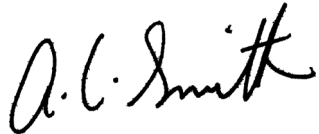




Department of  
Rehabilitation & Correction

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| SUBJECT:<br><b>APA Transitional Control and<br/>Treatment Transfer Supervision</b>       | PAGE <u>  1  </u> OF <u>  8  </u>  |
|  | NUMBER: <b>100-APA-32</b>  |
| RULE/CODE REFERENCE:<br>ORC 2921.01, 2967.15, 2967.26, 5120.01,<br>OAC 5120.035, 5120.17 | SUPERSEDES:<br>100-APA-32 dated 06/03/19   |
| RELATED ACA STANDARDS:<br>4-APPFS-2C-04  | EFFECTIVE DATE:<br><b>February 1, 2021</b>   |
|  | APPROVED:<br> |

## 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 establish supervision guidelines for offenders transferred to the Transitional Control (TRC) Program or the Treatment Transfer (TT) Program.

## III. APPLICABILITY

This policy applies to all employees of the Ohio Department of Rehabilitation and Correction (ODRC) and the offenders under their supervision who transfer to the Transitional Control Program (TRC) or Treatment Transfer (TT) Program.

## IV. DEFINITIONS

The definitions for the below listed terms can be found at the top of the ODRC policies page on the ODRC Intranet at the following:

<http://intra/policies/pagecontent/files/Policy%20Definition%20Spreadsheet%20-%20Intranet%202021.pdf>

**Absconder**  
**Approved Residence**  
**Behavioral Review Committee (BRC)**  
**Behavioral Review Committee Report**  
**Be On the Look Out (BOLO)**  
**Bureau of Community Sanctions (BCS)**  
**Business Days**  
**Business Hours**  
**Calendar Days**  
**Case plan (TRC/TT Only)**

**Co-Defendant**  
**Community Corrections Information System (CCIS)**  
**Department Offender Tracking System (DOTS)**  
**Electronic Monitoring Device**  
**Halfway House (HWH)**  
**Hold Order**  
**Host**  
**Interstate Compact**  
**Investigating Authority**  
**Law Enforcement Automated Data System (LEADS)**  
**Needs Assessment**  
**NOTEC**  
**Notification**  
**Ohio Risk Assessment System (ORAS)**  
**Parole**  
**Positive Incentive**  
**Post Release Control**  
**Relative or Immediate Family**  
**Sanction**  
**Slate**  
**Supervising Authority**  
**Transitional Control (TRC)**  
**Transitional Control Behavioral Guidelines**  
**Transitional Control Rules of Program Participation**  
**Treatment Transfer (TT)**  
**Victim**  
**Violation Hearing**  
**Violator at Large**

## **V. POLICY**

It is the policy of the Ohio Department of Rehabilitation and Correction (ODRC) to ensure Transitional Control (TRC) and Treatment Transfer (TT) offenders are supervised in such a manner and under such conditions to ensure the safety of the general public and to assist the offender in making a successful transition from prison to the community.

## **VI. PROCEDURES**

The Bureau of Community Sanctions (BCS) contracts with HWH agencies to operate the TRC/TT program. The HWH agencies serve as the supervising authority for TRC and TT offenders.

The APA will assist the HWH and BCS staff when needed. All APA regions shall designate a minimum of one (1) TRC/TT liaison to coordinate TRC/TT duties.

### **A. Pass Guidelines (TRC and TT Offenders)**

TRC/ TT offenders may obtain passes pursuant to Administrative Rule 5120-12-06, 5120-17-06, Issuance of Passes. Passes offer eligible offenders the opportunity to re-establish family

relationships and community ties. The granting of a pass is a privilege that must be earned through positive program participation.

1. Passes shall only be granted to visit relatives/immediate family members and/or those with whom the offender has a pre-established relationship, prior to most recent/current incarceration.
2. Passes outside of the state of Ohio shall not be approved.
3. Individuals who have been convicted of a felony offense within the past five (5) years or released from felony supervision within the past five (5) years shall not be approved as a pass host.
4. Hosts who have an active criminal warrant shall not be approved.
5. Residences of any victim or co-defendant involved in any of the offender's past or present offenses shall not be approved. (HWH staff shall be responsible for reviewing pre-sentence investigations, file material and/or other collateral information to determine if the person on the pass request is a victim or co-defendant).

**B. Pass Investigations (TRC and TT offenders)**

1. Prior to permitting a TRC or TT offender to go on a pass, a home investigation and walkthrough shall be completed at the proposed residence of the requested host. The results of the investigation for TRC offenders shall be documented on the Transitional Control Pass/Electronic Monitoring Investigation Request form (DRC3112) documenting approval or disapproval. The results of the investigation for TT offenders shall be documented on the Treatment Transfer Pass/Electronic Monitoring Program Home Investigation Request form (DRC3055) documenting approval or disapproval.
2. Investigations located in a county with a state contracted TRC/TT HWH shall be conducted by HWH staff.
3. Investigations located in a county without a state contracted TRC/TT HWH shall be conducted by APA staff.
  - a. The HWH shall forward the Transitional Control Pass/Electronic Monitoring Investigation Request form (DRC3112) or the Treatment Transfer Pass/Electronic Monitoring Program Home Investigation request form (DRC3055) to the APA placement email account in the region that covers the jurisdiction of the residence for an investigation.
  - b. The parole officer assigned the investigation shall e-mail the results to the HWH email account noted on the Transitional Control Pass/Electronic Monitoring Investigation Request form (DRC3112) or the Treatment Transfer Pass/Electronic Monitoring Program Home Investigation request form (DRC3055) within fifteen (15) business days of receipt.

4. The investigating authority shall:
  - a. Review Transitional Control Rules of Program Participation (DRC3005) or the Treatment Transfer Rules of Program Participation (DRC3083) with the host, including the requirement that offenders shall always remain at the residence unless given written permission to go to another location by the HWH.
  - b. Advise the host that the HWH and APA staff may enter the residence at any time to ensure the offender follows program guidelines.
  - c. Advise the host the offender is subject to warrantless searches.
  - d. Advise the host the offender shall always make themselves available to the HWH or APA.
  - e. Advise the host that there shall not be any weapons in the residence or otherwise available to the offender while on pass.
  - f. Advise the host that the offender is subject to breathalyzer and urinalysis tests upon returning to the HWH.
  - g. Verify the proposed pass residence has telephone service in conformance with the Halfway House's current program requirements. The requirement shall be indicated on the Transitional Control Pass/Electronic Monitoring Investigation Request form (DRC3112) or the Treatment Transfer Pass/Electronic Monitoring Program Home Investigation Request form (DRC3055).

**C. Release Planning (TRC and TT offenders)**

1. Procedures for TRC/TT offenders assessed a period of PRC/Parole supervision after completion of the program shall be handled according to the following guidelines:
  - a. The TRC HWH shall initiate placement plan(s) located within Ohio by completing the Transitional Control Admission/Release Planning Report (DRC3109) and submit to BCS a minimum of sixty (60) calendar days prior to release at [drcbcs.transportation@odrc.state.oh.us](mailto:drcbcs.transportation@odrc.state.oh.us). The TT HWH shall complete the Treatment Transfer Status Review Report (DRC3054) no later than thirty (30) days prior to expected release date and submit to [DRC.ParoleBoardTreatmentTransferAssessments@odrc.state.oh.us](mailto:DRC.ParoleBoardTreatmentTransferAssessments@odrc.state.oh.us). BCS shall coordinate the placement process with the HWH and APA in accordance to the procedures outlined in ODRC policy 101-PLA-01, Reentry Supervision Release Process.
  - b. BCS shall forward TRC Admission/Release Planning Report (DRC3109) to the general APA email account in the region where the placement investigation is to occur if the offender will be on PRC. Parole Board staff shall forward the TT Status Review Report (DRC3054) to the general APA email account and the case analyst where the placement investigation is to occur if the offender will be on PRC.

- c. The APA shall assign the case and conduct investigations in accordance to the procedures outlined in ODRC Policy 101-PLA-01, Placement Process.
- d. The APA shall notify BCS at [drcbcs.transportation@odrc.state.oh.us](mailto:drcbcs.transportation@odrc.state.oh.us) in the event a plan is rejected. BCS shall work with the HWH to obtain alternative plans from the offender.
- e. When an offender's placement plan is approved, the APA shall forward reporting orders directly to the HWH email account documented on the report.
- f. The HWH shall provide appropriate program completion documents to the APA, for offenders transitioning from TRC to Parole or Post-Release Control supervision, which includes but is not limited to termination reports, aftercare plans, signed expiration of sentence document/supervision reporting orders, and any other related documentation from the offender's term of TRC.

#### **D. TRC and TT Violation Process**

All offenders under TRC/ TT supervision are subject to the Transitional Control or Treatment Transfer Behavior Guidelines (Appendix A or B).

1. The APA shall arrest and transport TRC/TT offenders as needed pursuant to ODRC Policies 100-APA-05, APA Search and Arrest Procedures, and 100-APA-28, Offender Transportation.
2. The APA shall issue a Hold Order on all TRC/TT arrests, excluding offenders held in local custody due to pending charges with an Acknowledgement of Requirement to Retain Inmate in Custody form (DRC2560).
3. The APA shall issue an Acknowledgement of Requirement to Retain Inmates in Custody until Expiration of Sentence or Return to Prison form (DRC2560) if an offender has pending charges and the offender will remain in local custody on those charges. A copy of the form shall be forwarded to BCS via email at [drc.TCviolations@odrc.state.oh.us](mailto:drc.TCviolations@odrc.state.oh.us) to process an Administrative Return. The APA shall not issue a release order when an Acknowledgement of Requirement to Retain Inmate in Custody (DRC2560) has been placed.
4. The APA shall notify BCS of TRC/TT arrests at [drc.TCviolations@odrc.state.oh.us](mailto:drc.TCviolations@odrc.state.oh.us) and complete an entry in NOTEC that includes, but is not limited to, the name of the institution, inmate number, arresting agency, date of arrest, date of knowledge of arrest, details of arrest/offense, details of any pending charges known to APA, and the location of the offender. (Arrests include but are not limited to those in which APA conducted and those where the APA received a notification via local custody slates).

5. Hearings:

a. Pre-Senate Bill 2 Offenders/Violators (Only TRC offenders)

TRC offenders that committed instant offenses prior to July 1, 1996 are subject to the APA violation sanction process (VSP) pursuant to ODRC Policies 100-APA-14, Sanctions for Violations of Conditions of Supervision and 100-APA-24, Violation Reports.

- i. The HWH shall review the offender's behavior record and write a Transitional Control Behavioral Review Committee Report (DRC2393) outlining the offender's history of supervision and alleged violations if they feel a VSP hearing is warranted.
- ii. APA shall schedule a violation standard process hearing, serve the violation sanction process documents, and issue subpoenas pursuant to ODRC Policy 105-PBD-09, Violation Hearing Process, on Pre-Senate Bill 2 cases.
- iii. APA shall present violation standard process hearings on Pre-Senate Bill 2 cases if new criminal charges (other than escape) are involved.

b. Post-Senate Bill 2 Offenders/Violators (TRC and TT Offenders)

TRC/TT offenders committing instant offenses on or after July 1, 1996 are subject to a disciplinary administrative return per Administrative Rule 5120-12-08 or 5120-17-08, Return to the Institution for Administrative Reasons.

- i. The HWH shall review the offender's behavior record and write a Transitional Control Behavioral Review Committee Report (DRC2393) or the Treatment Transfer Behavior Review Committee Report (DRC3075) outlining the offender's history of supervision and alleged violations if they feel an administrative return is warranted and forward it to BCS.
- ii. BCS shall review the report and confirm the offender shall be administratively returned. An administrative return letter shall be forwarded to the appropriate DRC Reception Center, Bureau of Sentence Computation, APA TRC/TT liaison unit/contact and the supervising HWH.

**E. Absconders (TRC and TT offenders):**

1. BCS shall notify the APA via the general APA region email account when a VAL warrant is requested and forward Violator at Large (VAL) Minutes, when completed, to the general APA email account for the region in which the HWH is located. If an offender is on EM and the approved address is in a different APA region than the monitoring HWH, BCS shall notify the APA region, via email, that the residence is in a different region than the HWH.

2. APA shall assign the case to a unit where the offender was residing at the time they absconded unless the regional administrator/designee make alternative arrangements with another region. The APA shall also notify any unit investigating TRC or TT to PRC plans of the VAL status.
3. APA shall attempt to locate offenders who abscond supervision pursuant to ODRC Policy 102-FUG-01, APA Fugitive Apprehension.
4. APA shall pursue escape charges, pursuant to ODRC Policy 102-FUG-02, Violator at Large.
5. Once the offender is apprehended, the case shall be reassigned to BCS in CCIS.
6. BCS shall coordinate with APA to get offenders returned to the institution if warranted.

**F. Non-Disciplinary Transportation Duties:**

1. The APA shall transport TRC and TT offenders to parent institutions for all Non-Disciplinary Administrative Returns.
2. The APA shall transport TRC and TT offenders for medical returns to FMC/OSU and return them to the HWH after it is determined the offender no longer requires treatment and is fully capable of participating in the TRC or TT program. When medical professionals have determined a TRC or TT offender must be transported by ambulance due to a serious medical condition, the APA is not responsible for transporting the offender.
3. BCS shall complete the Administrative Return documents needed for the transports and forward them to the APA liaison.

**Attachments:**

Appendix A            Transitional Control Behavior Guidelines  
Appendix B            Treatment Transfer Behavior Guidelines

**Referenced ODRC Policies:**

100-APA-05    APA Search and Arrest Procedures  
100-APA-14    Sanctions for Violations of Conditions of Supervision  
100-APA-24    APA Violation Report  
100-APA-28    Offender Transportation  
101-PLA-01    Placement Process  
102-FUG-01    APA Fugitive Apprehension  
102-FUG-02    Violator at Large

**Referenced Forms:**

|   |         |
|---|---------|
| Transitional Control Behavior Record  | DRC2395 |
| Acknowledgement of Requirement to Retain Inmate in Custody                      | DRC2560 |
| Transitional Control Rules of Program Participation                             | DRC3005 |
| Treatment Transfer Rules of Program Participation                               | DRC3052 |
| Treatment Transfer Status Review Report   | DRC3054 |
| Treatment Transfer Pass/Electronic Monitoring Program Home Investigation Report | DRC3055 |
| Treatment Transfer Behavioral Review Committee Report                           | DRC3075 |
| TRC Admission/ Release Planning Report  | DRC3109 |
| Transitional Control Pass/Electronic Monitoring Home Investigation Request      | DRC3112 |



## APPENDIX A

### **Transitional Control Behavioral Guidelines**

The halfway house shall log all sanctions, violation points, positive incentives, and positive incentive point reductions on the Transitional Control Behavior Record (DRC2395). The record shall be reviewed for accuracy at a minimum one (1) time every thirty (30) days or when the value of the discipline points would warrant a review by the BRC for an administrative return.

#### **Violation Codes**

|           |  |
|-----------|--|
| <b>A</b>  | <b>Automatic Referral to Behavioral Review Committee</b> |
| <b>H</b>  | <b>High</b>  |
| <b>MH</b> | <b>Moderate High</b>                                     |
| <b>M</b>  | <b>Moderate</b>  |
| <b>LM</b> | <b>Low Moderate</b>                                      |
| <b>L</b>  | <b>Low</b>   |

#### **Assaults and Related Acts**

1. Causing, or attempting to cause, the death of another. (A)
2. Hostage taking, including any physical restraint of another. (A)
3. Causing, or attempting to cause, any physical harm to another. (H)
4. Throwing, expelling or otherwise causing a bodily substance to come into contact with another. (H)

#### **Threats**

5. Threatening bodily harm to another (with or without a weapon). (H)
6. Threatening harm to the property of another, including state property. (MH)
7. Extortion by threat of violence or other means. (MH)

#### **Sexual Misconduct**

8. Non-consensual sexual conduct or contact with another, whether compelled:
  - a. by force (A)
  - b. by threat of force (A)
  - c. by intimidation other than threat of force (A)
  - d. by any other circumstances evidencing a lack of consent by the victim(A)
9. Consensual physical contact for the purpose of sexually arousing or gratifying either person. (MH)
10. Seductive or obscene acts, including indecent exposure or masturbation; including, but not limited to any word, action, gesture, or other behavior that is sexual in nature and would be offensive to a reasonable person. (MH)

#### **Riots, Disturbances, and Unauthorized Group Activity**

11. Severe interference with staff in performing duties. (M-MH)
12. Severe disruption with the security or orderly running of the facility. (MH-H)

## APPENDIX A

### **Resistance to Authority**

13. Physical resistance to a direct order from the supervising authority. (MH)
14. Failure to follow directives from the supervising authority. (L-M)

### **Unauthorized Relationships and Disrespect**

15. Establishing or attempting to establish a personal relationship with an employee, staff, contractor or volunteer:
  - a. Sending personal mail to an employee at his or her residence or address not associated with employment. (MH)
  - b. Making a telephone call to or receiving a telephone call from an employee at his/her residence or location not associated with employment. (MH)
  - c. Engaging in any form of business with an employee; including buying, selling, or trading any item or service. (MH-H)
  - d. Engaging in, or soliciting, sexual conduct, sexual contact or any act of a sexual nature with an employee.(H)
16. Disrespect to any employee, contractor, volunteer, visitor or offender. (M)

### **Lying and Falsification**

17. Giving false information or lying to supervising authority. (LM-M)
18. Forging, possessing, or presenting forged or counterfeit documents. (M)

### **Escape and Itinerary Violations**

19. Escape, failure to remain within the extended limits of confinement, and/or Violator at Large (A)
20. Out of place/off itinerary (unaccountable time) under 4 hours. (LM-H)
21. Out of place/off itinerary (unaccountable time) over 4 hours. (A)
22. Attempting or planning an escape. (MH)
23. Possession of any unauthorized locking device, lock pick, or tampering with locks or keys. (M)
24. Leaving State of Ohio. (A)
25. Failure to adhere to Transitional Control home pass and electronic monitoring rules. (M)
26. Utilizing unauthorized methods of transportation. (M)

### **Weapons**

27. Possession, manufacture, or introduction of a weapon or knife, hazardous tools, dangerous chemicals, explosive or ammunition. (H)
28. Procuring, or attempting to procure, a weapon or knife, hazardous tools, dangerous chemicals, explosive or ammunition; aiding, soliciting or collaborating with another person to procure a weapon or knife, hazardous tools, dangerous chemicals, explosive or ammunition; or to introduce or convey said items in a state-contracted facility. (MH)

## APPENDIX A

### **Drugs and Other Related Matters** (Consideration should be given to the type of substance and surrounding circumstances)

29. Unauthorized possession, manufacture, or consumption of drugs or any intoxicating substance not prescribed by medical staff without additional violations. (M-H)
30. Unauthorized possession, manufacture, or consumption of drugs or any intoxicating substance not prescribed by medical staff with additional violations. (MH)
31. Procuring or attempting to procure, unauthorized drugs; aiding, soliciting, or collaborating with another to procure unauthorized drugs or to introduce unauthorized drugs into state-contracted facility. (M)
32. Unauthorized possession of drug paraphernalia. (M)
33. Misuse of authorized medication. (M)
34. Refusal to submit urine sample or breathalyzer, or otherwise to cooperate with drug testing, or mandatory substance abuse sanctions. (M-MH)

### **Gambling, Dealing and Other Related Offenses**

35. Gambling or possession of gambling paraphernalia. (L-LM)
36. Dealing, conducting, facilitating, or participating in any transaction, occurring in whole or in part, within a state-contracted facility, or involving an offender, staff member or another for which payment of any kind is made, promised or expected. (M)
37. Entering any business operations, legal contracts or agreements without prior permission of supervising authority. (M)

### **Property and Contraband**

38. Steal or embezzlement of property, obtaining property by fraud or receiving stolen, embezzled, or fraudulently obtained property. (M)
39. Destruction, alteration, or misuse of property. (M-MH)
40. Possession of contraband. (L-M)

### **Fire Violations**

41. Setting a fire or any unauthorized burning. (H)
42. Tampering with fire alarms, sprinklers, or other fire suppression equipment. (MH)
43. Smoking where prohibited. (LM-M)

### **Telephone, Mail and Visiting**

44. Unauthorized use or possession of telephone (including cellular phones and accessories) without permission. (L-LM)
45. Use of telephone or mail to threaten, harass, intimidate or annoy another. (M)
46. Violation of visiting rules as set forth by supervising authority. (LM)

### **Tattooing and Self-Mutilation**

47. Self-mutilation, including tattooing. (LM)
48. Possession of devices or material used for tattooing. (LM)

## APPENDIX A

### **Health and Safety**

49. Failure to follow safety or sanitation regulations. (L)

### **Financial**

50. Failure to submit earnings in accordance with rule 5120:12-05 of the Administrative Code. (LM-M)
51. Possession of unauthorized funds. (LM)
52. Failure to provide receipts for purchased goods and services. (L-LM)
53. Deliberate failure to secure employment, or maintain employment as directed (LM-M)
54. Failure to job search (LM)

### **Programming**

55. Failure to attend/tardy to required programming (L-LM)
56. Disrupting class while in programming (L)

### **New Criminal Charges**

Evidence and details of the offense shall be reviewed on all new charges prior to issuing discipline points.

57. Felony (A)
58. Misdemeanor (M-H) (Charges for violence, sex offenses, in house drug possession/use, & upper level misdemeanors shall be assessed at the higher end of consequence grid)

### **General**

59. Violation of House Rules. (L-LM)
60. Violation of the Transitional Control Rules of Participation (L-H)

Violations that have a range of potential points shall be reviewed for severity and violation history when assigning violation points. The lower end of the point scale should be used on the first offense and gradually increase with subsequent violations when possible.

When offenders commit multiple violations in one (1) act, all violations shall be listed on the Transitional Control Behavior Record (DRC2395); however, the points issued shall be based on the highest level violation as opposed to assigning points based on each violation he/she committed.

Cases that are deficient or exceed the 100 points recommended by the Behavior Guidelines should be staffed with the Bureau of Community Sanctions.

A violation enhancement may be given when the offender is issued three (3) or more same/~~or~~ similar violations. (Points may be issued one level above the violations noted point value).

## APPENDIX A

### Consequences and Violation Points for Program Rule Violations

|  |   |
|--|---|
| <b>Low<br/>0-5 points</b>                                | <ul style="list-style-type: none"> <li>a) Cognitive-Behavioral Intervention (e.g., Thinking Reports)</li> <li>b) Loss of privileges for 2 days (Phone, visits, passes, vehicle, smoking, television, recreation, outings, late nights)</li> <li>c) Change of quarters</li> <li>d) Removal from program/group activities for 2 days</li> <li>e) Confiscate Contraband</li> <li>f) Extra Duty Hours</li> <li>g) Monetary Restitution/Community Service hours</li> </ul>   |
| <b>Low/Moderate<br/>6-15 points</b>                      | <ul style="list-style-type: none"> <li>a) Loss of privileges for 7 days (Phone, visits, passes, vehicle, smoking, television, recreation, outings, late nights)</li> <li>b) Change of quarters</li> <li>c) Removal from program/group activities for 7 days</li> <li>d) Confiscate Contraband</li> <li>e) Extra Duty Hours or additional household chores</li> <li>f) Cognitive-Behavioral Intervention (e.g., Thinking Reports)</li> <li>g) Monetary Restitution/Community Service hours</li> </ul>  |
| <b>Moderate<br/>16-35 points</b>                         | <ul style="list-style-type: none"> <li>a) Loss of privileges for 14 -21 days (Phone, visits, passes, vehicle, smoking, television, recreation, outings, late nights)</li> <li>b) Change of quarters</li> <li>c) Removal from program/group activities for 14 -21 days</li> <li>d) Confiscate Contraband</li> <li>e) Extra Duty Hours or additional household chores</li> <li>f) Cognitive-Behavioral Intervention (e.g., Thinking Reports)</li> <li>g) Monetary Restitution/Community Service hours</li> <li>h) Possible status review by Behavioral Review Committee</li> </ul>  |
| <b>Moderate/High<br/>36-50 points</b>                    | <ul style="list-style-type: none"> <li>a) Loss of privileges for 21-30 days (Phone, visits, passes, vehicle, smoking, television, recreation, outings, late nights)</li> <li>b) Change of quarters</li> <li>c) Removal from program/group activities for 21-30 days</li> <li>d) Confiscate Contraband</li> <li>e) Extra Duty Hours or additional household chores</li> <li>f) Cognitive-Behavioral Intervention (e.g., Thinking Reports)</li> <li>g) Monetary Restitution/Community Service hours</li> <li>h) APA/Parole Board intervention/ summons (Parole Only)</li> <li>i) Status review by Behavioral Review Committee-(Behavioral Accountability Contract)</li> </ul>                   |
| <b>High<br/>51-100 points</b>                            | <ul style="list-style-type: none"> <li>a) Loss of privileges for 30 or more days (Phone, visits, passes, vehicle, smoking, television, recreation, outings, late nights)</li> <li>b) Change of quarters</li> <li>c) Removal from program/group activities for 30 or more days</li> <li>d) Confiscate Contraband</li> <li>e) Extra Duty Hours or additional household chores</li> <li>f) Cognitive-Behavioral Intervention (e.g., Thinking Reports)</li> <li>g) Monetary Restitution/Community Service hours</li> <li>h) APA/Parole Board intervention/hearing (Parole Only) (Possible Termination)</li> <li>i) Status review by Behavioral Review Committee (Possible Termination)</li> </ul> |
| <b>Automatic Referral to Behavioral Review Committee</b> | <ul style="list-style-type: none"> <li>a) Status review by Behavioral Review Committee (Termination probable in most cases)</li> </ul>  |

\*The Behavioral Review Committee (BRC) will convene when the halfway house feels that it is necessary, an offender reaches the Moderate/High consequence level, and/or the offender reaches 100 violation points.

\*The above violations and consequences are subject to review by program management.

APPENDIX A

**Transitional Control Positive Incentives**

|                                 |   |
|---------------------------------|---|
| <b>(A) PROGRAM</b>              | Group attendance/participation or completion with no unexcused absences for 30 days.                                    |
| <b>(B) PROGRAM</b>              | Completion of treatment/group above and beyond program expectations with no unexcused absences for 30 days.             |
| <b>(C) PROGRAM</b>              | Maintaining Mental Health treatment plans and expectations for 30 days.   |
| <b>(D) BEHAVIORAL</b>           | Remains free of discipline points for 30 days.  |
| <b>(E) EMPLOYMENT</b>           | Maintains employment requirements for 30 days.  |
| <b>(F) EDUCATION</b>            | Passing GED Test, Maintaining 3.0 for college courses, or obtaining vocational certification.                           |
| <b>(G) FINANCIAL</b>            | Compliance with all financial obligations: Child Support, Court Obligations, DRC fees, etc.                             |
| <b>(H) COMMUNITY SERVICE</b>    | Benefits outside non-profit agency  |
| <b>(I) SPECIAL HWH PROJECTS</b> | Large non-routine projects that have program manager approval. (Painting facility or construction work to the facility) |

Positive Incentives points for offenders with a discipline record shall be calculated and documented on the Transitional Control Behavior Record (DRC2395) every thirty (30) days based on the Transitional Control Positive Incentive Guidelines. The record shall be maintained by clinical/programming staff, a designee of management or the Behavioral Review Committee.

The offender shall be notified of incentive awards by clinical/programming staff, a designee of management, or the Behavioral Review Committee via the Positive Incentive Award form.

Any offender who has discipline points on their Behavior Record is eligible for a point reduction if they meet the Transitional Control Positive Incentive Guidelines noted above. Offenders who complete or meet one (1) incentive during a thirty (30) day period will be granted a 25% reduction to their behavior points. Offenders who complete or meet two (2) or more incentives during a thirty (30) day period will receive a 50% reduction to their behavior points. Incentives may not be banked for future reductions if an offender does not have discipline points on their record. Offenders who illustrate excellent behavior without discipline points may be subject to other awards as set forth by the program.

|   |
|---|
| <b>Treatment Transfer Behavioral Guidelines</b> |
|---|

The halfway house shall log all sanctions, violation points, positive incentives, and positive incentive point reductions on the Treatment Transfer Behavior Record (DRC3083). The record shall be reviewed for accuracy at a minimum one (1) time every thirty (30) days or when the value of the discipline points would warrant a review by the BRC for an administrative return.

### **Violation Codes**

|           |  |
|-----------|--|
| <b>A</b>  | <b>Automatic Referral to Behavioral Review Committee</b> |
| <b>H</b>  | <b>High</b>  |
| <b>MH</b> | <b>Moderate High</b>                                     |
| <b>M</b>  | <b>Moderate</b>  |
| <b>LM</b> | <b>Low Moderate</b>                                      |
| <b>L</b>  | <b>Low</b>   |

### **Assaults and Related Acts**

1. Causing, or attempting to cause, the death of another. (A)
2. Hostage taking, including any physical restraint of another. (A)
3. Causing, or attempting to cause, any physical harm to another. (H)
4. Throwing, expelling or otherwise causing a bodily substance to come into contact with another. (H)

### **Threats**

5. Threatening bodily harm to another (with or without a weapon). (H)
6. Threatening harm to the property of another, including state property. (MH)
7. Extortion by threat of violence or other means. (MH)

### **Sexual Misconduct**

8. Non-consensual sexual conduct or contact with another, whether compelled:
  - a. by force (A)
  - b. by threat of force (A)
  - c. by intimidation other than threat of force (A)
  - d. by any other circumstances evidencing a lack of consent by the victim(A)
9. Consensual physical contact for the purpose of sexually arousing or gratifying either person. (MH)
10. Seductive or obscene acts, including indecent exposure or masturbation; including, but not limited to any word, action, gesture, or other behavior that is sexual in nature and would be offensive to a reasonable person. (MH)

### **Riots, Disturbances, and Unauthorized Group Activity**

11. Severe interference with staff in performing duties. (M-MH)
12. Severe disruption with the security or orderly running of the facility. (MH-H)

### **Resistance to Authority**

13. Physical resistance to a direct order from the supervising authority. (MH)
14. Failure to follow directives from the supervising authority. (L-M)

### **Unauthorized Relationships and Disrespect**

15. Establishing or attempting to establish a personal relationship with an employee, staff, contractor or volunteer:
  - a. Sending personal mail to an employee at his or her residence or address not associated with employment. (MH)
  - b. Making a telephone call to or receiving a telephone call from an employee at his/her residence or location not associated with employment. (MH)
  - c. Engaging in any form of business with an employee; including buying, selling, or trading any item or service. (MH-H)
  - d. Engaging in, or soliciting, sexual conduct, sexual contact or any act of a sexual nature with an employee. (H)
16. Disrespect to any employee, contractor, volunteer, visitor or offender. (M)

### **Lying and Falsification**

17. Giving false information or lying to supervising authority. (LM-M)
18. Forging, possessing, or presenting forged or counterfeit documents. (M)

### **Escape and Itinerary Violations**

19. Escape, failure to remain within the extended limits of confinement, and/or Violator at Large (A)
20. Out of place/off itinerary (unaccountable time) under 4 hours. (LM-H)
21. Out of place/off itinerary (unaccountable time) over 4 hours. (A)
22. Attempting or planning an escape. (MH)
23. Possession of any unauthorized locking device, lock pick, or tampering with locks or keys. (M)
24. Leaving State of Ohio. (A)
25. Failure to adhere to Treatment Transfer home pass and electronic monitoring rules. (M)
26. Utilizing unauthorized methods of transportation. (M)

### **Weapons**

27. Possession, manufacture, or introduction of a weapon or knife, hazardous tools, dangerous chemicals, explosive or ammunition. (H)
28. Procuring, or attempting to procure, a weapon or knife, hazardous tools, dangerous chemicals, explosive or ammunition; aiding, soliciting or collaborating with another person to procure a weapon or knife, hazardous tools, dangerous chemicals, explosive or ammunition; or to introduce or convey said items in a state-contracted facility. (MH)

### **Drugs and Other Related Matters** (Consideration should be given to the type of substance and surrounding circumstances)

29. Unauthorized possession, manufacture, or consumption of drugs or any intoxicating substance not prescribed by medical staff without additional violations. (M-H)
30. Unauthorized possession, manufacture, or consumption of drugs or any intoxicating substance not prescribed by medical staff with additional violations. (MH)
31. Procuring or attempting to procure, unauthorized drugs; aiding, soliciting, or collaborating with another to procure unauthorized drugs or to introduce unauthorized drugs into state-contracted facility. (M)



32. Unauthorized possession of drug paraphernalia. (M)
33. Misuse of authorized medication. (M)
34. Refusal to submit urine sample or breathalyzer, or otherwise to cooperate with drug testing, or mandatory substance abuse sanctions. (M-MH)

### **Gambling, Dealing and Other Related Offenses**

35. Gambling or possession of gambling paraphernalia. (L-LM)
36. Dealing, conducting, facilitating, or participating in any transaction, occurring in whole or in part, within a state-contracted facility, or involving an offender, staff member or another for which payment of any kind is made, promised or expected. (M)
37. Entering any business operations, legal contracts or agreements without prior permission of supervising authority. (M)

### **Property and Contraband**

38. Steal or embezzlement of property, obtaining property by fraud or receiving stolen, embezzled, or fraudulently obtained property. (M)
39. Destruction, alteration, or misuse of property. (M-MH)
40. Possession of contraband. (L-M)

### **Fire Violations**

41. Setting a fire or any unauthorized burning. (H)
42. Tampering with fire alarms, sprinklers, or other fire suppression equipment. (MH)
43. Smoking where prohibited. (LM-M)

### **Telephone, Mail and Visiting**

44. Unauthorized use or possession of telephone (including cellular phones and accessories) without permission. (L-LM)
45. Use of telephone or mail to threaten, harass, intimidate or annoy another. (M)
46. Violation of visiting rules as set forth by supervising authority. (LM)

### **Tattooing and Self-Mutilation**

47. Self-mutilation, including tattooing. (LM)
48. Possession of devices or material used for tattooing. (LM)

### **Health and Safety**

49. Failure to follow safety or sanitation regulations. (L)

### **Financial**

50. Failure to submit earnings in accordance with rule 5120:12-05 of the Administrative Code. (LM-M)
51. Possession of unauthorized funds. (LM)
52. Failure to provide receipts for purchased goods and services. (L-LM)
53. Deliberate failure to secure employment, or maintain employment as directed (LM-M)
54. Failure to job search (LM)

## **Programming**

- 55. Failure to attend/tardy to required programming (L-LM)
- 56. Disrupting class while in programming (L)

## **New Criminal Charges**

Evidence and details of the offense shall be reviewed on all new charges prior to issuing discipline points.

- 57. Felony (A)
- 58. Misdemeanor (M-H) (Charges for violence, sex offenses, in house drug possession/use, & upper level misdemeanors shall be assessed at the higher end of consequence grid)

## **General**

- 59. Violation of House Rules. (L-LM)
- 60. Violation of the Treatment Transfer Rules of Participation (L-H)

Violations that have a range of potential points shall be reviewed for severity and violation history when assigning violation points. The lower end of the point scale should be used on the first offense and gradually increase with subsequent violations when possible.

When offenders commit multiple violations in one (1) act, all violations shall be listed on the Treatment Transfer Behavior Record (DRC3083); however, the points issued shall be based on the highest level violation as opposed to assigning points based on each violation he/she committed.

Cases that are deficient or exceed the 100 points recommended by the Behavior Guidelines should be staffed with the Bureau of Community Sanctions.

A violation enhancement may be given when offender is issued three (3) or more same or similar violations. (Points may be issued one level above the violations noted point value).

## Consequences and Violation Points for Program Rule Violations

|  |   |
|--|---|
| <b>Low<br/>0-5 points</b>                                | <ul style="list-style-type: none"> <li>a) Cognitive-Behavioral Intervention (e.g., Thinking Reports)</li> <li>b) Loss of privileges for 2 days (Phone, visits, passes, vehicle, smoking, television, recreation, outings, late nights)</li> <li>c) Change of quarters</li> <li>d) Removal from program/group activities for 2 days</li> <li>e) Confiscate Contraband</li> <li>f) Extra Duty Hours</li> <li>g) Monetary Restitution/Community Service hours</li> </ul>   |
| <b>Low/Moderate<br/>6-15 points</b>                      | <ul style="list-style-type: none"> <li>a) Loss of privileges for 7 days (Phone, visits, passes, vehicle, smoking, television, recreation, outings, late nights)</li> <li>b) Change of quarters</li> <li>c) Removal from program/group activities for 7 days</li> <li>d) Confiscate Contraband</li> <li>e) Extra Duty Hours or additional household chores</li> <li>f) Cognitive-Behavioral Intervention (e.g., Thinking Reports)</li> <li>g) Monetary Restitution/Community Service hours</li> </ul>  |
| <b>Moderate<br/>16-35 points</b>                         | <ul style="list-style-type: none"> <li>a) Loss of privileges for 14 -21 days (Phone, visits, passes, vehicle, smoking, television, recreation, outings, late nights)</li> <li>b) Change of quarters</li> <li>c) Removal from program/group activities for 14 -21 days</li> <li>d) Confiscate Contraband</li> <li>e) Extra Duty Hours or additional household chores</li> <li>f) Cognitive-Behavioral Intervention (e.g., Thinking Reports)</li> <li>g) Monetary Restitution/Community Service hours</li> <li>h) Possible status review by Behavioral Review Committee</li> </ul>  |
| <b>Moderate/High<br/>36-50 points</b>                    | <ul style="list-style-type: none"> <li>a) Loss of privileges for 21-30 days (Phone, visits, passes, vehicle, smoking, television, recreation, outings, late nights)</li> <li>b) Change of quarters</li> <li>c) Removal from program/group activities for 21-30 days</li> <li>d) Confiscate Contraband</li> <li>e) Extra Duty Hours or additional household chores</li> <li>f) Cognitive-Behavioral Intervention (e.g., Thinking Reports)</li> <li>g) Monetary Restitution/Community Service hours</li> <li>h) APA/Parole Board intervention/ summons (Parole Only)</li> <li>i) Status review by Behavioral Review Committee-(Behavioral Accountability Contract)</li> </ul>                   |
| <b>High<br/>51-100 points</b>                            | <ul style="list-style-type: none"> <li>a) Loss of privileges for 30 or more days (Phone, visits, passes, vehicle, smoking, television, recreation, outings, late nights)</li> <li>b) Change of quarters</li> <li>c) Removal from program/group activities for 30 or more days</li> <li>d) Confiscate Contraband</li> <li>e) Extra Duty Hours or additional household chores</li> <li>f) Cognitive-Behavioral Intervention (e.g., Thinking Reports)</li> <li>g) Monetary Restitution/Community Service hours</li> <li>h) APA/Parole Board intervention/hearing (Parole Only) (Possible Termination)</li> <li>i) Status review by Behavioral Review Committee (Possible Termination)</li> </ul> |
| <b>Automatic Referral to Behavioral Review Committee</b> | <ul style="list-style-type: none"> <li>a) Status review by Behavioral Review Committee (Termination probable in most cases)</li> </ul>  |

\*The Behavioral Review Committee (BRC) will convene when the halfway house feels that it is necessary, an offender reaches the Moderate/High consequence level, and/or the offender reaches 100 violation points.

\*The above violations and consequences are subject to review by program management.

# Treatment Transfer Positive Incentives

|                                 |   |
|---------------------------------|---|
| <b>(A) PROGRAM</b>              | Group attendance/participation or completion with no unexcused absences for 30 days.                                    |
| <b>(B) PROGRAM</b>              | Completion of treatment/group above and beyond program expectations with no unexcused absences for 30 days.             |
| <b>(C) PROGRAM</b>              | Maintaining Mental Health treatment plans and expectations for 30 days.   |
| <b>(D) BEHAVIORAL</b>           | Remains free of discipline points for 30 days.  |
| <b>(E) EMPLOYMENT</b>           | Maintains employment requirements for 30 days.  |
| <b>(F) EDUCATION</b>            | Passing GED Test, Maintaining 3.0 for college courses, or obtaining vocational certification.                           |
| <b>(G) FINANCIAL</b>            | Compliance with all financial obligations: Child Support, Court Obligations, DRC fees, etc.                             |
| <b>(H) COMMUNITY SERVICE</b>    | Benefits outside non-profit agency  |
| <b>(I) SPECIAL HWH PROJECTS</b> | Large non-routine projects that have program manager approval. (Painting facility or construction work to the facility) |

Positive Incentives points for offenders with a discipline record shall be calculated and documented on the Treatment Transfer Behavior Record (DRC3083) every thirty (30) days based on the Treatment Transfer Positive Incentive Guidelines. The record shall be maintained by clinical/programming staff, a designee of management, or the Behavioral Review Committee.

The offender shall be notified of incentive awards by clinical/programming staff, a designee of management, or the Behavioral Review Committee via the Positive Incentive Award form.

Any offender who has discipline points on their Behavior Record is eligible for a point reduction if they meet the Treatment Transfer Positive Incentive Guidelines noted above. Offenders who complete or meet one (1) incentive during a thirty (30) day period will be granted a 25% reduction to their behavior points. Offenders who complete or meet two (2) or more incentives during a thirty (30) day period will receive a 50% reduction to their behavior points. Incentives may not be banked for future reductions if an offender does not have discipline points on their record. Offenders who illustrate excellent behavior without discipline points may be subject to other awards as set forth by the program.