

**A PROPOSED BILL**  
**TO REFORM OHIO PAROLE LAW**

Proposed to The Ohio General Assembly by:

*Fair Parole Treatment and Re-entry Reform Bill*

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## Goals for this Re-Entry and parole Release Legislative Initiative

This project is initiated by Fair Treatment Reform and Re-entry membership in order to address a myriad of inadequate sections of the Ohio Revised Code as they pertain specifically to the Ohio Adult Parole Board, the unlimited and legally unbridled discretion of that Board, and the unequal results in criminal sentencing existing due to the parole board's unbridled discretion. This bill has been compiled from recommendations from members, prisoners, prisoner rights advocates, family and friends of incarcerated prisoners, former parole board members, and by examining from recent changes and reforms in parole and sentencing laws already enacted in other states.

Specific goals we seek to improve in Ohio Revised Codes are:

1. Immediate relief for "old law" prisoners sentenced prior to 1996 that are unjustly denied parole, who have no appeal process and no legal remedy in the courts.
2. Establishment of an appeal process for prisoners who have met requirements for parole release yet denied parole without just cause.
3. Reduction in the cost of prisons in Ohio by fair and just reduction in prison population by an efficient and equally administered parole system.
4. A system of review of the functioning of the Ohio Adult Parole Board.
5. Revision of the Ohio Adult Parole Board structure to ensure oversight and fair representation of the interests of the families of both victims and offenders.
6. To specify clear and equitable legal justification for parole decisions to release the offender and to limit cause for which the parole board may return a prisoner to prison with a goal towards Re-entry success and reduction in prison costs.
7. To make available to all prisoners regardless of the date of sentencing, release from prison, and equal opportunity to release options and community control sanctions.

## AN ACT

### **A BILL PROPOSAL BY FAIR TREATMENT PAROLE AND RE-ENTRY TO THE OHIO GENERAL ASSEMBLY TO ENACT THE FAIR TREATMENT PAROLE REFORM ACT**

*Be it enacted by the General Assembly of the State of Ohio:*

## THE FAIR TREATMENT PAROLE REFORM ACT

Whereas:

The purpose of this bill is to reduce prison populations, streamline the current structure of the Ohio Adult Parole Board, set reasonable expectations for parole for which an inmate can feasibly work towards during incarceration, to be rightfully rewarded for rehabilitation and to equalize parole opportunities/ release remedies for all prisoners while maximizing the savings to the Ohio taxpayers. Ohio Revised Code governing the Ohio Adult Parole Board to be updated to revamp the board structure, improve efficiency, clarify decision making powers, define the goals and basis of parole decisions, provide for appeals and oversight to decisions of the parole board, equalize parole remedy for all prisoners regardless of sentencing date and reduce costs to the taxpayers to reflect changed duties of that board.

#### Situational Statement

Ohio prisoners presently incarcerated are sentenced under two sentencing systems: 1. those sentenced for crimes committed prior to July 1, 1996 and 2. Those sentenced under laws effective after that date.

Prisoners incarcerated for crimes committed prior to July 1, 1996 were sentenced under laws which provided for "indeterminate" sentences where the sentencing judge set a "minimum sentence" to be served, and the law specified a "maximum" possible, such as 10 to 25 years.

A reported 96% of "old law" prisoners entered plea bargains with the State of Ohio because they were informed that by law, they could "earn a parole" with good prison behavior by serving two-thirds of their minimum sentence.

"Old law" prisoners were eligible for parole after serving 2/3 of their minimum sentence unless the sentencing judge specified "Life without parole" in their sentencing. If no minimum sentence was imposed, the law stipulated they were eligible for parole after serving 15 or 20 years, depending upon the crime of conviction. Thus, *very few "old law" prisoners are not eligible for parole at all.*

When the "Old Law" for sentencing was implemented in the early 1980's it was the practice to grant parole at the first hearing to give the prisoner a chance to prove he had "learned a lesson" and could abide by the law. That was the original intent and operation of parole law in Ohio.

However, under "Old Law" Ohio statutes, the parole board has complete unbridled discretion in granting the prisoner's release.

Both state and federal courts in many parole legal challenges, have denied any legal relief for the prisoner unjustly denied parole, finding the statutes make parole a "gift" that can be granted or withheld for any reason, or "no reason at all."

Even if a prisoner was sentenced to consecutive sentences, under "Old Law" he/she was eligible for parole after serving 15 or twenty years under O.R.C. Chapter 5120-2.

Prisoner's sentence under laws enacted since 1996 suffer the same predicament, with no "legal right" to parole and subject to unbridled parole board discretion.

It is estimated that approximately as many as 3,000 to 4000 Ohio state prisoners remain incarcerated in prison that are convicted of crimes and sentenced under "Old Law." All but those sentenced to a specified sentence of "life without parole" are therefore eligible for parole.

These prisoners are now costing up to three times as much as younger prisoners to incarcerate, due to age and medical costs, per national cost of incarceration statistics.

Under sentencing laws enacted since 1996, the Ohio Adult Parole Board *retains unbridled discretion* over many offenders release and revocation of release to be returned to prison, without any legal provision for appeals to those decisions by the offender, and few concrete guidelines.

This creates a deceptive sentencing framework for Ohio citizens in the justice system, where the indicted individual can be enticed to enter plea bargains and to waive civil rights to trials, by the lure of early parole that may legally never be granted.

Many prisoners denied parole have worked diligently at rehabilitation and programming efforts, are elderly, dying, suffer many medical conditions expensive to the state, have aged long past criminal intentions and even the ability to commit crimes yet are denied paroles while having served many years past parole eligibility.

It shall be enacted that:

1. The purpose of the Ohio Adult Parole Board is to make a determination regarding the suitability of inmates to return to society, not to replace the punishment defined by law and imposed by the judge. The assessment of the amount of punishment is the

purview of the Court and Jury, while the sole purpose of the parole board is to determine the safety and suitability of the offender's release. The Ohio Adult Parole Board is also responsible for setting the reasonable terms of parole in a manner that is supposed to be tailored to achieve the safe and successful re-entry of the offender into the community.

2. GROUND FOR DECISIONS TO DENY PAROLE: Only the following parole considerations may be applied to the decision making process by the parole board in determining the decision to deny parole:

A. It is hereby established that there is a legal presumption that the offender shall be entitled to be granted parole upon his/her first parole eligibility for release from prison unless determined to be a danger to society under section B;

B. In order to be denied a parole release, the parole board shall find that the prisoner is not eligible for release because he will be a danger to society. In order to conclude he will be a danger to society, the parole board may consider:

C. Lifelong habitual criminal convictions of three or more separate cases of criminal behavior of such a nature that it appears likely that the prisoner cannot be successfully rehabilitated and will commit another crime. Combined charges or "spree" charges shall be considered as one case. The offender's "good behavior" record while incarcerated indicating rehabilitation shall be considered in this finding, and the amount of time served since being incarcerated.

D. Valid evidence of professions or threats of the offender of intentions to harm citizen(s) or commit violent act(s) if released shall be considered if made within five years of the parole hearing.

E. A psychiatric assessment/mental health evaluation concluding that the prisoner will be a danger to society or specific parties if released and such condition cannot be successfully treated and controlled by mental health professionals in the community. The board may consider appropriate medications recommended and the offender's record of medication compliance, and the planned available offender community placement indicating appropriate mental health supervision.

F. Intellectual level as assessed by corrections mental health caregivers. An offender whose intellect is assessed as insufficient to live independently shall not be released without appropriate placement in housing that will accommodate the intellectual level of the offender to ensure that he is not left homeless and basic needs

are provided in order to prevent a return to criminal acts on the street in order to survive.

G. The offender's efforts to rehabilitate himself, peaceful record, his successful adjustment to incarceration, the recommendations of supervisors and prison staff who have closely observed and worked with the offender, and evidence of family and friends support shall be considered in the release decision.

H. Compassionate Release. The warden of any facility shall recommend the release of an offender whose health has so deteriorated that he is no longer a threat to society and that it would be in the best interests of the people of Ohio and serve justice for him to be safely released from incarceration if a placement plan is available. Such a request shall be granted unless the offender is still found to be a danger to society per a psychiatric evaluation. If no such compassionate recommendation is made by the warden for an offender, a family or friend of the offender or institutional medical/mental health caregivers may initiate such a recommendation to the parole board and shall be treated on an equal basis as if recommended by the warden.

I. Prisoners convicted as youths under the age of 18 years old and who have served the minimum 2/3 of their minimum sentence and/or prisoners who have served 15 years of imposed consecutive sentences, shall be assessed within 6 months of the effective date of this bill and processed for parole release if they are not determined by a professional licensed psychiatrist to be a danger to society or criminally insane.

3. PAROLE HEARING SCHEDULING shall be streamlined for equitable and just implementation as follows:

A. Each inmate offender shall be afforded the opportunity to review with his psychiatrist/psychologist any report prepared for the parole evaluation at least 30 days prior to submission to the parole board. If the offender is unable to read, the Case Manager shall make arrangements to have the report read to the offender at least 30 days prior to his parole hearing.

B Any inmate who files an appeal of a parole board continuance (denied parole) based upon the contents of their psychiatric evaluation shall have the right to hire a psychiatrist/ psychologist at their own expense for a secondary evaluation, or family/friends may do so for him. If the prisoner agrees, this secondary evaluation shall become part of the inmate's permanent mental health and parole files and shall be considered by the parole board in determining his release. The institution shall make

accommodations for said interview by an alternative professional at the institution, through the institutional mental health department.

C. "New Evidence" may not be used against the offender to deny parole unless it is evidence of conviction of a new criminal case committed while incarcerated.

D. An offender denied parole due to "danger to the community" must be certified by a psychologist/psychiatrist to no longer be a danger to the community before his parole hearing and before being paroled. Mental health treatment in the institution shall provide a yearly treatment progress report to the Ohio Parole Board and certify to that body when the offender is deemed not to be a danger to the community if paroled, and include what possible treatment may enable the offender to be safely released from prison.

E. It is the responsibility of the parole board members, mental health staff, and case managers to have all records collected and studied in order to make a decision on a parole candidate. The offender shall be paroled on or before the first eligibility date without institutional delays created by incomplete files, reports or tests not complete, and records not assembled so that the offender does not serve more prison time than necessary due to lack of corrections efficiency.

4. PAROLE ELIGIBILITY shall be determined as follows:

A. All prisoners now incarcerated shall be deemed to be eligible for parole under the sentencing laws effective since July 1, 1996 and the guidelines contained under this act unless said laws effectively subject the offender to a harsher punishment or eliminate existing parole eligibility.

B. Any offender who has served a lesser sentence which he would have served if sentenced under the laws enacted and effective since July 1, 1996, shall be considered immediately for parole under the guidelines contained herein and paroled under these enacted procedures.

C. The Parole Board shall begin parole hearings with those prisoners who have served the longest terms of incarceration and grant paroles in a timely manner, with longest serving offenders paroled first.

D. For those "old law" prisoners who have served more than five years of what the maximum sentence would be if they were sentenced under "new law" effective since July 1, 1996, said offender will have the option of being placed on parole

and receiving re-entry assistance from a parole officer, or the option of being set free without any parole supervision, having already served an extra five years' incarceration.

E. All "old law" prisoners serving sentences for crimes committed prior to July 1, 1996 shall be reviewed for parole eligibility, be interviewed for a parole and released if eligible within one year of the effective date of this law, unless serving a sentence of life without parole.

F. Any "Old Law" prisoner who has served more than the minimum sentence in actual years, shall be reviewed for parole as soon as possible, but no longer than 6 months from the effective date of this law unless deemed a danger to society by a mental health professional. Priority in processing and release shall be given to those inmates who have served the most time past their actual minimum sentence, and those who suffer from medical conditions.

## 5. PAROLE BOARD DECISION PROCEDURES

There shall be a legal presumption for the granting of parole to the prisoner who has served the minimum imposed sentence which existed at the time of his sentencing. A prisoner shall be evaluated by the parole board for parole release by considering the following during a personal interview and examining the prisoner's prison file, personal documents, evidence of support, rehabilitation and accomplishments:

- A. The prisoner's record in prison of rehabilitation efforts;
- B. A mental health evaluation by a professional mental health specialist if said evaluation recommends that the prisoner is a danger to society due to his mental evaluation and/or the unusual heinous nature of the crime.
- C. Prisoners denied parole due to an assessment of "dangerousness to society" shall be evaluated by a psychiatric professional to ascertain a treatment plan if such plan could effectively prepare the prisoner for parole release.
- D. The prisoner's productivity while in prison including work efforts and reports and volunteer work.
- E. Vocational skills, job opportunities upon release.
- F. Social adaption, relationships with other prisoners and the prison staff, and social support outside of prison.
- G. Educational efforts during confinement including school enrollment, self guided efforts and outside programs provided to the prisoner.



- H. Volunteer efforts, community service and restitution efforts by the prisoner.
- I. Support of the prisoner by family, friends and community members willing to assist the prisoner in re-entry.
- J. The prisoner's overall attitude, outlook and personal plans to succeed as a law abiding citizen.
- K. Evidence of genuine remorse, criminal reform, and rehabilitation effectiveness.
- L. If a prisoner is a veteran, that fact is to weigh heavily in his favor in the decision to grant parole.
- M. Prisoner's volunteer contributions while incarcerated and any other issues relative to assessment of the prisoner's readiness for release.
- N. If the prisoner has been convicted of additional criminal acts while incarcerated.
- O. A prisoner is entitled to be represented by one or more advocates at a Full Board hearing on his potential release. He may be represented by himself, a family member, counsel, a friend or a prisoner advocate or his choice. If he cannot afford an attorney, or has no personal representative, the Ohio Public Defender shall arrange his representation before any Full Board at his request.
- P. Friends, family, supporters and members of the public may appear at the Full Board hearing and participate.
- Q. The prisoner shall be informed of information filed in opposition to his release and he and/or his supporters shall be given opportunity to rebut the truthfulness of said information.
- R. The prisoner shall be informed of any allegations against him in his parole file, and letters/information to be used against him in the parole hearing process, at least one month prior to the parole hearing. He may submit in writing his response/rebuttal to those allegations, charges or accusations
- S. Once a prisoner is granted a parole, it shall not be rescinded unless the prisoner is newly charged for initiating criminal behavior for which he will be indicted before his release.
- T. Elderly prisoners over age 55 and those with serious medical conditions shall be presumed to qualify for parole unless deemed to be a danger to society due to continued criminal conduct or mental illness.

6. DECISION ISSUES WHICH MAY NOT BE CONSIDERED BY THE PAROLE BOARD
  - A. Victim impact statements which have already been introduced for consideration during sentencing, to avoid the impact of Double Jeopardy.
  - B. New allegations submitted to the parole board for which the prisoner has not been convicted nor had opportunity to prove innocence.
  - C. Prison infractions of a nonviolent nature, of self defense, or those which did not result in a secondary criminal indictment.
  - D. A claim of Innocence of the crime shall not be used as reason to deny parole to a prisoner who has served the required minimum sentence and is otherwise eligible for parole. If the prisoner has proof of or new evidence of innocence, that information may be considered at the parole hearing.
  - E. A parole hearing shall not be conducted as a re-trial of original charges leading to incarceration, but as an assessment of the prisoner's readiness for release back into the community, adjustment to incarceration, accomplishments towards rehabilitation and preparation to live a law abiding and productive life as a free citizen.
  - F. A fair assessment of the prisoner's attitude, what led to the crime, and how the prisoner has learned to avoid further illegal acts may be part of the interview and parole decision.
7. PAROLE BOARD STRUCTURE shall be streamlined as follows:
  - A. The Ohio Adult Parole Board shall consist of nine (9) members appointed by the governor and each shall represent a separate appellate district of the state. Each appointed term shall be for a period of five (5) years and members may only serve two terms for a total of ten years.
  - B. One (1) Parole Board member shall be designated the Victim Advocate (VA) and one (2) members shall be designated as the Inmate Advocates. Each Advocate shall have appropriate experience and/or credentials for their area of advocacy.
  - C. All Board members have equal voting positions.

D. Parole Board members shall not have any personal or financial ties to the ODRC outside of their Board positions in that they may not benefit from their positions financially other than salary.

E. The Ohio Adult Parole Board shall be representative of ethnic diversity and represent as closely as possible the ethnic diversity of the prisoner population.

F. The reduction in the number of parole board members shall be effective within 15 months after the effective date of this law.

8. PAROLE HEARING PROCEDURES SHALL:

A. The Parole Board Victim Advocate shall meet with or otherwise be in direct contact with the victim and/or their representatives, review their position and any documents, and reduce this information into a concise report for the inmate parole review file. The Victim Advocate shall review said information with other parole board members if requested.

B. Objections to parole release shall relate to proof of danger to society if the prisoner is paroled and shall not include evidence presented at trial or original sentencing as that was already taken into consideration by the Court and jury in imposing sentence.

C. Any board member may receive recommendations for or against offender parole, which information is to be included in the offender's parole file and may be presented by the board member for consideration in decision making.

D. The Prisoner Advocate shall meet with or otherwise be in direct contact with the offender representatives, review their position and any documents, and reduce this information into a concise report for the inmate parole review file. The Prisoner Advocate shall review said information with other parole board members if requested.

E. Issues favoring parole for the offender shall be presented to the board members and appear in the prisoner's file and may include supporting letters, rehabilitation efforts, potential job offers and evidence favoring parole release.

F. All parole board hearings shall be videotaped with the camera focused primarily upon the offender. Said videotaped interview will be made available for purposes of any appeal of the parole decision and shall be included in the

- offender's official file and record of the parole process and hearing. Said video shall be available for review by any prisoner taking an appeal of a denied parole.
- G. The following shall be recorded by audio device into the video record prior to the commencement of said hearing:
- a. The inmate's name, institutional number, and committing county
  - b. The name of the parole board member(s) conducting the hearing
  - c. The date, time and location of said hearing
  - d. The name of any correctional officer(s) or other ODRC staff who actively participate in the hearing.
  - e. Any additional parole board members who subsequently review the inmate's file to render a decision shall also watch the hearing videotape prior to rendering a decision.
- H. The video tape of the parole hearing shall be subject to release under Ohio's FOIA law if the offender and any victims sign waivers for such release. For purposes of an appeal, said video may be considered by the reviewing appellate officials.
- I. The Parole Board may consider factors favoring a successful release and re-entry into the community, including local support and assistance, available housing, employability, completion of rehabilitative programs while incarcerated, job skills, and institutional record.
- J. Once paroled, an offender may not be returned to the prison institution for a "revoked parole" unless convicted of another criminal act.
- K. An act deemed a "technical violation" of parole supervision rules may only result in local jail time or assignment to a halfway house, or community corrections facility supervision for up to a maximum of two weeks for a first technical violation and additional month-long periods for any additional violations but no such terms may increase the total amount of time the offender is assigned to serve on parole.
- L. First and Second Degree offenders may be subjected to up to one year of parole supervision maximum but may be released earlier with successful parole performance. All others may be subjected to up to six months of parole

- supervision but may be released earlier with successful parole performance. The offender shall be given written notification of the exact date he is released from parole supervision.
- M. The Prisoner shall be informed by U.S. Postal Service of the decision in his case by the Parole Board within 45 days of his hearing, in writing, and if denied a parole, the notice shall include reasons for the denied parole.
- N. The Victim impact can only be incorporated and affect parole decision the FIRST TIME before the board and may influence only that initial hearing determination. Victim impact may not be the lone determinant for a denied parole. A victim impact statement may include only information NOT previously presented to a sentencing court by the victim or the prosecutor. A victim impact statement must be submitted into the record for parole consideration a full 6 months prior to the parole hearing. A hearing schedule may not be postponed due to failure of a timely victims impact statement to be submitted to the parole board. No parole granted is to be revoked due to impact statements submitted after the 6-month deadline prior to hearing. A prisoner is entitled to know if an impact statement has been submitted but not a copy of said statement.
- O. After a first denied parole, only “new information” from a creditable source may be considered for subsequent parole hearings and a subsequent denied parole release.
- P. A denied parole may extend the prison sentence in no more than 2 year increments.
- Q. A second parole denial after an initial 2 years can only be imposed for prison behavior which if committed by a free citizen could be indicted as criminal indictment.
- R. There is a presumption that Parole supervision will be terminated after one year if the parolee has performed as a law abiding citizen and successfully re-entered society.
- S. Terms of parole extension based upon serious infractions are to be in 6 month increments only to provide the parolee opportunity to correct his parole infractions.
- T. An attorney representing the prisoner is entitled to review and read the entire file of records, letters, reports, effectively all information used by the Board to make a parole decision for a prisoner. The identity of the source of submissions classified as confidential by the board may not be revealed to the prisoner except upon judicial

complaint in a court of law. All such documentation must be provided to the prisoner 6 months prior to his parole hearing. Information not provided to the prisoner prior to his parole hearing may not be included to determine parole release.

U. A prisoner and/or a family member or individual identified by the prisoner and his Advocate may appeal the parole decision to deny parole by filing an Appeal to the Full Board of Parole members. The appeal must be filed within 30 days of verified Notice of denied parole release. A decision on that appeal must be rendered within 45 days by the Board.

V. Hearings by the Parole Board to determine parole release are not to perform a perform retrial of the prisoner's case, but to ascertain the prisoner's suitability for release into the community and may consider:

- a) peaceful and productive behavior in the prison setting;
- b) educational, social, vocational, spiritual, creative and rehabilitation programming completed by the prisoner;
- c) support outside the prison
- d) pattern of lifetime criminal and citizenship activities
- e) citizen and victim recommendations for and against the prisoner's release, to include prison staff and officials;
- f) the prisoner's personal plans, outlook, and efforts for Re-entry into society.

W. If a prisoner maintains his innocence to the crime of conviction, the Board may consider his claims in the parole decision, but the Board may not use or interpret those claims to the detriment of the prisoner or to deny parole release.

X. Any revocation of parole shall receive a stated term to be assessed, for a maximum of two years. The prisoner may be returned to prison or sent to a community institutional facility. The parolee may not be returned to prison for a "technical" violation, but his term of parole may be extended for up to three months.

Y. Revised Code 2929.41 as it was enacted prior to July 1, 1996, shall apply to all prisoners sentenced for crimes committed prior to July 1, 1996 without exception, specifically applying to prisoners with consecutive sentences under pre-1996 Revised Code 2907.02 (A)(1)(b); all prisoners with consecutive sentences under pre-1996 Revised Code 2907.02 shall be eligible for parole under the mandates of this bill after serving 15 years of imprisonment.

## 9. CONDITIONS OF PAROLE RELEASE

The purpose of a term of parole supervision is to supervise the released prisoner for a sufficient time, to assist him in locating resources, employment, to aid in his successful reentry to society, and to serve as a monitor to encourage law abiding habits for the released prisoner. The parole officer shall be knowledgeable of community and governmental assistance resources and support helps for paroles and refer those sources to the parolee.

A. For those prisoners who have completed their entire minimum sentence, a maximum of one year of parole may be imposed if it is determined to be necessary for the successful re-entry into society for the prisoner. Once the prisoner has successfully served a year of parole, he shall be immediately provided his parole release papers.

B. A prisoner's parole may be revoked only for the conviction of another felony. If the prisoner is convicted of another felony and committed to a prison term for that felony, there shall be no additional prison time to be served due to the parole revocation, but the prisoner will be placed on another year of parole supervision once released again from prison, and must successfully complete the additional year of parole supervision in order to be released from parole.

C. Non-criminal parole infractions shall not be penalized with parole revocation. The parole officer may require counseling, community support meetings, educational and vocational programs, increased supervision, ankle monitoring, travel restrictions, or other community discipline appropriately designed to impress the importance of good behavior upon the parolee.

D. Sound evidence of criminal activity by the parolee shall be referred to the appropriate law enforcement authorities for investigation and any appropriate indictment so that the parolee is provided Due Process under law. In addition to court imposed punishment for a new crime of conviction, the parolee's term of parole supervision may be extended by one year.

E. The parolee shall not be prohibited from "associating" with another ex-felon if said association is deemed to be beneficial and to enhance the parolee's successful reentry into society, and no parolee shall be prohibited from associating with an ex-felon who has successfully completed parole or probation supervision.

F. Parolees may not be prohibited from attending jobs, therapy, counseling sessions, religious services or other public and/or social events merely due to the presence of other ex-felons.

G. No parolee may be prohibited from living with an ex-felon while on parole if that ex-felon has successfully complete parole supervision.

H. The parole officer shall establish communication with the parolee to encourage that problems in adjustment, employment or social life can be positively addressed.

#### 10. PAROLE RELEASE PREPARATION

A. The institutional case manager shall be responsible for providing to all prisoners who are within one year of parole eligibility, information and forms to apply for social security, housing assistance, federal food program assistance, social services assistance, Medicare and Medicaid, Disability benefits, possible retirement benefits, Veteran's benefits and any other public program which will enable the parolee to successfully re-enter society and to obtain a minimal income, benefits and housing.

B. The Case manager will supervise and ensure the timely application of benefits for the parolee.

C. A prisoner who is eligible for parole shall be provided a copy of the current parole laws by his Institutional Case \Manager, at least 60 days prior to a parole hearing.

D. If the parolee has no in-state options for housing, the Institutional Case Manager shall make arrangements for any existing out-of-state appropriate housing options the parolee may submit (relatives and friends).

E. If the parolee has no family, friends or community living options to parole to, the Case Manager may submit a request to the Department of Corrections for the provision of an appropriate housing allowance for the parolee, with the parolee's agreement, such as a Halfway House or Community organization provided appropriate housing. No prisoner will be released to live on the streets.

F. The Department of Corrections shall provide the parolee with a state Identification card upon release from prison, and at least one other piece of legal identification, which can be a certified release document.

G. If a prisoner's parole is revoked, the Parole Officer shall file a full report on the prisoner's housing, vocation, adjustment efforts, why the parole was revoked, and placed in his parole file.



H. The prisoner may prepare a written statement as to why he failed to complete his term of parole, to document it and to provide an opportunity to prevent the same negative actions in his succeeding parole experience.

11. APPEAL PROCESS FOR OFFENDERS DENIED PAROLE

An appeal process for a prisoner denied parole release or a claim of a wrongful decision by the parole board is hereby created by law. An offender may assert valid grounds under this law to raise an appeal of a denied parole, and may file an appeal in the Franklin County Court of Common Pleas. The parole board shall inform the offender of his right to an appeal upon notification of the parole being denied. The offender shall be provided an appropriate forms packet with directions for perfecting an appeal application along with notification of a denied parole. Said appeal may be filed through the state court justice system as do other Court of Common Pleas cases pursuant to The Rules of the Courts of Ohio. The Franklin County Court of Common Pleas shall assign said parole appeals to the Common Pleas dockets appropriately.

Regardless of whether the Parole Board has responded to the prisoner's appeal of a denied parole release, the prisoner may appeal a decision of a denied parole in court within 60 days of the date the prisoner is officially informed of the denied parole release.

12. The Ohio Public Defender shall provide counsel for any offender who is determined by the Court of Common Pleas to be legally indigent in the matter of a First Appeal of a denied parole and assign a specialist for this purpose.