983 or if serving a term of actual incarceration imposed pursuant to section 2907.10 of the Revised Code for an offense committed before July 1, 1983.

(3) Is not eligible for release on furlough for employment or education pursuant to rule 5120:1-1-23 of the Administrative Code if the offense was committed on or after October 19, 1981.

(4) Is not eligible for release on furlough for trustworthy prisoners (home furlough) pursuant to rule 5120-9-35 of the Administrative Code except for the purpose of visiting a dying relative or to attend the funeral of a relative if the offense was committed on or after October 19, 1981.

(I) A prisoner serving a sentence of imprisonment for life for an offense other than first degree murder or aggravated murder committed prior to October 19, 1981.



(1) Becomes eligible for parole consideration after serving ten full years:

(a) The ten full years are reduced by jail-time credit pursuant to rule 5120-2-04 of the Administrative Code.

(b) The ten full years is not diminished by time off for good behavior pursuant to rule 5120-2-05 of the Administrative Code.

(c) The ten full years may not be reduced by days of credit earned pursuant to rules 5120-2-06 and 5120-2-07 of the Administrative Code.

(2) Is eligible for shock parole.

(3) Is eligible for release on furlough for employment or education pursuant to rule 5120:1-1-23 of the Administrative Code.

(4) Is eligible for release on furlough for trustworthy prisoners (home furlough) pursuant to rule 5120-9-35 of the Administrative Code.

(J) A prisoner serving a sentence of imprisonment for life consecutive to any other term or terms of imprisonment becomes eligible for parole consideration as follows:

(1) Where the life sentence is imposed for aggravated murder, with one of the specifications enumerated in section 2929.04 of the Revised Code, committed on or after October 19, 1981, the prisoner is eligible for parole after serving the sum, without diminution, of any three-year terms of actual incarceration imposed pursuant to section 2929.71 of the Revised Code for using a firearm in the commission of an offense, plus the twenty or thirty full years, without diminution, as designated by the court for parole eligibility, plus the time required for parole eligibility for any other crimes. There is no limit to the length of such aggregated sentence.

(2) Where the life sentence is imposed for aggravated murder without one or more specifications enumerated in section 2929.04 of the Revised Code, committed on or after October 19, 1981, the



prisoner is eligible for parole after serving the sum, without diminution, of any three-year terms of actual incarceration imposed pursuant to section 2929.71 of the Revised Code for using a firearm in the commission of an offense, plus the sum of twenty years for each such consecutive life sentence and the sum of all other consecutive minimum sentences, each diminished, as provided in rules 5120-2-05, 5120-2-06 and 5120-2-07 of the Administrative Code. There is no limit to the length of such aggregated minimum term.

(3) Where the life sentence is imposed for first degree murder or aggravated murder committed prior to October 19, 1981, and does not include a life sentence imposed for aggravated murder committed on or after October 19, 1981, the prisoner is eligible for parole after serving the sum, without diminution, of any terms of actual incarceration imposed pursuant to section 2929.71 of the Revised Code for using a firearm in the commission of an offense, plus fifteen full years, without diminution, plus the required time for parole eligibility for any other crimes. However, this aggregate is not to exceed the sum of all terms of actual incarceration time plus twenty full years.

(K) A prisoner serving a sentence of imprisonment for an offense of aggravated murder committed on or after July 1, 1996:

(1) Becomes eligible for parole consideration after serving:

(a) Twenty full years, twenty-five full years, or thirty full years and is reduced by jail time credit pursuant to rule 5120-2-04 of the Administrative Code.

(b) Twenty full years, twenty-five full years, or thirty full years and is not diminished by time off for good behavior pursuant to rule 5120-2-05 of the Administrative Code.

(c) The full years may not be reduced by the days of credit earned pursuant to rule 5120-2-06 or 5120-2-07 of the Administrative Code.

(2) Is not eligible for judicial release.

(3) Is not eligible for release on transitional control.



(L) A prisoner serving a sentence of imprisonment for life without parole committed on or after July 1, 1996, is not eligible for parole consideration, judicial release or transitional control.

(M) A prisoner serving a sentence of imprisonment of life for an offense of murder committed on or after July 1, 1996:

(1) Becomes eligible for parole consideration after serving:

(a) Fifteen full years and is reduced by jail time credit pursuant to rule 5120-2-04 of the Administrative Code.

(b) Fifteen full years is not diminished by time off for good behavior pursuant to rule 5120-2-05 of the Administrative Code.

(c) The full years may not be reduced by the days of credit earned pursuant to rule 5120-2-06 or 5120-2-07 of the Administrative Code.

(2) Is not eligible for judicial release.

(3) Is not eligible for release on transitional control.

(N)) A prisoner serving a sentence of imprisonment for life imposed pursuant to division (B) of section 2907.02 of the Revised Code and division (B)(1)(a) of section 2971.03 of the Revised Code for the crime of rape against a child under the age of thirteen committed on or after July 1, 1996:

(1) Becomes eligible for parole consideration after serving:

(a) Ten full years and is reduced by jail time credit pursuant to rule 5120-2-04 of the Administrative Code.

(b) Ten full years is not diminished by time off for good behavior pursuant to rule 5120-2-05 of the Administrative Code.



(c) The ten full years may not be reduced by the days of credit earned pursuant to rule 5120-2-06 or 5120-2-07 of the Administrative Code.

(2) Is not eligible for judicial release.

(3) Is not eligible for release on transitional control.

(O) A prisoner serving a sentence of imprisonment for life imposed pursuant to division (A)(3)(d)(i) of section 2971.03 of the Revised Code for the crime of rape against a child under the age of thirteen with a sexually violent predator specification under section 2941.148 of the Revised Code committed on or after January 2, 2007:

(1) Becomes eligible for parole consideration after serving:

(a) Twenty-five full years and is reduced by jail time credit pursuant to rule 5120-2-04 of the Administrative Code.

(b) Twenty-five full years is not diminished by time off for good behavior pursuant to rule 5120-2-05 of the Administrative Code.

(c) The twenty-five full years may not be reduced by the days of credit earned pursuant to rule 5120-2-06 or 5120-2-07 of the Administrative Code.

(2) Is not eligible for judicial release.

(3) Is not eligible for release on transitional control.

(P) A prisoner serving a sentence of imprisonment for life imposed pursuant to division (B) of section 2907.02 of the Revised Code and division (B)(1)(c) of section 2971.03 of the Revised Code for the crime of rape against a child under the age of thirteen and the offender purposefully compelled the victim to submit by force or threat of force, or the offender previously has been convicted of or pleaded guilty to violating division (A)(1)(b) of section 2907.02 of the Revised Code or to violating an existing or former law of this state, another state, or the United States that is



substantially similar to division (A)(1)(b) of section 2907.02 of the Revised Code, or the the offender during or immediately after the commission of the offense caused serious physical harm to the victim, committed on or after January 2, 2007:

(1) Becomes eligible for parole consideration after serving:

(a) Twenty-five full years and is reduced by jail time credit pursuant to rule 5120-2-04 of the Administrative Code.

(b) Twenty-five full years is not diminished by time off for good behavior pursuant to rule 5120-2-05 of the Administrative Code.

(c) The twenty-five full years may not be reduced by the days of credit earned pursuant to rule 5120-2-06 or 5120-2-07 of the Administrative Code.

(2) Is not eligible for judicial release.

(3) Is not eligible for release on transitional control.

(Q) A prisoner serving a sentence of imprisonment for life imposed pursuant to division (B) of section 2907.02 of the Revised Code and division (B)(1)(b) of section 2971.03 of the Revised Code for the crime of rape against a child under the age of ten, committed on or after January 2, 2007:

(1) Becomes eligible for parole consideration after serving:

(a) Fifteen full years and is reduced by jail time credit pursuant to rule 5120-2-04 of the Administrative Code.

(b) Fifteen full years is not diminished by time off for good behavior pursuant to rule 5120-2-05 of the Administrative Code.

(c) The fifteen full years may not be reduced by the days of credit earned pursuant to rule 5120-2-06 or 5120-2-07 of the Administrative Code.



(2) Is not eligible for judicial release.

(3) Is not eligible for release on transitional control.

(R) A prisoner serving a prison term for attempted rape with a sexually violent predator specification under section 2941.148 of the Revised Code and imposed pursuant to division (A)(3)(a) or (A)(3)(e)(i) of section 2971.03 of the Revised Code, committed on or after January 2, 2007:

(1) Becomes eligible for parole consideration after serving:

(a) The minimum term fixed by the sentencing court.

(b) The minimum term fixed by the sentencing court is not diminished by time off for good behavior pursuant to rule 5120-2-05 of the Administrative Code.

(c) The minimum term fixed by the sentencing court may not be reduced by the days of credit earned pursuant to rule 5120-2-06 or 5120-2-07 of the Administrative Code.

(2) Is not eligible for judicial release.

(3) Is not eligible for release on transitional control.

(S) A prisoner serving a sentence of imprisonment for life for attempted rape of a child under the age of thirteen with an attempted rape specification under section 2941.1419 of the Revised Code imposed pursuant to division (B)(2)(b) of section 2971.03 of the Revised Code or division (a)(3)(e)(iii) of section 2971.03 of the Revised Code, committed on or after January 2, 2007:

(1) Becomes eligible for parole consideration after serving:

(a) Ten full years and is reduced by jail time credit pursuant to rule 5120-2-04 of the Administrative Code.



(b) Ten full years is not diminished by time off for good behavior pursuant to rule 5120-2-05 of the Administrative Code.

(c) The ten full years may not be reduced by the days of credit earned pursuant to rule 5120-2-06 or 5120-2-07 of the Administrative Code.

(2) Is not eligible for judicial release.

(3) Is not eligible for release on transitional control.

(T) A prisoner serving a sentence of imprisonment for life for attempted rape of a child under the age of thirteen with an attempted rape specification under section 2941.1419 of the Revised Code and a sexually violent predator specification under section 2941.148 of the Revised Code, imposed pursuant to division (B)(2)(b) of section 2971.03 of the Revised Code or division (a)(3)(e)(iii) of section 2971.03 of the Revised Code, committed on or after January 2, 2007:

(1) Becomes eligible for parole consideration after serving:

(a) Ten full years and is reduced by jail time credit pursuant to rule 5120-2-04 of the Administrative Code.

(b) Ten full years is not diminished by time off for good behavior pursuant to rule 5120-2-05 of the Administrative Code.

(c) The ten full years may not be reduced by the days of credit earned pursuant to rule 5120-2-06 or 5120-2-07 of the Administrative Code.

(2) Is not eligible for judicial release.

(3) Is not eligible for release on transitional control.

(U) A prisoner serving a sentence of imprisonment for life for attempted rape of a child under the age of thirteen with an attempted rape specification under section 2941.1420 of the Revised Code,



imposed pursuant to division (B)(2)(c) or (A)(3)(e)(iv) of section 2971.03 of the Revised Code, committed on or after January 2, 2007:

(1) Becomes eligible for parole consideration after serving:

(a) Fifteen full years and is reduced by jail time credit pursuant to rule 5120-2-04 of the Administrative Code.

(b) Fifteen full years is not diminished by time off for good behavior pursuant to rule 5120-2-05 of the Administrative Code.

(c) The fifteen full years may not be reduced by the days of credit earned pursuant to rule 5120-2-06 or 5120-2-07 of the Administrative Code.

(2) Is not eligible for judicial release.

(3) Is not eligible for release on transitional control.

(V) A prisoner serving a sentence of imprisonment for life for attempted rape of a child under the age of thirteen with an attempted rape specification under section 2941.1420 of the Revised Code and a sexually violent predator specification under section 2941.148 of the Revised Code, imposed pursuant to division (B)(2)(C) or (A)(3)(e)(iv) of section 2971.03 of the Revised Code, committed on or after January 2, 2007:

(1) Becomes eligible for parole consideration after serving:

(a) Fifteen full years and is reduced by jail time credit pursuant to rule 5120-2-04 of the Administrative Code.

(b) Fifteen full years is not diminished by time off for good behavior pursuant to rule 5120-2-05 of the Administrative Code.

(c) The fifteen full years may not be reduced by the days of credit earned pursuant to rule 5120-2-06



or 5120-2-07 of the Administrative Code.

(2) Is not eligible for judicial release.

(3) Is not eligible for release on transitional control.

(W) A prisoner serving a sentence of imprisonment for life for sexual battery with a sexually violent predator specification under section 2941.148 of the Revised Code imposed pursuant to division (A)(3)(a) of section 2971.03 of the Revised Code, committed on or after January 2, 2007:

(1) Becomes eligible for parole consideration after serving:

(a) The minimum term fixed by the sentencing court.

(b) The minimum term fixed by the sentencing court is not diminished by time off for good behavior pursuant to rule 5120-2-05 of the Administrative Code.

(c) The minimum term fixed by the sentencing court may not be reduced by the days of credit earned pursuant to rule 5120-2-06 or 5120-2-07 of the Administrative Code.

(2) Is not eligible for judicial release.

(3) Is not eligible for release on transitional control.

(X) A prisoner serving a sentence of imprisonment for life for gross sexual imposition on a child under the age of thirteen with a sexually violent predator specification under section 2941.148 of the Revised Code imposed pursuant to division (A)(3)(a) of section 2971.03 of the Revised Code, committed on or after January 2, 2007:

(1) Becomes eligible for parole consideration after serving:

(a) The minimum term fixed by the sentencing court.



(b) The minimum term fixed by the sentencing court is not diminished by time off for good behavior pursuant to rule 5120-2-05 of the Administrative Code.

(c) The minimum term fixed by the sentencing court may not be reduced by the days of credit earned pursuant to rule 5120-2-06 or 5120-2-07 of the Administrative Code.

(2) Is not eligible for judicial release.

(3) Is not eligible for release on transitional control.