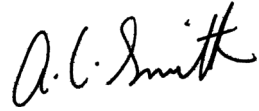




Department of
Rehabilitation & Correction

SUBJECT: Conditions of Supervision	PAGE <u> 1 </u> OF <u> 4 </u>
	NUMBER: 100-APA-09
RULE/CODE REFERENCE: ORC 5120.01; AR 5120: 1-1-12	SUPERSEDES: 100-APA-09 dated 03/02/2020
RELATED ACA STANDARDS: 4-APPFS-2A-04, 2A-12, 2B-01; 2-1004, 2-1099, 2-1100, 2-1102, 2-1104	EFFECTIVE DATE: June 1, 2021
	APPROVED: 

I. AUTHORITY

Ohio Revised Code 5120.01 authorizes the Director of the Department of Rehabilitation and Correction, as the executive head of the department, to direct the total operations and management of the department by establishing procedures as set forth in this policy.

II. PURPOSE

The purpose of this policy is to set requirements for the issuance of general and special conditions of supervision for offenders under the supervision of the Adult Parole Authority (APA).

III. APPLICABILITY

This policy applies to all employees of the APA, Ohio Department of Mental Health and Addiction Services (ODMHAS) employees out of an interagency memorandum of understanding (MOU), and to all offenders under its jurisdiction except for transitional control offenders.

IV. DEFINITIONS

The definitions for the below listed terms can be found at the top of the Ohio Department of Rehabilitation and Correction (ODRC) policies page on the ODRC Intranet at the following:

[Definitions Link](#)

- **Business Days**
- **Community Control**
- **Conditions of Supervision**
- **Field Officer Tablet (FOT)**
- **Field Staff**
- **Interstate Compact**
- **Monitored Time**
- **NOTEC**
- **Parole**
- **Parole Board**
- **Post Release Control (PRC)**
- **Post Release Control Sanction**

- **Probation**
- **Sanction**
- **Special Conditions of Supervision**
- **Temporary Order**

V. POLICY

It is the policy of the ODRC that offenders under supervision receive, sign, and understand the conditions of supervision to ensure accountability for their behavior. Special conditions may be imposed based upon offender risk and need and shall have a nexus to the offender's behavior.

VI. PROCEDURES

A. Initial Interview

1. Staff shall review and explain the conditions of supervision to the offender and any special condition(s) imposed by the Parole Board or court pursuant to ODRC Policy 100-APA-15, APA Initial Interview with the Offender.
2. Staff shall require the offender to sign the Conditions of Supervision (DRC3019) and provide a copy to the offender. Copies shall be maintained in the district office file and/or court of jurisdiction. If the court has not journalized the conditions of supervision or specifies a different format, staff shall utilize the format specified by the court.
3. In the event the offender refuses to sign the Conditions of Supervision (DRC3019), the parole officer shall:
 - a. Document the incident in his/her Field Officer Tablet (FOT) notes.
 - b. Staff the incident with the unit supervisor/designee.
 - c. Have another staff member witness the forms.

B. Translation

When a literacy, language problem, or other obvious barrier to comprehension exists, the officer should utilize resources within the community that may be available at no charge. The translator/interpreter or staff providing the assistance shall sign the Conditions of Supervision (DRC3019) as a witness. The court is responsible for translation services on probation/community control offenders. If the offender requires further translation services while under supervision, it shall be provided through the court or APA.

C. Modification of Conditions/Parole Board Sanctions for Offenders

1. Modification of the conditions of supervision and/or or the imposition of new special condition(s) for offenders under court jurisdiction may be requested by the offender or supervising officer as follows:
 - a. The parole officer shall staff the reasons for the modification with the unit supervisor/designee prior to submitting them to the court. The parole officer shall document the request in FOT.

- b. The parole officer shall follow the procedure stipulated by the sentencing court.
 - c. If approved by the court, new Conditions of Supervision (DRC3019) shall be completed and signed with copies to the court, offender, and file.
 2. Modification of the conditions of supervision, special condition(s), new special condition(s) or parole board sanctions for offenders under parole or post release control supervision may be requested by the offender or supervising officer to the Parole Board as follows:
 - a. The parole officer shall staff the reasons for the modification with the unit supervisor/designee. If approved, the Request/Add/Modify Conditions of Supervision (DRC3020) shall be sent to the supervisor/designee. The unit supervisor/designee shall submit the request to the regional case analyst or appropriate staff member.
 - b. If approved, the request shall be forwarded to the Parole Board chair/designee. If the request is not approved, it shall be returned to the unit with an explanation for denial.
 - c. The Parole Board chair/designee shall review the request and submit a response to the unit supervisor/designee within five (5) business days. Any changes shall not take effect until approved by the Parole Board chair/designee.
 - d. The offender shall be notified in writing of any modification. A new Conditions of Supervision (DRC3019) shall be completed and signed with copies provided to the offender and file.
 - e. Special conditions involving program related services imposed by the Parole Board do not require modification if the offender has been evaluated and programming is not recommended. The outcome shall be documented in NOTEC and/or FOT.
 3. The parole officer or supervisor/designee may impose a temporary order on an offender due to an incident that requires immediate attention. The temporary order may be verbal or in writing with documentation in NOTEC and/or FOT. The unit has five (5) business days to investigate the incident and submit a request to the Parole Board to add the temporary order as a special condition or remove the temporary order.
 4. When specific services ordered by the court or Parole Board are not available, staff shall notify the court or Parole Board and request guidance or modification and document the notification in FOT and/or NOTEC.
 5. If an offender is placed on monitored time, the Monitored Time Conditions of Supervision (DRC3251) shall be reviewed and signed with the offender. Monitored time may be imposed on offenders under the following circumstances:
 - a. The offender has been given monitored time by the Parole Board.
 - b. The offender has exhausted all available prison sanction time and is not eligible for termination.
 - c. The offender meets the criteria per ODRC Policy 100-APA-19, Monitored Time.

D. Interstate Compact

1. The sending state may place supervision conditions on their offenders transferring through interstate compact. If Ohio is unable to enforce a condition, the sending state shall be notified prior to acceptance on the reply to transfer. If Ohio becomes unable to comply with the enforcement of the condition after submission of the reply to transfer request, the sending state can be notified on a compact action request.
2. The receiving state can impose additional conditions of supervision on an interstate compact offender that are consistent with how the receiving state supervises its own offenders. To impose additional conditions of supervision that are outside the standard conditions of supervision, prior to the acceptance of the case, Ohio shall notify the sending state of Ohio's placement of additional conditions of supervision through a compact action request.
3. Any supervising unit or offender requests to modify an existing condition that was imposed by the sending state shall be submitted to the sending state via a compact action request.
4. If an Ohio offender who has transferred through interstate compact or the receiving state is requesting a modification of an Ohio imposed condition, the request shall be submitted to the appropriate compact analyst and deputy compact administrator who shall submit it to the Parole Board.

Referenced ODRC Policies:

100-APA-15 APA Initial Interview with the Offender
100-APA-19 Monitored Time.

Referenced Forms:

Conditions of Supervision	DRC3019
Request/Add/Modify Conditions of Supervision	DRC3020
Monitored Time Conditions of Supervision	DRC3251