



Ohio Administrative Code

Rule 5120:1-15-02 Standards for approval of T-CAP memorandums of understanding.

Effective: January 15, 2022

This rule establishes the requirements that must be met for memorandums of understanding submitted by voluntary counties. The department of rehabilitation and correction shall approve MOUs that meet the following criteria:

(A) Set forth plans by which the county will use grant money provided to the county in state fiscal year 2023 and succeeding state fiscal years.

(1) County plans should not expend more than fifty per cent of the grant allotment on jail incarceration.

(2) If a county indicates that more than fifty per cent of the grant allotment will be spent on jail incarceration, the county must indicate and justify why it believes it must spend the level of funding on incarceration and indicate what other alternatives were considered and why those alternatives were not selected.

(B) Specify the manner in which the county will address a per diem reimbursement of local correctional facilities for prisoners who serve a prison term in the facility pursuant to division (B)(3)(c) of section 2929.34 of the Revised Code.

(C) Specify whether the memorandum of understanding will apply to prison terms for felonies of the fifth degree or prison terms for felonies of the fourth and fifth degree pursuant to division (B)(3)(c) of section 2929.34 of the Revised Code.

(D) Provide the fiscal information and calculations for determining its per diem costs per division (F)(4) of section 5149.38 of the Revised Code.

(E) List a contact person with contact information for the grant who will submit the required reports and have knowledge of how the funds are being used.



(F) Contain a statement indicating the county representatives have read, understand, and agree to all requirements listed in the "Grant Requirements" section of the grant announcement.

(G) Include signatures from a county commissioner representing the board of county commissioners of the county, the administrative judge of the general division of the court of common pleas of the county, the sheriff of the county, and an official from any municipality operating a local correctional facility in the county to which courts of the county sentence offenders.

(H) If two or more voluntary counties join together to jointly establish a memorandum of understanding, the memorandum of understanding shall be signed by a county commissioner from each of the affiliating voluntary counties representing the county's board of county commissioners, the administrative judge of the general division of the court of common pleas of each affiliating voluntary county, the sheriff of each affiliating voluntary county, and an official from any municipality operating a local correctional facility in the affiliating voluntary counties to which courts of the counties sentence offenders.