
DEPARTMENT OF YOUTH SERVICES

- Requires a convicted felon who is under 18 years old at the time a sentence is executed to be committed to the Department of Youth Services (DYS) and assigned to an institution within DHS until the felon turns 18 or until other conditions are met.

Youth felons in DHS facilities

(R.C. 2949.12)

The bill requires a convicted felon who is under 18 years old at the time a sentence is executed to be committed to the Department of Youth Services (DYS) and assigned to an institution within DHS. Within five days after sentencing (excluding Saturdays, Sundays, and legal holidays), the sheriff of the county in which the conviction occurred must deliver the felon to the DHS-designated facility. For such a conviction to occur under continuing law, the felon must have been bound over from the juvenile court and convicted as an adult of a felony offense. Upon delivering the felon to the DHS facility, the sheriff is required to present the managing officer with a copy of the sentence, a copy of the indictment, and a copy of the certification binding the felon over from the juvenile court to the court of common pleas.

A felon who is delivered to a DHS-designated facility under this provision must be held in the facility until the felon attains the age of 18, until the felon's prison term expires, until the felon is pardoned, paroled, or placed on post-release control, until DHS in the discretion of the Director, lacks the capacity to house the felon, or until the felon is transferred under laws permitting the transfer of prisoners. The bill requires a felon delivered to a DHS facility to be transferred to the Department of Rehabilitation and Correction (DRC) and committed to a DRC facility for the remainder of the felon's sentence when the felon attains the age of 18 or when the felon, because of a rule violation or violations, is determined by DHS to be a danger to self or others. At the time of a transfer to DRC, the sheriff must present the managing officer with a copy of the sentence, a copy of the indictment, and a copy of the certification from the juvenile court to the court of common pleas.