
DEPARTMENT OF REHABILITATION AND CORRECTION

Illegal conveyance of weapon or communications device

- Requires the court to impose a mandatory prison term if a Department of Youth Services (DYS) employee illegally conveys a weapon onto a detention facility.
- Increases the penalty for illegal conveyance of a communications device onto the grounds of a specified governmental facility.
- Specifies that the penalty for illegal conveyance of a communications device onto the grounds of a specified governmental facility is a felony with the imposition of a mandatory prison term, if the offender is an employee of the Department of Rehabilitation and Correction (DRC) or DYS.

Electronic commitment to DRC

- Permits a court of common pleas to enter into an agreement with DRC under which persons may be electronically committed to DRC.
- Specifies that persons sentenced to DRC, or to any institution or place within DRC, must be conveyed by the sheriff initially to an appropriate facility established and maintained by DRC, or committed electronically for reception, examination, observation, and classification.
- Requires the sheriff to convey the sentenced person to DRC or electronically commit the sentenced person to DRC prior to removal of an individual on an out of jurisdiction detainer.
- Requires an offender to be committed to DRC before post-release control may be imposed.

Illegal conveyance of weapon or communications device

(R.C. 2921.36)

The bill requires the court to impose a mandatory prison term if a DYS employee is guilty of illegal conveyance of a weapon onto the grounds of a detention facility. Under the bill, the penalty for illegal conveyance of a communications device onto the grounds of a specified governmental facility is increased from a first degree misdemeanor to a fifth degree felony, and the penalty for a repeat violation from a fifth degree felony to a third degree felony. The bill also specifies that the penalty for illegal conveyance of a communications device onto the grounds of a specified governmental facility is a third degree felony if the offender is an employee of DRC or DYS and requires the court to impose a mandatory prison term.

Electronic commitment to DRC

(R.C. 2151.311, 2152.26, 2967.28, and 5120.16)

The bill specifies that persons sentenced to DRC, or to any institution or place within DRC, must be conveyed by the sheriff initially to an appropriate facility established and maintained by DRC, or committed electronically, for reception, examination, observation, and classification. Prior to removal of an individual on an out of jurisdiction detainer, the sheriff must convey the sentenced person to DRC or electronically commit the sentenced person to DRC. A court of common pleas is permitted to enter into an agreement with DRC under which persons may be electronically committed to DRC, and an offender must be committed to DRC before post-release control may be imposed.

The problem that this provision is intended to address is not clear. It may be that the intent of this provision is to address situations in which a person who would normally be incarcerated in a prison has instead served the time sentenced in a local jail, and has therefore not formally been committed to DRC prior to the necessity for post-release control procedures. It is unclear that the language in this provision accomplishes that goal. A clarifying amendment may be desired.