



Ohio Administrative Code

Rule 5120:1-5-03 Eligibility for subsidies; requirements for comprehensive plan and grant application for corrections services.

Effective: April 8, 2022

(A) This rule establishes the minimum requirements local corrections agencies shall meet to be eligible for funding from the department of rehabilitation and correction ("department") for the development, implementation, and operation of a continuum of community control sanctions and the procedures to apply for such funding.

(B) Each local or joint county correction's planning board established pursuant to paragraphs (B) and (C) of rule 5120:1-5-02 of the Administrative Code, shall adopt within eighteen months after its establishment, and periodically shall revise, a comprehensive plan as set forth in this paragraph.

In order to be eligible for funds from the department, unless otherwise waived pursuant to rule 5120:1-5-02 of the Administrative Code, the planning board shall design a comprehensive plan for the development, implementation, and operation of corrections services in a county or a group of counties, which shall be included with a grant application as set forth in paragraph (C) of this rule. The plan shall be designed to accomplish all of the goals set forth in paragraph (B)(1) of this rule and provide all of the information required by paragraphs (B)(2), (B)(3) and, if applicable, (B)(4) of this rule.

(1) The goals shall be to:

(a) Unify or coordinate its corrections services through consolidation, written agreements, purchase of service contracts, letters of support from local criminal justice officials including the appropriate regional office of the adult parole authority, or other means.

(b) Improve the quality and efficiency of its corrections programs and reduce the number of eligible offenders committed from a county, a group of counties, or municipalities to state penal institutions, and/or to local corrections agencies, during the previous grant year, as applicable.

(c) Demonstrate the cost effectiveness of sanctions as compared to similar sanctions in other



jurisdictions and the actual cost of incarceration in state penal institutions or local corrections agencies for the prior fiscal year.

(d) Reduce recidivism as determined by the department and the applicant.

(2) Complete a demographic and criminal justice system profile of the following areas to facilitate assessing the county's criminal justice system for problem areas and possible solutions:

(a) Law enforcement;

(b) Prosecution including victim services;

(c) Public defender/indigent defense;

(d) Probation and parole services;

(e) Judiciary;

(f) Pre-trial services;

(g) Jails;

(h) Halfway houses and community-based correctional facilities; and

(i) Community agencies.

(3) Develop a continuum of sanctions that are appropriate for the target population by providing the following information:

(a) A progression of sanctions for eligible offenders which shall include all proposed and existing programs and facilities, whether they are governmentally or privately operated;

(b) The target population of eligible offenders;



- (c) Criteria for placement eligibility;
 - (d) The official capacity of the person making the placement decision;
 - (e) The point in the criminal justice system at which various sanctions are imposed on eligible offenders;
 - (f) Factors contributing to the target population's movement through various sanctions, such as program completion, new arrests, medical concerns and absconding; and
 - (g) The coordination of services and an explanation of any duplication of offender services.
- (4) If a county has a community-based correctional facility and program established in accordance with sections 2301.51 to 2301.58 of the Revised Code, the local corrections planning board shall include the facility and program as part of the comprehensive plan. However, the budget of the facility and program shall not be subject to approval by the board or included in the grant application funding request.
- (C) Any time a county, group of counties, municipality, or their planning board, if established, desires to receive funding from the department for the development, implementation and operation of a community control sanction, then a grant application shall be submitted. The requirements for completion of a grant application shall include, but not be limited to, the following:
- (1) General information such as grantee name, program title, implementing agency, and local official(s) responsible for administering the grant.
 - (2) Program objectives that demonstrate how the goals of CCA funding will be accomplished.
 - (3) Clearly defined measures for each objective that determine its effectiveness.
 - (4) A description of the program that includes the target population, eligibility criteria for offender placement, projected number of offenders to be placed, services provided or available, and possible



sanctions for offenders who fail to adhere to program requirements.

(5) A budget that identifies and justifies the proposed expenditure of requested funds.

(6) Upon approval by the appropriate officials, the grant application, including, the comprehensive plan, shall be submitted by the local or joint county corrections planning board, to the director of the department or director's designee for review and written approval or disapproval.

(D) If a grant application, submitted pursuant to paragraph (C) of this rule, is approved, then the chief of the bureau of community sanctions of the department shall prepare a grant agreement which includes, but shall not be limited to, the grant time period; funding level of the community control sanctions; and any deviation cap and accompanying funding reduction formula established pursuant to rule 5120:1-5-06 of the Administrative Code.

The chief of the bureau shall submit the grant agreement to the county commissioners or municipal official for their approval. Upon approval, the agreement shall be submitted to the department for the director or designee's approval.

(E) If a grant application submitted pursuant to paragraph (C) or (D) of this rule is disapproved, either the local or joint county corrections planning board may submit to the director or designee for written approval or disapproval, within thirty days of notice of such disapproval, a written request for reconsideration which shall include specific reasons justifying the grant application.

(F) If, during the fiscal year, the local or joint county corrections planning board desires to change the amount of funding in an approved grant application, then a written request shall be submitted to the chief of the bureau of community sanctions of the department, for review and written approval or disapproval. If disapproved, the chief shall provide reasons and alternative recommendations to the board(s).

(G) Selection criteria:

The selection of community control sanctions to be funded by the department, shall be determined by the requirements set forth in paragraph (B) of this rule, if applicable, and paragraph (C) of this



rule, in addition to the following criteria:

(1) For continuation of or establishing new community control sanctions:

(a) The title of the local official responsible for administering the grant and their authority to represent the corrections programs;

(b) The extent to which the comprehensive plan, if applicable, establishes a continuum of sanctions;

(c) The extent to which a program(s) supplements, rather than reduces or replaces, existing programs;

(d) The degree to which unification or coordination of correctional services is achieved as demonstrated by, but not limited to, written agreements, purchase of service contracts, and letters of support from local criminal justice officials;

(e) The propriety of services used to control the eligible offender's movements within the county; and

(f) The number and extent of services which are to be provided for eligible offenders.

(2) For the continuation of existing community control sanctions only, the following additional selection criteria shall be considered:

(a) The actual cost per eligible offender, including expenditures of funds from the department's corrections program, indirect costs or any other funds used by the county/municipality to operate the program, divided by the number of eligible offenders, and compare the result to expenditures per offender by similar programs in other counties;

(b) The actual cost per eligible offender as compared to the latest annual cost of incarceration in a state penal institution;

(c) The actual cost per eligible offender as compared to the latest annual cost of incarceration in a local corrections agency;



(d) The degree to which the county/municipality has complied with community corrections act (CCA) program audit standards of the department's bureau of community sanctions;

(e) The extent to which the county/municipality has complied with recommendations contained in the most recent fiscal audit of the department's internal audit section.

(f) The degree to which the county/municipality achieved its goals and objectives during the previous funding period.

(3) For new community control sanctions only, the following additional selection criteria shall be considered:

(a) The projected cost per eligible offender as compared to similar programs in other counties/municipalities;

(b) The projected cost per eligible offender as compared to the latest annual cost of incarceration in a state penal institution; and

(c) The projected cost per eligible offender as compared to the latest annual cost of incarceration in a local corrections agency.

(H) Local corrections agencies shall comply with this chapter of the Administrative Code, as well as all relevant local, state and federal laws when implementing community control sanctions.