

As Reported by the Senate Judiciary--Criminal Justice Committee

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Am. Sub. H. B. No. 15

**Representatives Hoops, Aslanides, Blessing, Bubp, Calvert, Collier, Combs,
C. Evans, Fessler, Gibbs, Hagan, Hughes, Kearns, Latta, Law, Martin,
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Senators DannZurz**

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A B I L L

To amend sections 109.42, 2929.20, 2950.10, 2950.11, 1
2967.03, 2967.12, and 2967.26 and to enact section 2
5120.66 of the Revised Code to require the 3
Department of Rehabilitation and Correction to 4
establish and operate an Internet database that 5
contains specified offense, sentence, and release 6
information for each inmate in the custody of the 7
Department; to grant any person a right to submit 8
a written statement regarding certain possible 9
releases or transfers of any inmate; to require 10
the Adult Parole Authority to consider any such 11
statement prior to granting or recommending the 12
release of or transfer for any inmate; to specify 13
that the above provisions are to be known as 14

"Laura's Law;" and to require that victim or 15
community notification under the SORN Law include 16
a photograph of the registrant offender. 17

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 109.42, 2929.20, 2950.10, 2950.11, 18
2967.03, 2967.12, and 2967.26 be amended and section 5120.66 of 19
the Revised Code be enacted to read as follows: 20

Sec. 109.42. (A) The attorney general shall prepare and have 21
printed a pamphlet that contains a compilation of all statutes 22
relative to victim's rights in which the attorney general lists 23
and explains the statutes in the form of a victim's bill of 24
rights. The attorney general shall distribute the pamphlet to all 25
sheriffs, marshals, municipal corporation and township police 26
departments, constables, and other law enforcement agencies, to 27
all prosecuting attorneys, city directors of law, village 28
solicitors, and other similar chief legal officers of municipal 29
corporations, and to organizations that represent or provide 30
services for victims of crime. The victim's bill of rights set 31
forth in the pamphlet shall contain a description of all of the 32
rights of victims that are provided for in Chapter 2930. or in any 33
other section of the Revised Code and shall include, but not be 34
limited to, all of the following: 35

(1) The right of a victim or a victim's representative to 36
attend a proceeding before a grand jury, in a juvenile case, or in 37
a criminal case pursuant to a subpoena without being discharged 38
from the victim's or representative's employment, having the 39
victim's or representative's employment terminated, having the 40
victim's or representative's pay decreased or withheld, or 41
otherwise being punished, penalized, or threatened as a result of 42

time lost from regular employment because of the victim's or
representative's attendance at the proceeding pursuant to the
subpoena, as set forth in section 2151.211, 2930.18, 2939.121, or
2945.451 of the Revised Code;

(2) The potential availability pursuant to section 2151.359
or 2152.61 of the Revised Code of a forfeited recognizance to pay
damages caused by a child when the delinquency of the child or
child's violation of probation or community control is found to be
proximately caused by the failure of the child's parent or
guardian to subject the child to reasonable parental authority or
to faithfully discharge the conditions of probation or community
control;

(3) The availability of awards of reparations pursuant to
sections 2743.51 to 2743.72 of the Revised Code for injuries
caused by criminal offenses;

(4) The right of the victim in certain criminal or juvenile
cases or a victim's representative to receive, pursuant to section
2930.06 of the Revised Code, notice of the date, time, and place
of the trial or delinquency proceeding in the case or, if there
will not be a trial or delinquency proceeding, information from
the prosecutor, as defined in section 2930.01 of the Revised Code,
regarding the disposition of the case;

(5) The right of the victim in certain criminal or juvenile
cases or a victim's representative to receive, pursuant to section
2930.04, 2930.05, or 2930.06 of the Revised Code, notice of the
name of the person charged with the violation, the case or docket
number assigned to the charge, and a telephone number or numbers
that can be called to obtain information about the disposition of
the case;

(6) The right of the victim in certain criminal or juvenile
cases or of the victim's representative pursuant to section

2930.13 or 2930.14 of the Revised Code, subject to any reasonable
terms set by the court as authorized under section 2930.14 of the
Revised Code, to make a statement about the victimization and, if
applicable, a statement relative to the sentencing or disposition
of the offender;

(7) The opportunity to obtain a court order, pursuant to
section 2945.04 of the Revised Code, to prevent or stop the
commission of the offense of intimidation of a crime victim or
witness or an offense against the person or property of the
complainant, or of the complainant's ward or child;

(8) The right of the victim in certain criminal or juvenile
cases or a victim's representative pursuant to sections 2151.38,
2929.20, 2930.10, 2930.16, and 2930.17 of the Revised Code to
receive notice of a pending motion for judicial release or early
release of the person who committed the offense against the
victim, to make an oral or written statement at the court hearing
on the motion, and to be notified of the court's decision on the
motion;

(9) The right of the victim in certain criminal or juvenile
cases or a victim's representative pursuant to section 2930.16,
2967.12, 2967.26, or 5139.56 of the Revised Code to receive notice
of any pending commutation, pardon, parole, transitional control,
discharge, other form of authorized release, post-release control,
or supervised release for the person who committed the offense
against the victim or any application for release of that person
and to send a written statement relative to the victimization and
the pending action to the adult parole authority or the release
authority of the department of youth services;

(10) The right of the victim to bring a civil action pursuant
to sections 2969.01 to 2969.06 of the Revised Code to obtain money
from the offender's profit fund;

(11) The right, pursuant to section 3109.09 of the Revised Code, to maintain a civil action to recover compensatory damages not exceeding ten thousand dollars and costs from the parent of a minor who willfully damages property through the commission of an act that would be a theft offense, as defined in section 2913.01 of the Revised Code, if committed by an adult;

(12) The right, pursuant to section 3109.10 of the Revised Code, to maintain a civil action to recover compensatory damages not exceeding ten thousand dollars and costs from the parent of a minor who willfully and maliciously assaults a person;

(13) The possibility of receiving restitution from an offender or a delinquent child pursuant to section 2152.20, 2929.18, or 2929.28 of the Revised Code;

(14) The right of the victim in certain criminal or juvenile cases or a victim's representative, pursuant to section 2930.16 of the Revised Code, to receive notice of the escape from confinement or custody of the person who committed the offense, to receive that notice from the custodial agency of the person at the victim's last address or telephone number provided to the custodial agency, and to receive notice that, if either the victim's address or telephone number changes, it is in the victim's interest to provide the new address or telephone number to the custodial agency;

(15) The right of a victim of domestic violence to seek the issuance of a civil protection order pursuant to section 3113.31 of the Revised Code, the right of a victim of a violation of section 2903.14, 2909.06, 2909.07, 2911.12, 2911.211, or 2919.22 of the Revised Code, a violation of a substantially similar municipal ordinance, or an offense of violence who is a family or household member of the offender at the time of the offense to seek the issuance of a temporary protection order pursuant to

section 2919.26 of the Revised Code, and the right of both types
of victims to be accompanied by a victim advocate during court
proceedings;

(16) The right of a victim of a sexually oriented offense
that is not a registration-exempt sexually oriented offense or of
a child-victim oriented offense that is committed by a person who
is convicted of or pleads guilty to an aggravated sexually
oriented offense, by a person who is adjudicated a sexual predator
or child-victim predator, or, in certain cases, by a person who is
determined to be a habitual sex offender or habitual child-victim
offender to receive, pursuant to section 2950.10 of the Revised
Code, notice that the person has registered with a sheriff under
section 2950.04, 2950.041, or 2950.05 of the Revised Code and
notice of the person's name, the person's residence that is
registered, and the offender's school, institution of higher
education, or place of employment address or addresses that are
registered, the person's photograph, and a summary of the manner
in which the victim must make a request to receive the notice. As
used in this division, "sexually oriented offense," "adjudicated a
sexual predator," "habitual sex offender," "registration-exempt
sexually oriented offense," "aggravated sexually oriented
offense," "child-victim oriented offense," "adjudicated a
child-victim predator," and "habitual child-victim offender" have
the same meanings as in section 2950.01 of the Revised Code.

(17) The right of a victim of certain sexually violent
offenses committed by an offender who also is convicted of or
pleads guilty to a sexually violent predator specification and who
is sentenced to a prison term pursuant to division (A)(3) of
section 2971.03 of the Revised Code to receive, pursuant to
section 2930.16 of the Revised Code, notice of a hearing to
determine whether to modify the requirement that the offender
serve the entire prison term in a state correctional facility,

whether to continue, revise, or revoke any existing modification 168
of that requirement, or whether to terminate the prison term. As 169
used in this division, "sexually violent offense" and "sexually 170
violent predator specification" have the same meanings as in 171
section 2971.01 of the Revised Code. 172

(B)(1)(a) Subject to division (B)(1)(c) of this section, a 173
prosecuting attorney, assistant prosecuting attorney, city 174
director of law, assistant city director of law, village 175
solicitor, assistant village solicitor, or similar chief legal 176
officer of a municipal corporation or an assistant of any of those 177
officers who prosecutes an offense committed in this state, upon 178
first contact with the victim of the offense, the victim's family, 179
or the victim's dependents, shall give the victim, the victim's 180
family, or the victim's dependents a copy of the pamphlet prepared 181
pursuant to division (A) of this section and explain, upon 182
request, the information in the pamphlet to the victim, the 183
victim's family, or the victim's dependents. 184

(b) Subject to division (B)(1)(c) of this section, a law 185
enforcement agency that investigates an offense or delinquent act 186
committed in this state shall give the victim of the offense or 187
delinquent act, the victim's family, or the victim's dependents a 188
copy of the pamphlet prepared pursuant to division (A) of this 189
section at one of the following times: 190

(i) Upon first contact with the victim, the victim's family, 191
or the victim's dependents; 192

(ii) If the offense or delinquent act is an offense of 193
violence, if the circumstances of the offense or delinquent act 194
and the condition of the victim, the victim's family, or the 195
victim's dependents indicate that the victim, the victim's family, 196
or the victim's dependents will not be able to understand the 197
significance of the pamphlet upon first contact with the agency, 198

and if the agency anticipates that it will have an additional
contact with the victim, the victim's family, or the victim's
dependents, upon the agency's second contact with the victim, the
victim's family, or the victim's dependents.

If the agency does not give the victim, the victim's family,
or the victim's dependents a copy of the pamphlet upon first
contact with them and does not have a second contact with the
victim, the victim's family, or the victim's dependents, the
agency shall mail a copy of the pamphlet to the victim, the
victim's family, or the victim's dependents at their last known
address.

(c) In complying on and after December 9, 1994, with the
duties imposed by division (B)(1)(a) or (b) of this section, an
official or a law enforcement agency shall use copies of the
pamphlet that are in the official's or agency's possession on
December 9, 1994, until the official or agency has distributed all
of those copies. After the official or agency has distributed all
of those copies, the official or agency shall use only copies of
the pamphlet that contain at least the information described in
divisions (A)(1) to (17) of this section.

(2) The failure of a law enforcement agency or of a
prosecuting attorney, assistant prosecuting attorney, city
director of law, assistant city director of law, village
solicitor, assistant village solicitor, or similar chief legal
officer of a municipal corporation or an assistant to any of those
officers to give, as required by division (B)(1) of this section,
the victim of an offense or delinquent act, the victim's family,
or the victim's dependents a copy of the pamphlet prepared
pursuant to division (A) of this section does not give the victim,
the victim's family, the victim's dependents, or a victim's
representative any rights under section 2743.51 to 2743.72,
2945.04, 2967.12, 2969.01 to 2969.06, 3109.09, or 3109.10 of the

Revised Code or under any other provision of the Revised Code and 231
does not affect any right under those sections. 232

(3) A law enforcement agency, a prosecuting attorney or 233
assistant prosecuting attorney, or a city director of law, 234
assistant city director of law, village solicitor, assistant 235
village solicitor, or similar chief legal officer of a municipal 236
corporation that distributes a copy of the pamphlet prepared 237
pursuant to division (A) of this section shall not be required to 238
distribute a copy of an information card or other printed material 239
provided by the clerk of the court of claims pursuant to section 240
2743.71 of the Revised Code. 241

(C) The cost of printing and distributing the pamphlet 242
prepared pursuant to division (A) of this section shall be paid 243
out of the reparations fund, created pursuant to section 2743.191 244
of the Revised Code, in accordance with division (D) of that 245
section. 246

(D) As used in this section: 247

(1) "Victim's representative" has the same meaning as in 248
section 2930.01 of the Revised Code; 249

(2) "Victim advocate" has the same meaning as in section 250
2919.26 of the Revised Code. 251

Sec. 2929.20. (A) As used in this section, "eligible 252
offender" means any person serving a stated prison term of ten 253
years or less when either of the following applies: 254

(1) The stated prison term does not include a mandatory 255
prison term. 256

(2) The stated prison term includes a mandatory prison term, 257
and the person has served the mandatory prison term. 258

(B) Upon the filing of a motion by the eligible offender or 259

upon its own motion, a sentencing court may reduce the offender's
stated prison term through a judicial release in accordance with
this section. The court shall not reduce the stated prison term of
an offender who is not an eligible offender. An eligible offender
may file a motion for judicial release with the sentencing court
within the following applicable period of time:

(1)(a) Except as otherwise provided in division (B)(1)(b) or
(c) of this section, if the stated prison term was imposed for a
felony of the fourth or fifth degree, the eligible offender may
file the motion not earlier than thirty days or later than ninety
days after the offender is delivered to a state correctional
institution.

(b) If the stated prison term is five years and is an
aggregate of stated prison terms that are being served
consecutively and that were imposed for any combination of
felonies of the fourth degree and felonies of the fifth degree,
the eligible offender may file the motion after the eligible
offender has served four years of the stated prison term.

(c) If the stated prison term is more than five years and not
more than ten years and is an aggregate of stated prison terms
that are being served consecutively and that were imposed for any
combination of felonies of the fourth degree and felonies of the
fifth degree, the eligible offender may file the motion after the
eligible offender has served five years of the stated prison term.

(2) Except as otherwise provided in division (B)(3) or (4) of
this section, if the stated prison term was imposed for a felony
of the first, second, or third degree, the eligible offender may
file the motion not earlier than one hundred eighty days after the
offender is delivered to a state correctional institution.

(3) If the stated prison term is five years, the eligible
offender may file the motion after the eligible offender has

served four years of the stated prison term. 291

(4) If the stated prison term is more than five years and not 292
more than ten years, the eligible offender may file the motion 293
after the eligible offender has served five years of the stated 294
prison term. 295

(5) If the offender's stated prison term includes a mandatory 296
prison term, the offender shall file the motion within the time 297
authorized under division (B)(1), (2), (3), or (4) of this section 298
for the nonmandatory portion of the prison term, but the time for 299
filing the motion does not begin to run until after the expiration 300
of the mandatory portion of the prison term. 301

(C) Upon receipt of a timely motion for judicial release 302
filed by an eligible offender under division (B) of this section 303
or upon the sentencing court's own motion made within the 304
appropriate time period specified in that division, the court may 305
schedule a hearing on the motion. The court may deny the motion 306
without a hearing but shall not grant the motion without a 307
hearing. If a court denies a motion without a hearing, the court 308
may consider a subsequent judicial release for that eligible 309
offender on its own motion or a subsequent motion filed by that 310
eligible offender. If a court denies a motion after a hearing, the 311
court shall not consider a subsequent motion for that eligible 312
offender. The court shall hold only one hearing for any eligible 313
offender. 314

A hearing under this section shall be conducted in open court 315
within sixty days after the date on which the motion is filed, 316
provided that the court may delay the hearing for a period not to 317
exceed one hundred eighty additional days. If the court holds a 318
hearing on the motion, the court shall enter a ruling on the 319
motion within ten days after the hearing. If the court denies the 320
motion without a hearing, the court shall enter its ruling on the 321

motion within sixty days after the motion is filed. 322

(D) If a court schedules a hearing under division (C) of this 323
section, the court shall notify the eligible offender of the 324
hearing. ~~The eligible offender promptly shall give a copy of the~~ 325
~~notice of the hearing to~~ and shall notify the head of the state 326
correctional institution in which the eligible offender is 327
confined of the hearing prior to the hearing. The head of the 328
state correctional institution immediately shall notify the 329
appropriate person at the department of rehabilitation and 330
correction of the hearing, and the department within twenty-four 331
hours after receipt of the notice, shall post on the database it 332
maintains pursuant to section 5120.66 of the Revised Code the 333
offender's name and all of the information specified in division 334
(A)(1)(c)(i) of that section. If the court schedules a hearing for 335
judicial release, the court promptly shall give notice of the 336
hearing to the prosecuting attorney of the county in which the 337
eligible offender was indicted. Upon receipt of the notice from 338
the court, the prosecuting attorney shall notify the victim of the 339
offense for which the stated prison term was imposed or the 340
victim's representative, pursuant to section 2930.16 of the 341
Revised Code, of the hearing. 342

(E) Prior to the date of the hearing on a motion for judicial 343
release under this section, the head of the state correctional 344
institution in which the eligible offender in question is confined 345
shall send to the court a report on the eligible offender's 346
conduct in the institution and in any institution from which the 347
eligible offender may have been transferred. The report shall 348
cover the eligible offender's participation in school, vocational 349
training, work, treatment, and other rehabilitative activities and 350
any disciplinary action taken against the eligible offender. The 351
report shall be made part of the record of the hearing. 352

(F) If the court grants a hearing on a motion for judicial 353

release under this section, the eligible offender shall attend the hearing if ordered to do so by the court. Upon receipt of a copy of the journal entry containing the order, the head of the state correctional institution in which the eligible offender is incarcerated shall deliver the eligible offender to the sheriff of the county in which the hearing is to be held. The sheriff shall convey the eligible offender to the hearing and return the offender to the institution after the hearing.

(G) At the hearing on a motion for judicial release under this section, the court shall afford the eligible offender and the eligible offender's attorney an opportunity to present written information relevant to the motion and shall afford the eligible offender, if present, and the eligible offender's attorney an opportunity to present oral information relevant to the motion. The court shall afford a similar opportunity to the prosecuting attorney, the victim or the victim's representative, as defined in section 2930.01 of the Revised Code, and any other person the court determines is likely to present additional relevant information. The court shall consider any statement of a victim made pursuant to section 2930.14 or 2930.17 of the Revised Code, any victim impact statement prepared pursuant to section 2947.051 of the Revised Code, and any report made under division (E) of this section. The court may consider any written statement of any person submitted to the court pursuant to division (J) of this section. After ruling on the motion, the court shall notify the victim of the ruling in accordance with sections 2930.03 and 2930.16 of the Revised Code.

(H)(1) A court shall not grant a judicial release under this section to an eligible offender who is imprisoned for a felony of the first or second degree, or to an eligible offender who committed an offense contained in Chapter 2925. or 3719. of the Revised Code and for whom there was a presumption under section

2929.13 of the Revised Code in favor of a prison term, unless the 386
court, with reference to factors under section 2929.12 of the 387
Revised Code, finds both of the following: 388

(a) That a sanction other than a prison term would adequately 389
punish the offender and protect the public from future criminal 390
violations by the eligible offender because the applicable factors 391
indicating a lesser likelihood of recidivism outweigh the 392
applicable factors indicating a greater likelihood of recidivism; 393

(b) That a sanction other than a prison term would not demean 394
the seriousness of the offense because factors indicating that the 395
eligible offender's conduct in committing the offense was less 396
serious than conduct normally constituting the offense outweigh 397
factors indicating that the eligible offender's conduct was more 398
serious than conduct normally constituting the offense. 399

(2) A court that grants a judicial release to an eligible 400
offender under division (H)(1) of this section shall specify on 401
the record both findings required in that division and also shall 402
list all the factors described in that division that were 403
presented at the hearing. 404

(I) If the court grants a motion for judicial release under 405
this section, the court shall order the release of the eligible 406
offender, shall place the eligible offender under an appropriate 407
community control sanction, under appropriate community control 408
conditions, and under the supervision of the department of 409
probation serving the court, and shall reserve the right to 410
reimpose the sentence that it reduced pursuant to the judicial 411
release if the offender violates the sanction. If the court 412
reimposes the reduced sentence pursuant to this reserved right, it 413
may do so either concurrently with, or consecutive to, any new 414
sentence imposed upon the eligible offender as a result of the 415
violation that is a new offense. The period of the community 416

control sanction shall be no longer than five years. The court, in
its discretion, may reduce the period of the community control
sanction by the amount of time the eligible offender spent in jail
for the offense and in prison. If the court made any findings
pursuant to division (H)(1) of this section, the court shall serve
a copy of the findings upon counsel for the parties within fifteen
days after the date on which the court grants the motion for
judicial release.

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Prior to being released pursuant to a judicial release
granted under this section, the eligible offender shall serve any
extension of sentence that was imposed under section 2967.11 of
the Revised Code.

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If the court grants a motion for judicial release, the court
shall notify the appropriate person at the department of
rehabilitation and correction of the judicial release, and the
department shall post notice of the release on the database it
maintains pursuant to section 5120.66 of the Revised Code.

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(J) In addition to and independent of the right of a victim
to make a statement pursuant to section 2930.14, 2930.17, or
2946.051 of the Revised Code and any right of a person to present
written information or make a statement pursuant to division (G)
of this section, any person may submit to the court, at any time
prior to the hearing on the offender's motion for judicial
release, a written statement concerning the effects of the
offender's crime or crimes, the circumstances surrounding the
crime or crimes, the manner in which the crime or crimes were
perpetrated, and the person's opinion as to whether the offender
should be released.

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Sec. 2950.10. (A)(1) If a person is convicted of or pleads
guilty to, or has been convicted of or pleaded guilty to, either a
sexually oriented offense that is not a registration-exempt

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sexually oriented offense or a child-victim oriented offense or a 448
person is adjudicated a delinquent child for committing either a 449
sexually oriented offense that is not a registration-exempt 450
sexually oriented offense or a child-victim oriented offense and 451
is classified a juvenile offender registrant or is an out-of-state 452
juvenile offender registrant based on that adjudication, if the 453
offender or delinquent child is in any category specified in 454
division (B)(1)(a), (b), or (c) of this section, if the offender 455
or delinquent child registers with a sheriff pursuant to section 456
2950.04, 2950.041, or 2950.05 of the Revised Code, and if the 457
victim of the sexually oriented offense or child-victim oriented 458
offense has made a request in accordance with rules adopted by the 459
attorney general that specifies that the victim would like to be 460
provided the notices described in this section, the sheriff shall 461
notify the victim of the sexually oriented offense or child-victim 462
oriented offense, in writing, that the offender or delinquent 463
child has registered and shall include in the notice the 464
offender's name and photograph, and the address or addresses of 465
the offender's residence, school, institution of higher education, 466
or place of employment, as applicable, or the delinquent child's 467
name, photograph, and residence address or addresses. The sheriff 468
shall provide the notice required by this division to the victim 469
at the most recent residence address available for that victim, 470
not later than five days after the offender or delinquent child 471
registers with the sheriff. 472

(2) If a person is convicted of or pleads guilty to, or has 473
been convicted of or pleaded guilty to, either a sexually oriented 474
offense that is not a registration-exempt sexually oriented 475
offense or a child-victim oriented offense or a person is 476
adjudicated a delinquent child for committing either a sexually 477
oriented offense that is not a registration-exempt sexually 478
oriented offense or a child-victim oriented offense and is 479

classified a juvenile offender registrant or is an out-of-state 480
juvenile offender registrant based on that adjudication, if the 481
offender or delinquent child is in any category specified in 482
division (B)(1)(a), (b), or (c) of this section, if the offender 483
or delinquent child registers with a sheriff pursuant to section 484
2950.04, 2950.041, or 2950.05 of the Revised Code, if the victim 485
of the sexually oriented offense or child-victim oriented offense 486
has made a request in accordance with rules adopted by the 487
attorney general that specifies that the victim would like to be 488
provided the notices described in this section, and if the 489
offender notifies the sheriff of a change of residence, school, 490
institution of higher education, or place of employment address or 491
the delinquent child notifies the sheriff of a change of residence 492
address pursuant to section 2950.05 of the Revised Code, the 493
sheriff shall notify the victim of the sexually oriented offense 494
or child-victim oriented offense, in writing, that the offender's 495
or delinquent child's address has changed and shall include in the 496
notice the offender's name and photograph, and the new address or 497
addresses of the offender's residence, school, institution of 498
higher education, or place of employment, as applicable, or the 499
delinquent child's name, photograph, and new residence address or 500
addresses. The sheriff shall provide the notice required by this 501
division to the victim at the most recent residence address 502
available for that victim, no later than five days after the 503
offender or delinquent child notifies the sheriff of the change in 504
the offender's or delinquent child's residence, school, 505
institution of higher education, or place of employment address. 506

(3) If a person is convicted of or pleads guilty to, or has 507
been convicted of or pleaded guilty to, either a sexually oriented 508
offense that is not a registration-exempt sexually oriented 509
offense or a child-victim oriented offense or a person is 510
adjudicated a delinquent child for committing either a sexually 511

oriented offense that is not a registration-exempt sexually 512
oriented offense or a child-victim oriented offense and is 513
classified a juvenile offender registrant or is an out-of-state 514
juvenile offender registrant based on that adjudication, and if 515
the offender or delinquent child is in any category specified in 516
division (B)(1)(a), (b), or ~~(c)~~ (c) of this section, the victim 517
of the offense may make a request in accordance with rules adopted 518
by the attorney general pursuant to section 2950.13 of the Revised 519
Code that specifies that the victim would like to be provided the 520
notices described in divisions (A)(1) and (2) of this section. If 521
the victim makes a request in accordance with those rules, the 522
sheriff described in divisions (A)(1) and (2) of this section 523
shall provide the victim with the notices described in those 524
divisions. 525

(4) If a victim makes a request as described in division 526
(A)(3) of this section that specifies that the victim would like 527
to be provided the notices described in divisions (A)(1) and (2) 528
of this section, all information a sheriff obtains regarding the 529
victim from or as a result of the request is confidential, and the 530
information is not a public record open for inspection under 531
section 149.43 of the Revised Code. 532

(5) The notices described in divisions (A)(1) and (2) of this 533
section are in addition to any notices regarding the offender or 534
delinquent child that the victim is entitled to receive under 535
Chapter 2930. of the Revised Code. 536

(B)(1) The duties to provide the notices described in 537
divisions (A)(1) and (2) of this section apply regarding any 538
offender or delinquent child who is in any of the following 539
categories, if the other criteria set forth in division (A)(1) or 540
(2) of this section, whichever is applicable, are satisfied: 541

(a) The offender or delinquent child has been adjudicated a 542

sexual predator relative to the sexually oriented offense for 543
which the offender or delinquent child has the duty to register 544
under section 2950.04 of the Revised Code or has been adjudicated 545
a child-victim predator relative to the child-victim oriented 546
offense for which the offender or child has the duty to register 547
under section 2950.041 of the Revised Code, and the court has not 548
subsequently determined pursuant to section 2152.84 or 2152.85 of 549
the Revised Code regarding a delinquent child that the delinquent 550
child no longer is a sexual predator or no longer is a 551
child-victim predator, whichever is applicable. 552

(b) The offender or delinquent child has been determined 553
pursuant to division (C)(2) or (E) of section 2950.09 or 2950.091, 554
division (B) of section 2152.83, section 2152.84, or section 555
2152.85 of the Revised Code to be a habitual sex offender or a 556
habitual child-victim offender, the court has imposed a 557
requirement under that division or section subjecting the habitual 558
sex offender or habitual child-victim offender to this section, 559
and the determination has not been removed pursuant to section 560
2152.84 or 2152.85 of the Revised Code regarding a delinquent 561
child. 562

(c) The sexually oriented offense for which the offender has 563
the duty to register under section 2950.04 of the Revised Code is 564
an aggravated sexually oriented offense, regardless of whether the 565
offender has been adjudicated a sexual predator relative to the 566
offense or has been determined to be a habitual sex offender and, 567
if the offender has been so determined to be a habitual sex 568
offender, regardless of whether the habitual sex offender 569
determination has not been removed as described in division 570
(A)(1)(b) of this section. 571

(2) A victim of a sexually oriented offense that is not a 572
registration-exempt sexually oriented offense or of a child-victim 573
oriented offense is not entitled to be provided any notice 574

described in division (A)(1) or (2) of this section unless the
offender or delinquent child is in a category specified in
division (B)(1)(a), (b), or (c) of this section. A victim of a
sexually oriented offense that is not a registration-exempt
sexually oriented offense or of a child-victim oriented offense is
not entitled to any notice described in division (A)(1) or (2) of
this section unless the victim makes a request in accordance with
rules adopted by the attorney general pursuant to section 2950.13
of the Revised Code that specifies that the victim would like to
be provided the notices described in divisions (A)(1) and (2) of
this section. This division does not affect any rights of a victim
of a sexually oriented offense or child-victim oriented offense to
be provided notice regarding an offender or delinquent child that
are described in Chapter 2930. of the Revised Code.

Sec. 2950.11. (A) As used in this section, "specified
geographical notification area" means the geographic area or areas
within which the attorney general, by rule adopted under section
2950.13 of the Revised Code, requires the notice described in
division (B) of this section to be given to the persons identified
in divisions (A)(2) to (8) of this section. If a person is
convicted of or pleads guilty to, or has been convicted of or
pleaded guilty to, either a sexually oriented offense that is not
a registration-exempt sexually oriented offense or a child-victim
oriented offense, or a person is adjudicated a delinquent child
for committing either a sexually oriented offense that is not a
registration-exempt sexually oriented offense or a child-victim
oriented offense and is classified a juvenile offender registrant
or is an out-of-state juvenile offender registrant based on that
adjudication, and if the offender or delinquent child is in any
category specified in division (F)(1)(a), (b), or (c) of this
section, the sheriff with whom the offender or delinquent child
has most recently registered under section 2950.04, 2950.041, or

2950.05 of the Revised Code and the sheriff to whom the offender 607
or delinquent child most recently sent a notice of intent to 608
reside under section 2950.04 or 2950.041 of the Revised Code, 609
within the period of time specified in division (C) of this 610
section, shall provide a written notice containing the information 611
set forth in division (B) of this section to all of the persons 612
described in divisions (A)(1) to (9) of this section. If the 613
sheriff has sent a notice to the persons described in those 614
divisions as a result of receiving a notice of intent to reside 615
and if the offender or delinquent child registers a residence 616
address that is the same residence address described in the notice 617
of intent to reside, the sheriff is not required to send an 618
additional notice when the offender or delinquent child registers. 619
The sheriff shall provide the notice to all of the following 620
persons: 621

(1)(a) Any occupant of each residential unit that is located 622
within one thousand feet of the offender's or delinquent child's 623
residential premises, that is located within the county served by 624
the sheriff, and that is not located in a multi-unit building. 625
Division (D)(3) of this section applies regarding notices required 626
under this division. 627

(b) If the offender or delinquent child resides in a 628
multi-unit building, any occupant of each residential unit that is 629
located in that multi-unit building and that shares a common 630
hallway with the offender or delinquent child. For purposes of 631
this division, an occupant's unit shares a common hallway with the 632
offender or delinquent child if the entrance door into the 633
occupant's unit is located on the same floor and opens into the 634
same hallway as the entrance door to the unit the offender or 635
delinquent child occupies. Division (D)(3) of this section applies 636
regarding notices required under this division. 637

(c) The building manager, or the person the building owner or condominium unit owners association authorizes to exercise management and control, of each multi-unit building that is located within one thousand feet of the offender's or delinquent child's residential premises, including a multi-unit building in which the offender or delinquent child resides, and that is located within the county served by the sheriff. In addition to notifying the building manager or the person authorized to exercise management and control in the multi-unit building under this division, the sheriff shall post a copy of the notice prominently in each common entryway in the building and any other location in the building the sheriff determines appropriate. The manager or person exercising management and control of the building shall permit the sheriff to post copies of the notice under this division as the sheriff determines appropriate. In lieu of posting copies of the notice as described in this division, a sheriff may provide notice to all occupants of the multi-unit building by mail or personal contact; if the sheriff so notifies all the occupants, the sheriff is not required to post copies of the notice in the common entryways to the building. Division (D)(3) of this section applies regarding notices required under this division.

(d) All additional persons who are within any category of neighbors of the offender or delinquent child that the attorney general by rule adopted under section 2950.13 of the Revised Code requires to be provided the notice and who reside within the county served by the sheriff;

(2) The executive director of the public children services agency that has jurisdiction within the specified geographical notification area and that is located within the county served by the sheriff;

(3)(a) The superintendent of each board of education of a

school district that has schools within the specified geographical 670
notification area and that is located within the county served by 671
the sheriff; 672

(b) The principal of the school within the specified 673
geographical notification area and within the county served by the 674
sheriff that the delinquent child attends; 675

(c) If the delinquent child attends a school outside of the 676
specified geographical notification area or outside of the school 677
district where the delinquent child resides, the superintendent of 678
the board of education of a school district that governs the 679
school that the delinquent child attends and the principal of the 680
school that the delinquent child attends. 681

(4)(a) The appointing or hiring officer of each chartered 682
nonpublic school located within the specified geographical 683
notification area and within the county served by the sheriff or 684
of each other school located within the specified geographical 685
notification area and within the county served by the sheriff and 686
that is not operated by a board of education described in division 687
(A)(3) of this section; 688

(b) Regardless of the location of the school, the appointing 689
or hiring officer of a chartered nonpublic school that the 690
delinquent child attends. 691

(5) The director, head teacher, elementary principal, or site 692
administrator of each preschool program governed by Chapter 3301. 693
of the Revised Code that is located within the specified 694
geographical notification area and within the county served by the 695
sheriff; 696

(6) The administrator of each child day-care center or type A 697
family day-care home that is located within the specified 698
geographical notification area and within the county served by the 699
sheriff, and the provider of each certified type B family day-care 700

home that is located within the specified geographical 701
notification area and within the county served by the sheriff. As 702
used in this division, "child day-care center," "type A family 703
day-care home," and "certified type B family day-care home" have 704
the same meanings as in section 5104.01 of the Revised Code. 705

(7) The president or other chief administrative officer of 706
each institution of higher education, as defined in section 707
2907.03 of the Revised Code, that is located within the specified 708
geographical notification area and within the county served by the 709
sheriff, and the chief law enforcement officer of the state 710
university law enforcement agency or campus police department 711
established under section 3345.04 or 1713.50 of the Revised Code, 712
if any, that serves that institution; 713

(8) The sheriff of each county that includes any portion of 714
the specified geographical notification area; 715

(9) If the offender or delinquent child resides within the 716
county served by the sheriff, the chief of police, marshal, or 717
other chief law enforcement officer of the municipal corporation 718
in which the offender or delinquent child resides or, if the 719
offender or delinquent child resides in an unincorporated area, 720
the constable or chief of the police department or police district 721
police force of the township in which the offender or delinquent 722
child resides. 723

(B) The notice required under division (A) of this section 724
shall include all of the following information regarding the 725
subject offender or delinquent child: 726

(1) The offender's or delinquent child's name; 727

(2) The address or addresses of the offender's residence, 728
school, institution of higher education, or place of employment, 729
as applicable, or the delinquent child's residence address or 730
addresses; 731

(3) The sexually oriented offense or child-victim oriented offense of which the offender was convicted, to which the offender pleaded guilty, or for which the child was adjudicated a delinquent child;

(4) All of the following statements that are applicable:

(a) A statement that the offender has been adjudicated a sexual predator, a statement that the offender has been convicted of or pleaded guilty to an aggravated sexually oriented offense, a statement that the delinquent child has been adjudicated a sexual predator and that, as of the date of the notice, the court has not entered a determination that the delinquent child no longer is a sexual predator, or a statement that the sentencing or reviewing judge has determined that the offender or delinquent child is a habitual sex offender and that, as of the date of the notice, the determination regarding a delinquent child has not been removed pursuant to section 2152.84 or 2152.85 of the Revised Code;

(b) A statement that the offender has been adjudicated a child-victim predator, a statement that the delinquent child has been adjudicated a child-victim predator and that, as of the date of the notice, the court has not entered a determination that the delinquent child no longer is a child-victim predator, or a statement that the sentencing or reviewing judge has determined that the offender or delinquent child is a habitual child-victim offender and that, as of the date of the notice, the determination regarding a delinquent child has not been removed pursuant to section 2152.84 or 2152.85 of the Revised Code;

(5) The offender's or delinquent child's photograph.

(C) If a sheriff with whom an offender or delinquent child registers under section 2950.04, 2950.041, or 2950.05 of the Revised Code or to whom the offender or delinquent child most recently sent a notice of intent to reside under section 2950.04

or 2950.041 of the Revised Code is required by division (A) of 763
this section to provide notices regarding an offender or 764
delinquent child and if, pursuant to that requirement, the sheriff 765
provides a notice to a sheriff of one or more other counties in 766
accordance with division (A)(8) of this section, the sheriff of 767
each of the other counties who is provided notice under division 768
(A)(8) of this section shall provide the notices described in 769
divisions (A)(1) to (7) and (A)(9) of this section to each person 770
or entity identified within those divisions that is located within 771
the specified geographical notification area and within the county 772
served by the sheriff in question. 773

(D)(1) A sheriff required by division (A) or (C) of this 774
section to provide notices regarding an offender or delinquent 775
child shall provide the notice to the neighbors that are described 776
in division (A)(1) of this section and the notices to law 777
enforcement personnel that are described in divisions (A)(8) and 778
(9) of this section as soon as practicable, but no later than five 779
days after the offender sends the notice of intent to reside to 780
the sheriff and again no later than five days after the offender 781
or delinquent child registers with the sheriff or, if the sheriff 782
is required by division (C) to provide the notices, no later than 783
five days after the sheriff is provided the notice described in 784
division (A)(8) of this section. 785

A sheriff required by division (A) or (C) of this section to 786
provide notices regarding an offender or delinquent child shall 787
provide the notices to all other specified persons that are 788
described in divisions (A)(2) to (7) of this section as soon as 789
practicable, but not later than seven days after the offender or 790
delinquent child registers with the sheriff or, if the sheriff is 791
required by division (C) to provide the notices, no later than 792
five days after the sheriff is provided the notice described in 793
division (A)(8) of this section. 794

(2) If an offender or delinquent child in relation to whom 795
division (A) of this section applies verifies the offender's or 796
delinquent child's current residence, school, institution of 797
higher education, or place of employment address, as applicable, 798
with a sheriff pursuant to section 2950.06 of the Revised Code, 799
the sheriff may provide a written notice containing the 800
information set forth in division (B) of this section to the 801
persons identified in divisions (A)(1) to (9) of this section. If 802
a sheriff provides a notice pursuant to this division to the 803
sheriff of one or more other counties in accordance with division 804
(A)(8) of this section, the sheriff of each of the other counties 805
who is provided the notice under division (A)(8) of this section 806
may provide, but is not required to provide, a written notice 807
containing the information set forth in division (B) of this 808
section to the persons identified in divisions (A)(1) to (7) and 809
(A)(9) of this section. 810

(3) A sheriff may provide notice under division (A)(1)(a) or 811
(b) of this section, and may provide notice under division 812
(A)(1)(c) of this section to a building manager or person 813
authorized to exercise management and control of a building, by 814
mail, by personal contact, or by leaving the notice at or under 815
the entry door to a residential unit. For purposes of divisions 816
(A)(1)(a) and (b) of this section, and the portion of division 817
(A)(1)(c) of this section relating to the provision of notice to 818
occupants of a multi-unit building by mail or personal contact, 819
the provision of one written notice per unit is deemed as 820
providing notice to all occupants of that unit. 821

(E) All information that a sheriff possesses regarding a 822
sexual predator, a habitual sex offender, a child-victim predator, 823
or a habitual child-victim offender that is described in division 824
(B) of this section and that must be provided in a notice required 825
under division (A) or (C) of this section or that may be provided 826

in a notice authorized under division (D)(2) of this section is a 827
public record that is open to inspection under section 149.43 of 828
the Revised Code. 829

The sheriff shall not cause to be publicly disseminated by 830
means of the internet any of the information described in this 831
division that is provided by a sexual predator, habitual sex 832
offender, child-victim predator, or habitual child-victim offender 833
who is a juvenile offender registrant, except when the act that is 834
the basis of the child's classification as a juvenile offender 835
registrant is a violation of, or an attempt to commit a violation 836
of, section 2903.01, 2903.02, or 2905.01 of the Revised Code that 837
was committed with a purpose to gratify the sexual needs or 838
desires of the child, a violation of section 2907.02 of the 839
Revised Code, or an attempt to commit a violation of that section. 840

(F)(1) The duties to provide the notices described in 841
divisions (A) and (C) of this section apply regarding any offender 842
or delinquent child who is in any of the following categories, if 843
the other criteria set forth in division (A) or (C) of this 844
section, whichever is applicable, are satisfied: 845

(a) The offender or delinquent child has been adjudicated a 846
sexual predator relative to the sexually oriented offense for 847
which the offender or delinquent child has the duty to register 848
under section 2950.04 of the Revised Code or has been adjudicated 849
a child-victim predator relative to the child-victim oriented 850
offense for which the offender or child has the duty to register 851
under section 2950.041 of the Revised Code, and the court has not 852
subsequently determined pursuant to section 2152.84 or 2152.85 of 853
the Revised Code regarding a delinquent child that the delinquent 854
child no longer is a sexual predator or no longer is a 855
child-victim predator, whichever is applicable. 856

(b) The offender or delinquent child has been determined 857

pursuant to division (C)(2) or (E) of section 2950.09 or 2950.091, 858
division (B) of section 2152.83, section 2152.84, or section 859
2152.85 of the Revised Code to be a habitual sex offender or a 860
habitual child-victim offender, the court has imposed a 861
requirement under that division or section subjecting the habitual 862
sex offender or habitual child-victim offender to this section, 863
and the determination has not been removed pursuant to section 864
2152.84 or 2152.85 of the Revised Code regarding a delinquent 865
child. 866

(c) The sexually oriented offense for which the offender has 867
the duty to register under section 2950.04 of the Revised Code is 868
an aggravated sexually oriented offense, regardless of whether the 869
offender has been adjudicated a sexual predator relative to the 870
offense or has been determined to be a habitual sex offender. 871

(2) The notification provisions of this section do not apply 872
regarding a person who is convicted of or pleads guilty to, has 873
been convicted of or pleaded guilty to, or is adjudicated a 874
delinquent child for committing, a sexually oriented offense or a 875
child-victim oriented offense, who is not in the category 876
specified in either division (F)(1)(a) or (c) of this section, and 877
who is determined pursuant to division (C)(2) or (E) of section 878
2950.09 or 2950.091, division (B) of section 2152.83, section 879
2152.84, or section 2152.85 of the Revised Code to be a habitual 880
sex offender or habitual child-victim offender unless the 881
sentencing or reviewing court imposes a requirement in the 882
offender's sentence and in the judgment of conviction that 883
contains the sentence or in the delinquent child's adjudication, 884
or imposes a requirement as described in division (C)(2) of 885
section 2950.09 or 2950.091 of the Revised Code, that subjects the 886
offender or the delinquent child to the provisions of this 887
section. 888

(G) The department of job and family services shall compile, 889

maintain, and update in January and July of each year, a list of 890
all agencies, centers, or homes of a type described in division 891
(A)(2) or (6) of this section that contains the name of each 892
agency, center, or home of that type, the county in which it is 893
located, its address and telephone number, and the name of an 894
administrative officer or employee of the agency, center, or home. 895
The department of education shall compile, maintain, and update in 896
January and July of each year, a list of all boards of education, 897
schools, or programs of a type described in division (A)(3), (4), 898
or (5) of this section that contains the name of each board of 899
education, school, or program of that type, the county in which it 900
is located, its address and telephone number, the name of the 901
superintendent of the board or of an administrative officer or 902
employee of the school or program, and, in relation to a board of 903
education, the county or counties in which each of its schools is 904
located and the address of each such school. The Ohio board of 905
regents shall compile, maintain, and update in January and July of 906
each year, a list of all institutions of a type described in 907
division (A)(7) of this section that contains the name of each 908
such institution, the county in which it is located, its address 909
and telephone number, and the name of its president or other chief 910
administrative officer. A sheriff required by division (A) or (C) 911
of this section, or authorized by division (D)(2) of this section, 912
to provide notices regarding an offender or delinquent child, or a 913
designee of a sheriff of that type, may request the department of 914
job and family services, department of education, or Ohio board of 915
regents, by telephone, in person, or by mail, to provide the 916
sheriff or designee with the names, addresses, and telephone 917
numbers of the appropriate persons and entities to whom the 918
notices described in divisions (A)(2) to (7) of this section are 919
to be provided. Upon receipt of a request, the department or board 920
shall provide the requesting sheriff or designee with the names, 921
addresses, and telephone numbers of the appropriate persons and 922

entities to whom those notices are to be provided.

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(H)(1) Upon the motion of the offender or the prosecuting attorney of the county in which the offender was convicted of or pleaded guilty to the sexually oriented offense or child-victim oriented offense for which the offender is subject to community notification under this section, or upon the motion of the sentencing judge or that judge's successor in office, the judge may schedule a hearing to determine whether the interests of justice would be served by suspending the community notification requirement under this section in relation to the offender. The judge may dismiss the motion without a hearing but may not issue an order suspending the community notification requirement without a hearing. At the hearing, all parties are entitled to be heard, and the judge shall consider all of the factors set forth in division (B)(3) of section 2950.09 of the Revised Code. If, at the conclusion of the hearing, the judge finds that the offender has proven by clear and convincing evidence that the offender is unlikely to commit in the future a sexually oriented offense or a child-victim oriented offense and if the judge finds that suspending the community notification requirement is in the interests of justice, the judge may suspend the application of this section in relation to the offender. The order shall contain both of these findings.

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The judge promptly shall serve a copy of the order upon the sheriff with whom the offender most recently registered under section 2950.04, 2950.041, or 2950.05 of the Revised Code and upon the bureau of criminal identification and investigation.

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An order suspending the community notification requirement does not suspend or otherwise alter an offender's duties to comply with sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code and does not suspend the victim notification requirement under section 2950.10 of the Revised Code.

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(2) A prosecuting attorney, a sentencing judge or that judge's successor in office, and an offender who is subject to the community notification requirement under this section may initially make a motion under division (H)(1) of this section upon the expiration of twenty years after the offender's duty to comply with sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code begins in relation to the offense for which the offender is subject to community notification. After the initial making of a motion under division (H)(1) of this section, thereafter, the prosecutor, judge, and offender may make a subsequent motion under that division upon the expiration of five years after the judge has entered an order denying the initial motion or the most recent motion made under that division.

(3) The offender and the prosecuting attorney have the right to appeal an order approving or denying a motion made under division (H)(1) of this section.

(4) Division (H) of this section does not apply to any of the following types of offender:

(a) A person who is convicted of or pleads guilty to a violent sex offense or designated homicide, assault, or kidnapping offense and who, in relation to that offense, is adjudicated a sexually violent predator;

(b) A habitual sex offender or habitual child-victim oriented offender who is subject to community notification who, subsequent to being subjected to community notification, has pleaded guilty to or been convicted of a sexually oriented offense or a child-victim oriented offense;

(c) A sexual predator or child-victim predator who is not adjudicated a sexually violent predator who, subsequent to being subjected to community notification, has pleaded guilty to or been convicted of a sexually oriented offense or child-victim oriented

offense.

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Sec. 2967.03. The adult parole authority may exercise its 987
functions and duties in relation to the pardon, commutation of 988
sentence, or reprieve of a convict upon direction of the governor 989
or upon its own initiative. It may exercise its functions and 990
duties in relation to the parole of a prisoner who is eligible for 991
parole upon the initiative of the head of the institution in which 992
the prisoner is confined or upon its own initiative. When a 993
prisoner becomes eligible for parole, the head of the institution 994
in which the prisoner is confined shall notify the authority in 995
the manner prescribed by the authority. The authority may 996
investigate and examine, or cause the investigation and 997
examination of, prisoners confined in state correctional 998
institutions concerning their conduct in the institutions, their 999
mental and moral qualities and characteristics, their knowledge of 1000
a trade or profession, their former means of livelihood, their 1001
family relationships, and any other matters affecting their 1002
fitness to be at liberty without being a threat to society. 1003

The authority may recommend to the governor the pardon, 1004
commutation of sentence, or reprieve of any convict or prisoner or 1005
grant a parole to any prisoner for whom parole is authorized, if 1006
in its judgment there is reasonable ground to believe that 1007
granting a pardon, commutation, or reprieve to the convict or 1008
paroling the prisoner would further the interests of justice and 1009
be consistent with the welfare and security of society. However, 1010
the authority shall not recommend a pardon or commutation of 1011
sentence of, or grant a parole to, any convict or prisoner until 1012
the authority has complied with the applicable notice requirements 1013
of sections 2930.16 and 2967.12 of the Revised Code and until it 1014
has considered any statement made by a victim or a victim's 1015
representative that is relevant to the convict's or prisoner's 1016

case and that was sent to the authority pursuant to section 1017
2930.17 of the Revised Code and, any other statement made by a 1018
victim or a victim's representative that is relevant to the 1019
convict's or prisoner's case and that was received by the 1020
authority after it provided notice of the pendency of the action 1021
under sections 2930.16 and 2967.12 of the Revised Code, and any 1022
written statement of any person submitted to the court pursuant to 1023
division (H) of section 2967.12 of the Revised Code. If a victim, 1024
victim's representative, or the victim's spouse, parent, sibling, 1025
or child appears at a full board hearing of the parole board and 1026
gives testimony as authorized by section 5149.101 of the Revised 1027
Code, the authority shall consider the testimony in determining 1028
whether to grant a parole. The trial judge and prosecuting 1029
attorney of the trial court in which a person was convicted shall 1030
furnish to the authority, at the request of the authority, a 1031
summarized statement of the facts proved at the trial and of all 1032
other facts having reference to the propriety of recommending a 1033
pardon or commutation, or granting a parole, together with a 1034
recommendation for or against a pardon, commutation, or parole, 1035
and the reasons for the recommendation. The trial judge, the 1036
prosecuting attorney, specified law enforcement agency members, 1037
and a representative of the prisoner may appear at a full board 1038
hearing of the parole board and give testimony in regard to the 1039
grant of a parole to the prisoner as authorized by section 1040
5149.101 of the Revised Code. All state and local officials shall 1041
furnish information to the authority, when so requested by it in 1042
the performance of its duties. 1043

The adult parole authority shall exercise its functions and 1044
duties in relation to the release of prisoners who are serving a 1045
stated prison term in accordance with section 2967.28 of the 1046
Revised Code. 1047

Sec. 2967.12. (A) Except as provided in division (G) of this 1048
section, at least three weeks before the adult parole authority 1049
recommends any pardon or commutation of sentence, or grants any 1050
parole, the authority shall send a notice of the pendency of the 1051
pardon, commutation, or parole, setting forth the name of the 1052
person on whose behalf it is made, the offense of which the person 1053
was convicted or to which the person pleaded guilty, the time of 1054
conviction or the guilty plea, and the term of the person's 1055
sentence, to the prosecuting attorney and the judge of the court 1056
of common pleas of the county in which the indictment against the 1057
person was found. If there is more than one judge of that court of 1058
common pleas, the authority shall send the notice to the presiding 1059
judge. The department of rehabilitation and correction, at the 1060
same time that it provides the notice to the prosecuting attorney 1061
and judge under this division, also shall post on the database it 1062
maintains pursuant to section 5120.66 of the Revised Code the 1063
offender's name and all of the information specified in division 1064
(A)(1)(c)(iii) of that section. 1065

(B) If a request for notification has been made pursuant to 1066
section 2930.16 of the Revised Code, the adult parole authority 1067
also shall give notice to the victim or the victim's 1068
representative prior to recommending any pardon or commutation of 1069
sentence for, or granting any parole to, the person. The authority 1070
shall provide the notice at the same time as the notice required 1071
by division (A) of this section and shall include in the notice 1072
the information required to be set forth in that notice. The 1073
notice also shall inform the victim or the victim's representative 1074
that the victim or representative may send a written statement 1075
relative to the victimization and the pending action to the adult 1076
parole authority and that, if the authority receives any written 1077
statement prior to recommending a pardon or commutation or 1078
granting a parole for a person, the authority will consider the 1079

statement before it recommends a pardon or commutation or grants a
parole. If the person is being considered for parole, the notice
shall inform the victim or the victim's representative that a full
board hearing of the parole board may be held and that the victim
or victim's representative may contact the office of victims'
services for further information. If the person being considered
for parole was convicted of or pleaded guilty to violating section
2903.01 or 2903.02 of the Revised Code, the notice shall inform
the victim of that offense, the victim's representative, or a
member of the victim's immediate family that the victim, the
victim's representative, and the victim's immediate family have
the right to give testimony at a full board hearing of the parole
board and that the victim or victim's representative may contact
the office of victims' services for further information. As used
in this division, "the victim's immediate family" means the
mother, father, spouse, sibling, or child of the victim.

(C) When notice of the pendency of any pardon, commutation of
sentence, or parole has been given to a judge or prosecutor or
posted on the database as provided in division (A) of this section
and a hearing on the pardon, commutation, or parole is continued
to a date certain, the authority shall ~~give~~ provide notice ~~by mail~~
of the further consideration of the pardon, commutation, or parole
~~to the proper judge and prosecuting attorney~~ at least ten days
before the further consideration. The notice of the further
consideration shall be provided to the proper judge and
prosecuting attorney by mail at least ten days before the further
consideration, and, if the initial notice was posted on the
database as provided in division (A) of this section, the notice
of the further consideration shall be posted on the database at
least ten days before the further consideration. When notice of
the pendency of any pardon, commutation, or parole has been given
as provided in division (B) of this section and the hearing on it

is continued to a date certain, the authority shall give notice of 1112
the further consideration to the victim or the victim's 1113
representative in accordance with section 2930.03 of the Revised 1114
Code. 1115

(D) In case of an application for the pardon or commutation 1116
of sentence of a person sentenced to capital punishment, the 1117
governor may modify the requirements of notification and 1118
publication if there is not sufficient time for compliance with 1119
the requirements before the date fixed for the execution of 1120
sentence. 1121

(E) If an offender is serving a prison term imposed under 1122
division (A)(3) of section 2971.03 of the Revised Code and if the 1123
parole board terminates its control over the offender's service of 1124
that term pursuant to section 2971.04 of the Revised Code, the 1125
parole board immediately shall provide written notice of its 1126
termination of control or the transfer of control to the entities 1127
and persons specified in section 2971.04 of the Revised Code. 1128

(F) The failure of the adult parole authority to comply with 1129
the notice or posting provisions of division (A), (B), or (C) of 1130
this section or the failure of the parole board to comply with the 1131
notice provisions of division (E) of this section do not give any 1132
rights or any grounds for appeal or post-conviction relief to the 1133
person serving the sentence. 1134

(G) Divisions (A), (B), and (C) of this section do not apply 1135
to any release of a person that is of the type described in 1136
division (B)(2)(b) of section 5120.031 of the Revised Code. 1137

(H) In addition to and independent of the right of a victim 1138
to make a statement as described in division (A) of this section 1139
or pursuant to section 2930.17 of the Revised Code or to otherwise 1140
make a statement, the authority for a judge or prosecuting 1141
attorney to furnish statements and information, make 1142

recommendations, and give testimony as described in division (A) 1143
of this section, the right of a prosecuting attorney, judge, or 1144
victim to give testimony or submit a statement at a full parole 1145
board hearing pursuant to section 5149.101 of the Revised Code, 1146
and any other right or duty of a person to present information or 1147
make a statement, any person may send to the adult parole 1148
authority at any time prior to the authority's recommending a 1149
pardon or commutation or granting a parole for the offender a 1150
written statement relative to the offense and the pending action. 1151

Sec. 2967.26. (A)(1) The department of rehabilitation and 1152
correction, by rule, may establish a transitional control program 1153
for the purpose of closely monitoring a prisoner's adjustment to 1154
community supervision during the final one hundred eighty days of 1155
the prisoner's confinement. If the department establishes a 1156
transitional control program under this division, the adult parole 1157
authority may transfer eligible prisoners to transitional control 1158
status under the program during the final one hundred eighty days 1159
of their confinement and under the terms and conditions 1160
established by the department, shall provide for the confinement 1161
as provided in this division of each eligible prisoner so 1162
transferred, and shall supervise each eligible prisoner so 1163
transferred in one or more community control sanctions. Each 1164
eligible prisoner who is transferred to transitional control 1165
status under the program shall be confined in a suitable facility 1166
that is licensed pursuant to division (C) of section 2967.14 of 1167
the Revised Code, or shall be confined in a residence the 1168
department has approved for this purpose and be monitored pursuant 1169
to an electronic monitoring device, as defined in section 2929.01 1170
of the Revised Code. If the department establishes a transitional 1171
control program under this division, the rules establishing the 1172
program shall include criteria that define which prisoners are 1173
eligible for the program, criteria that must be satisfied to be 1174

approved as a residence that may be used for confinement under the 1175
program of a prisoner that is transferred to it and procedures for 1176
the department to approve residences that satisfy those criteria, 1177
and provisions of the type described in division (C) of this 1178
section. At a minimum, the criteria that define which prisoners 1179
are eligible for the program shall provide all of the following: 1180

(a) That a prisoner is eligible for the program if the 1181
prisoner is serving a prison term or term of imprisonment for an 1182
offense committed prior to March 17, 1998, and if, at the time at 1183
which eligibility is being determined, the prisoner would have 1184
been eligible for a furlough under this section as it existed 1185
immediately prior to March 17, 1998, or would have been eligible 1186
for conditional release under former section 2967.23 of the 1187
Revised Code as that section existed immediately prior to March 1188
17, 1998; 1189

(b) That no prisoner who is serving a mandatory prison term 1190
is eligible for the program until after expiration of the 1191
mandatory term; 1192

(c) That no prisoner who is serving a prison term or term of 1193
life imprisonment without parole imposed pursuant to section 1194
2971.03 of the Revised Code is eligible for the program. 1195

(2) At least three weeks prior to transferring to 1196
transitional control under this section a prisoner who is serving 1197
a term of imprisonment or prison term for an offense committed on 1198
or after July 1, 1996, the adult parole authority shall give 1199
notice of the pendency of the transfer to transitional control to 1200
the court of common pleas of the county in which the indictment 1201
against the prisoner was found and of the fact that the court may 1202
disapprove the transfer of the prisoner to transitional control 1203
and shall include a report prepared by the head of the state 1204
correctional institution in which the prisoner is confined. The 1205
head of the state correctional institution in which the prisoner 1206

is confined, upon the request of the adult parole authority, shall
provide to the authority for inclusion in the notice sent to the
court under this division a report on the prisoner's conduct in
the institution and in any institution from which the prisoner may
have been transferred. The report shall cover the prisoner's
participation in school, vocational training, work, treatment, and
other rehabilitative activities and any disciplinary action taken
against the prisoner. If the court disapproves of the transfer of
the prisoner to transitional control, the court shall notify the
authority of the disapproval within thirty days after receipt of
the notice. If the court timely disapproves the transfer of the
prisoner to transitional control, the authority shall not proceed
with the transfer. If the court does not timely disapprove the
transfer of the prisoner to transitional control, the authority
may transfer the prisoner to transitional control.

(3) If the victim of an offense for which a prisoner was
sentenced to a prison term or term of imprisonment has requested
notification under section 2930.16 of the Revised Code and has
provided the department of rehabilitation and correction with the
victim's name and address, the adult parole authority, at least
three weeks prior to transferring the prisoner to transitional
control pursuant to this section, shall notify the victim of the
pendency of the transfer and of the victim's right to submit a
statement to the authority regarding the impact of the transfer of
the prisoner to transitional control. If the victim subsequently
submits a statement of that nature to the authority, the authority
shall consider the statement in deciding whether to transfer the
prisoner to transitional control.

(4) The department of rehabilitation and correction, at least
three weeks prior to a hearing to transfer the prisoner to
transitional control pursuant to this section, shall post on the
database it maintains pursuant to section 5120.66 of the Revised

Code the prisoner's name and all of the information specified in 1239
division (A)(1)(c)(iv) of that section. In addition to and 1240
independent of the right of a victim to submit a statement as 1241
described in division (A)(3) of this section or to otherwise make 1242
a statement and in addition to and independent of any other right 1243
or duty of a person to present information or make a statement, 1244
any person may send to the adult parole authority at any time 1245
prior to the authority's transfer of the prisoner to transitional 1246
control a written statement regarding the transfer of the prisoner 1247
to transitional control. In addition to the information, reports, 1248
and statements it considers under divisions (A)(2) and (3) of this 1249
section or that it otherwise considers, the authority shall 1250
consider each statement submitted in accordance with this division 1251
in deciding whether to transfer the prisoner to transitional 1252
control. 1253

(B) Each prisoner transferred to transitional control under 1254
this section shall be confined in the manner described in division 1255
(A) of this section during any period of time that the prisoner is 1256
not actually working at the prisoner's approved employment, 1257
engaged in a vocational training or another educational program, 1258
engaged in another program designated by the director, or engaged 1259
in other activities approved by the department. 1260

(C) The department of rehabilitation and correction shall 1261
adopt rules for transferring eligible prisoners to transitional 1262
control, supervising and confining prisoners so transferred, 1263
administering the transitional control program in accordance with 1264
this section, and using the moneys deposited into the transitional 1265
control fund established under division (E) of this section. 1266

(D) The department of rehabilitation and correction may adopt 1267
rules for the issuance of passes for the limited purposes 1268
described in this division to prisoners who are transferred to 1269
transitional control under this section. If the department adopts 1270

rules of that nature, the rules shall govern the granting of the passes and shall provide for the supervision of prisoners who are temporarily released pursuant to one of those passes. Upon the adoption of rules under this division, the department may issue passes to prisoners who are transferred to transitional control status under this section in accordance with the rules and the provisions of this division. All passes issued under this division shall be for a maximum of forty-eight hours and may be issued only for the following purposes:

(1) To visit a relative in imminent danger of death;

(2) To have a private viewing of the body of a deceased relative;

(3) To visit with family;

(4) To otherwise aid in the rehabilitation of the prisoner.

(E) The adult parole authority may require a prisoner who is transferred to transitional control to pay to the division of parole and community services the reasonable expenses incurred by the division in supervising or confining the prisoner while under transitional control. Inability to pay those reasonable expenses shall not be grounds for refusing to transfer an otherwise eligible prisoner to transitional control. Amounts received by the division of parole and community services under this division shall be deposited into the transitional control fund, which is hereby created in the state treasury and which hereby replaces and succeeds the furlough services fund that formerly existed in the state treasury. All moneys that remain in the furlough services fund on March 17, 1998, shall be transferred on that date to the transitional control fund. The transitional control fund shall be used solely to pay costs related to the operation of the transitional control program established under this section. The director of rehabilitation and correction shall adopt rules in

accordance with section 111.15 of the Revised Code for the use of 1302
the fund. 1303

(F) A prisoner who violates any rule established by the 1304
department of rehabilitation and correction under division (A), 1305
(C), or (D) of this section may be transferred to a state 1306
correctional institution pursuant to rules adopted under division 1307
(A), (C), or (D) of this section, but the prisoner shall receive 1308
credit towards completing the prisoner's sentence for the time 1309
spent under transitional control. 1310

If a prisoner is transferred to transitional control under 1311
this section, upon successful completion of the period of 1312
transitional control, the prisoner may be released on parole or 1313
under post-release control pursuant to section 2967.13 or 2967.28 1314
of the Revised Code and rules adopted by the department of 1315
rehabilitation and correction. If the prisoner is released under 1316
post-release control, the duration of the post-release control, 1317
the type of post-release control sanctions that may be imposed, 1318
the enforcement of the sanctions, and the treatment of prisoners 1319
who violate any sanction applicable to the prisoner are governed 1320
by section 2967.28 of the Revised Code. 1321

Sec. 5120.66. (A) Within ninety days after the effective date 1322
of this section but not before January 1, 2006, the department of 1323
rehabilitation and correction shall establish and operate on the 1324
internet a database that contains all of the following: 1325

(1) For each inmate in the custody of the department under a 1327
sentence imposed for a conviction of or plea of guilty to any 1328
offense, all of the following information: 1329

(a) The inmate's name; 1330

(b) For each offense for which the inmate was sentenced to a 1331

prison term or term of imprisonment and is in the department's 1332
custody, the name of the offense, the Revised Code section of 1333
which the offense is a violation, the gender of each victim of the 1334
offense if those facts are known, whether each victim of the 1335
offense was an adult or child if those facts are known, the range 1336
of the possible prison terms or term of imprisonment that could 1337
have been imposed for the offense, the actual prison term or term 1338
of imprisonment imposed for the offense, the county in which the 1339
offense was committed, the date on which the inmate began serving 1340
the prison term or term of imprisonment imposed for the offense, 1341
and either the date on which the inmate will be eligible for 1342
parole relative to the offense if the prison term or term of 1343
imprisonment is an indefinite term or life term or the date on 1344
which the term ends if the prison term is a definite term; 1345

(c) All of the following information that is applicable 1346
regarding the inmate: 1347

(i) If known to the department prior to the conduct of any 1348
hearing for judicial release of the defendant pursuant to section 1349
2929.20 of the Revised Code in relation to any prison term or term 1350
of imprisonment the inmate is serving for any offense, notice of 1351
the fact that the inmate will be having a hearing regarding a 1352
possible grant of judicial release, the date of the hearing, and 1353
the right of any person pursuant to division (J) of that section 1354
to submit to the court a written statement regarding the possible 1355
judicial release; 1356

(ii) If the inmate is serving a prison term pursuant to 1357
division (A)(3) of section 2971.03 of the Revised Code as a 1358
sexually violent predator who committed a sexually violent 1359
offense, prior to the conduct of any hearing pursuant to section 1360
2971.05 of the Revised Code to determine whether to modify the 1361
requirement that the inmate serve the entire prison term in a 1362
state correctional facility in accordance with division (C) of 1363

that section, whether to continue, revise, or revoke any existing 1364
modification of that requirement, or whether to terminate the 1365
prison term in accordance with division (D) of that section, 1366
notice of the fact that the inmate will be having a hearing 1367
regarding those determinations and of the date of the hearing; 1368

(iii) At least three weeks before the adult parole authority 1369
recommends a pardon or commutation of sentence for the inmate or 1370
at least three weeks prior to a hearing before the adult parole 1371
authority regarding a grant of parole to the inmate in relation to 1372
any prison term or term of imprisonment the inmate is serving for 1373
any offense, notice of the fact that the inmate might be under 1374
consideration for a pardon or commutation of sentence or will be 1375
having a hearing regarding a possible grant of parole, of the date 1376
of any hearing regarding a possible grant of parole, and of the 1377
right of any person to submit a written statement regarding the 1378
pending action; 1379

(iv) At least three weeks before the inmate has a hearing 1380
regarding a transfer to transitional control under section 2967.26 1381
of the Revised Code in relation to any prison term or term of 1382
imprisonment the inmate is serving for any offense, notice of the 1383
pendency of the transfer, of the date of the possible transfer, 1384
and of the right of any person to submit a statement regarding the 1385
possible transfer; 1386

(v) Prompt notice of the inmate's escape from any facility in 1387
which the inmate was incarcerated and of the capture of the inmate 1388
after an escape; 1389

(vi) Notice of the inmate's death while in confinement; 1390

(vii) Prior to the release of the inmate from confinement, 1391
notice of the fact that the inmate will be released, of the date 1392
of the release, and, if applicable, of the standard terms and 1393
conditions of the release; 1394

<u>(viii) Notice of the inmate's judicial release.</u>	1395
<u>(2) Information as to where a person can send written statements of the types referred to in divisions (A)(1)(c)(i), (iii), and (iv) of this section.</u>	1396 1397 1398
<u>(B)(1) The department shall update the database required under division (A) of this section every twenty-four hours to ensure that the information it contains is accurate and current.</u>	1399 1400 1401
<u>(2) The database required under division (A) of this section is a public record open for inspection under section 149.43 of the Revised Code. The department shall make the database searchable by inmate name and by the county and zip code where the offender intends to reside after release from a state correctional institution if this information is known to the department.</u>	1402 1403 1404 1405 1406 1407
<u>(3) The database required under division (A) of this section may contain information regarding inmates who are listed in the database in addition to the information described in that division.</u>	1408 1409 1410 1411
<u>(4) No information included on the database required under division (A) of this section shall identify or enable the identification of any victim of any offense committed by an inmate.</u>	1412 1413 1414 1415
<u>(C) The failure of the department to comply with the requirements of division (A) or (B) of this section does not give any rights or any grounds for appeal or post-conviction relief to any inmate.</u>	1416 1417 1418 1419
<u>(D) This section, and the related provisions of sections 2929.20, 2967.03, 2967.12, and 2967.26 of the Revised Code enacted in the act in which this section was enacted, shall be known as "Laura's Law."</u>	1420 1421 1422 1423
Section 2. That existing sections 109.42, 2929.20, 2950.10,	1424

2950.11, 2967.03, 2967.12, and 2967.26 of the Revised Code are 1425
hereby repealed. 1426

Section 3. Section 2967.26 of the Revised Code is presented 1427
in this act as a composite of the section as amended by both Am. 1428
Sub. H.B. 490 and Sub. H.B. 510 of the 124th General Assembly. The 1429
General Assembly, applying the principle stated in division (B) of 1430
section 1.52 of the Revised Code that amendments are to be 1431
harmonized if reasonably capable of simultaneous operation, finds 1432
that the composite is the resulting version of the section in 1433
effect prior to the effective date of the section as presented in 1434
this act. 1435