

# OHIO PAROLE TOOLKIT

A Comprehensive Set of Tools for Navigating the Parole Board Review Process



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# INTRODUCTION



This Parole Toolkit is for you. It's called a "toolkit" because it's like a set of tools for work—picture a plumber's toolkit with a hammer, pipe wrench, and pliers, or a mechanic's toolbox with wrenches, sockets, and screwdrivers. A toolkit is just a set of tools to get a specific project done or things you need to help you achieve a goal. Here, the goal you want to achieve is your release. To achieve that, you'll need to navigate through the Parole Board review process.

This Toolkit will help you prepare for your initial review by the Ohio Parole Board, any additional Panel Hearings, as well as your Full Board Hearing. We have gathered tools that you can use throughout your time in DRC to get ready to make your case to the Board about why you are "suitable," or ready to be released. Reentry and release planning, including Parole Hearing prep, starts on Day 1 of your sentence. But if you are in the middle or at the end of your sentence, and are just now picking this up, this is for you, too. This toolkit is intended to get you started—wherever you are—and to keep you going until your release.

The Ohio Parole Toolkit was inspired by the work of the Campaign for the Fair Sentencing of Youth and the release of their Parole Preparation Toolkit. We are grateful to the Campaign for their hard work and for our partnership with them to aid our ability to assist all persons with preparing for their Parole Hearings.

The material provided in this document is for general information purposes. It is not intended to be legal advice. The law and administrative policies are subject to frequent change. The information contained in this toolkit may not reflect the most current developments in law and policy. Readers should not rely on this information in lieu of legal advice, and are encouraged to consult with a licensed attorney about their particular situation.

## The "Tools" in this Kit

### WHAT TO KNOW EARLY ON IN YOUR SENTENCE

How to safely use JPay, GTL, or other forms of email that may be reviewed by prison staff; who should and shouldn't be on your visitor's list; what kind of programs and classes you should look for; why you need to keep records of everything; and when you'll be entitled to assistance from an attorney.

### WHAT TO EXPECT DURING THE PAROLE BOARD REVIEW PROCESS

How the Parole Board operates; the order and timing of different hearings; how your loved ones can participate; what kinds of information the Parole Board reviews; and what factors the Board may use to decide who is "suitable for release."

### HOW TO PREPARE FOR PAROLE BOARD PANEL HEARINGS

How to develop a strong Reentry Plan; how best to share your success with the Board; the importance of practicing what you will say; how you can prepare mentally for questions or issues that Board members may ask; and what Board decisions may look like at this stage.

### HOW TO PREPARE FOR A FULL BOARD HEARING

How to complete paperwork to get an attorney assigned to your case; how to work with your attorney; how Full Board Hearings are conducted; how to think about which witnesses might be the most helpful; and what Board decisions may look like at this stage.

In addition, this toolkit provides advice on how to manage your expectations and how to cultivate hope and keep going in the face of possible negative decisions. You will also find information on wellness activities, like mindfulness and meditation, that can help relieve stress as you navigate the parole process. There are also recommendations for

volunteer-run programs in DRC that have proven very helpful for putting together release plans—programs that are pre-release, and programs that are post-release to help you after you are paroled.

Finally, we've included letters from people who are not attorneys, but who are "experts" in their own right. They have been right where you are. These are folks who served time in DRC, who got through the parole process—sometimes with ups and downs—and who won their release and are back in the community. They now want to share their Parole Board and reentry experiences with you.

Again, this toolkit is for your use in understanding the parole review process and preparing for your Parole Hearings. We hope you find this a helpful resource for you and your loved ones.

## Before You Get Started

# KNOWING WHICH LAW APPLIES TO YOU

The Ohio Parole Board will review someone for release based on the date the offense was committed. This is because the law in effect at the time of the offense will determine whether and when the Parole Board must review and approve your release.

If you were under the age of 18 at the time of the offenses for which you were convicted, please also see the [Special Circumstances section](#).

### If Your Offense Happened Before July 1, 1996

<b>How was I sentenced?</b>	<p>Sentenced for violent F3 and F4, all F1 and F2 offenses, and life sentences were sentenced to an indefinite range of time. For example, 2-5 years or 10-25 years.</p> <p>These are commonly referred to as “indefinite” or “old law” sentences.</p> <p>Many cases were originally heard by the Parole Board under “guidelines” that no longer exist. The Board can no longer apply those “guidelines” to any parole hearings.</p>
<b>When will I see the Parole Board?</b>	<p>You will be considered for release by the Parole Board after completing the minimum amount of time, which is generally less than the minimum time listed by DRC.</p>
<b>What happens if they deny my release?</b>	<p>You will be given an amount of time to serve before your next review. This time is called a “continuance” and can be up to 10 years. There is no limit on the number of continuances you can receive.</p>
<b>What happens after release if I violate my parole?</b>	<p>The Board can give you a sentence of up to 10 years. It will often be the amount of time proposed by the hearing officer at your parole violation hearing. You will then repeat the parole consideration process to obtain release.</p>

### If Your Offense Happened Between July 1, 1996–March 21, 2019

<b>How was I sentenced?</b>	<p>People who receive a “definite” sentence will be released when they complete their sentence and will not be reviewed by the Parole Board. Only people with life sentences will be considered for release by the Parole Board.</p>
<b>When will I see the Parole Board?</b>	<p>You will see the Parole Board when you have served your minimum sentence. For example, after 15 years if serving 15-life, you will see the Parole Board for the first time. There is no way to reduce the amount of time before you see the Board.</p>
<b>What happens if they deny my release?</b>	<p>You will be given an amount of time to serve before your next review. This time is called a “continuance” and can be up to 10 years. There is no limit on the number of continuances you can receive.</p>
<b>What happens after release if I violate my parole?</b>	<p>The Board can give you a sentence of up to 10 years. It will often be the amount of time proposed by the hearing officer at your Parole Violation Hearing. You will then repeat the parole consideration process to obtain release.</p>

## If Your Offense Happened on or After March 21, 2019 (Reagan Tokes Act)

<b>How was I sentenced?</b>	Sentences for F1 and F2 offenses receive an “indefinite” range of time under the Reagan Tokes Act. For example, 6-9 years. The Parole Board will consider you for release to PRC supervision.
<b>When will I see the Parole Board?</b>	Release consideration starts well in advance of your minimum sentence date. There is a presumption that you will be released at your minimum sentence. For example, 6 years on a 6-9 year sentence. Remember: Unless the presumption of release is rebutted, the review of your time and a decision regarding your release at your minimum sentence will be done without a hearing.
<b>What happens when the presumption of relief is rebutted?</b>	<p>You may be required to serve more than your minimum sentence if there is a finding of one of the following:</p> <ul style="list-style-type: none"> <li>• You are security level 3-5/E; or</li> <li>• You had extended restrictive housing (segregation) within the last year; or</li> <li>• Both             <ul style="list-style-type: none"> <li>– You had rule infractions harming institutional/staff/inmate safety, threatening physical harm to staff/inmates, OR other unprosecuted violations of law;</li> <li><b>and</b></li> <li>– Your behavior shows an ongoing threat to society.</li> </ul> </li> </ul> <p>If your release is rebutted, you will be given a reconsideration date. For example, one year later. At your next hearing you will have a presumption of release that can be denied after the same analysis above. This process continues until you are released or serve your maximum sentence. You will be released on PRC supervision.</p>
<b>Early Release Option 1: Earned Credit (up to 8% + lesser of 90 days, or 10%)</b>	<p>Any earned credit time you have accumulated will reduce the minimum you have to serve before you are considered by the Parole Board for release. This includes both the 1 or 5 days per month for program participation and the 10% or 90-day credit for completing:</p> <ul style="list-style-type: none"> <li>• An Ohio high school diploma or Ohio certificate of high school equivalence certified by the Ohio central school system;</li> <li>• A therapeutic drug community program;</li> <li>• All three phases of the DRC intensive outpatient drug treatment program;</li> <li>• A career technical vocational school program;</li> <li>• A college certification program; or</li> <li>• The criteria for a certificate of achievement and employability as specified in <a href="#">R.C. 2961.22(A)(1)</a>.</li> </ul>
<b>Early Release Option 2: DRC Early Release for Exceptional Conduct (5-15%)</b>	<p>If the DRC thinks that you have met the criteria for exceptional conduct while incarcerated, then it can ask that you be released an extra 5-15% early. Under the current version of this law, that request goes back to your trial court. That court will then have to hold a hearing on the request and either grant or deny it.</p> <p>To begin the process, DRC policy states that a person petitioning for this relief must meet with the unit case manager and complete DRC form <a href="#">DRC 3197</a> (Incarcerated Adult Petition for Sentence Reduction SB201). They must further sign <a href="#">DRC 5159</a> (Release of Mental Health Information).</p> <p>If granted, you will be released the extra 5-15% early.</p> <p>If denied, you will not receive this early release, but will still be eligible for release at your minimum date, minus any earned credit.</p>
<b>What happens after release if I violate my PRC?</b>	If this happens, your sentence would be for a PRC violation of up to 9 months in prison for each violation proceeding up to half of your original sentence, not a return to your prior indefinite sentence. For instance, if your original sentence is 6-9 years and you are released on PRC at 6 years, you can be returned to prison for a total of 3 years in increments of no more than 9 months at a time. You will be released at the end of your sanction without seeing the Parole Board.

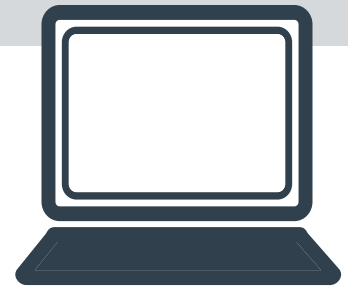
## *What to Know*

# EARLY IN YOUR SENTENCE

When you first arrive at DRC you should focus on this new environment and making sure your basic needs are met. You may not be ready to start thinking about parole review, and that is okay. Here are some tips we think are important for you to think about when you are ready.

### **What You Should Think About Before Blogging, Posting on Social Media, Doing Interviews, or Sending Letters to the Media**

First, unless you are advised by a lawyer, please do not do this. Don't do it while you're incarcerated or even after you are released, but still on supervision. You will have time after you are off paper to share your story. Until then, do not make statements or comments of any kind about your offense conduct. Do not make statements or comments about the prosecutor or judge in your case. Do not make statements or comments about your probation or parole officer.



Anything you write or post on the internet or say to the media could be read and used by prosecutors, parole officers, judges, and the Parole Board as a basis to delay your release. So, don't talk about your offense or share your views about the criminal justice system. These kinds of comments may be used against you and may give the impression that you do not take responsibility for your conduct or are insensitive to victims and families. That can be very damaging to you in the parole review process.

### **What You Need to Know About JPay, GTL, and Other Types of Email or Video Messaging**

Keep in mind that JPay, GTL, and other types of email or video messaging are not private, and your messages can be recorded, printed out, and shared with DRC officials as well as prosecutors, judges, probation and parole officers, and the Parole Board.

Do not indulge in or encourage sexual behavior during a video visit. Do not discuss the facts of your case with your family or friends, not even with your attorney on JPay, GTL, or other types of email or video messaging. Instead, share positive news, like talking about your classes, treatment, or work. And do not talk with any victims in your case, not even if they are your own family members or former loved ones. There may be a no contact or protection order in place, so talking with them could land you in more trouble, even additional charges, and further delay your release.

### **What to Be Aware of When Using the Phone**



Like JPay, GTL, and other types of email or video messaging, the telephone service at DRC is not private. DRC knows who you are talking to. Your calls are recorded. So, again, do not discuss the facts of your case. Tapes or transcripts of your calls can be shared with DRC officials as well as prosecutors, judges, probation and parole officers, and the Parole Board. Do not be tempted to use other people's phone cards or make 3-way calls. Those calls will still be recorded by DRC and could lead to rules infractions and tickets, which in turn could further delay your release.

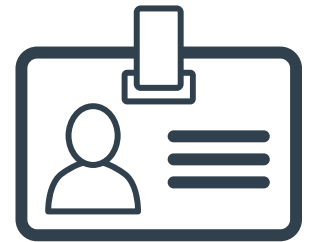


## Who Should (and Should Not) Be on Your Visitor List

Your visitors list is controlled by DRC, and who is on that list, who visits, and how often, can be shared with prosecutors, judges, probation and parole officers, and the Parole Board. Your list should include family and friends. It may include an approved clergy member. It may also include a reentry mentor who is part of a DRC-approved prison volunteer program.

Your visitors list should not include people with felony records or people on probation or parole, and no co-defendants in your current or past cases. If one of your closest family members has a felony conviction, you can get special permission from DRC to get them on your list. However, you should really try to avoid that.

Finally, never include either a victim of your current case or even a prior case on your visitors list. And, if you have ever been convicted of a sex offense involving a child victim—either in your most recent case or a past case—you should not have any minor child visitors at DRC. Not even non-victim, family member children should be on your visitors list. We understand that this advice can be hard to hear and follow, but it remains our sound advice for improving chances of parole.



## How to Think About Programs and Classes

Staying busy throughout your sentence with classes, programs, and jobs is one of the best things you can do while incarcerated. These activities can help you learn new skills, surround yourself with other motivated folks, keep out of trouble, and pass the time. It can also help you in front of the Parole Board. You should definitely work to complete core DRC prosocial classes like Thinking for a Change, Victim Awareness, and Criminal Thinking. And if you can take them again—do it.

Show the Parole Board that you are determined to keep your skills fresh. Along those same lines, if you need to complete a sex offender program, don't take just one; take a second and third one. Doing this can really make a difference when it comes time to see the Parole Board. If you need drug treatment, work to complete multiple programs. Be able to talk with the Board about how your programming will help you if released. Talk about your relapse prevention plan and how you will implement it. Show the Board that you are taking the work of recovery and relapse prevention seriously.

You should also work hard at your job. In addition to staying busy, you may learn job skills and earn positive evaluations from supervisors, both of which can be important parts of your release plan. Don't just bide your time. Keep going, keep working, and you will stand out.

## Keeping Good Records

Be sure to keep track of your wins and losses. That means keeping not only copies of coupons you get for good behavior but also any tickets or write ups for rule infractions. Keep copies of certificates you earn, positive reviews from work supervisors, your classwork, and positive letters from program volunteers. These will be helpful for you as you prepare for your initial hearings and later for your attorney to review in preparation for your Full Board Hearing.

## The Value of a Clean Institutional Record



Keeping your institutional record clean from the start or working hard to improve your institutional record should be your top focus while in DRC. Rule violations can not only lead to loss of privileges and impact your housing and work assignments, but also can delay your release. The Parole Board often looks back several years for rule violations, depending on how serious the misconduct is.

## Do I Have A Right to a Lawyer?

You may be wondering about your right to legal representation during the Parole Board review process. People who go before the Ohio Parole Board may have legal representation, but it is not the same “right to counsel” like when you went to court.

At the earliest hearings—the ones held at the institution—people may have an attorney appear virtually to observe the hearing. A prosecuting attorney may also appear virtually. Your attorney is permitted to represent you by submitting a written document, but neither your attorney nor the prosecutor may appear in person, participate, or record the hearing. This is true at the very first hearing (the “Panel Hearing”) or, if you are continued for reconsideration later at a “Continued Hearing.” (*Note: If you were under the age of 18 at the time of the offenses for which you were convicted, your attorney may appear in person or virtually and make a statement at the Panel Hearing and Continued Hearing. The prosecutor still cannot participate at the Panel Hearing or Continued Hearing. Please see [Special Circumstances](#) on page 19.*)

At your Panel Hearing, you may be representing yourself. It will be held at the institution, likely via video-conference with some, or all, of the Parole Board members talking to you by video from one or more locations.

Attorneys can represent people once they are recommended for a “Full Board Hearing.” Here, attorneys may appear in person or virtually and can present information to the Parole Board and answer questions.

Unfortunately, given the caseload and limited resources at the Ohio Public Defender’s Office, we do not have enough attorneys to represent everyone who is given a Panel Hearing, Continued Hearing, or Full Board Hearing.



Although the Ohio Public Defender’s office may not be able to formally represent you in the parole process, we have created this toolkit to help you through the process. As this toolkit explains in further detail, your self-preparation should include constructive programming and good institutional conduct. It also means putting together a solid reentry or release plan for yourself, including:

- Housing with family, if possible;
- Linking up with a reentry program back in your community; and
- If needed, describing your “relapse prevention plan,” e.g., drug treatment or mental health counseling.

A release plan is just spelling out what kind of support system you will make for yourself and what concrete steps you will take to stay on track once you’re released. Those are some of the important things that you can work on, look into, and prepare while you are incarcerated, and before you get to the Full Board stage and meet with an attorney.

## Parole Don'ts

### **DON'T CONTACT THE VICTIM OF YOUR PRIOR OFFENSE**

There is a process through the Office of Victim's Services for this to happen if the victim(s) want it. If you contact the victim while in the restrictive setting of prison, the Board will worry that you may contact the victim further upon release and that you are less likely to follow your release conditions.

### **DON'T BLOG OR USE FACEBOOK**

We all understand the desire to interact with people outside of prison and to express oneself. Anything you say can (and will) be used against you. A Board member may read something they see as concerning. A prosecutor opposing your release will certainly highlight anything they see as potentially negative. We have never seen a blog help someone's release.

### **DON'T CONTACT THE MEDIA (OR BE VERY CAUTIOUS)**

Media are pursuing a story. Your role in that story is unclear, and even a well-meaning media person might write something that will come back to haunt you later. It's easy to see how a write-up might be seen as minimizing your role or the victim's suffering, or even your remorse. While media contacts can occasionally be helpful, just remember that their focus is generally not on your release.

### **BE CAREFUL ABOUT FILING SECONDARY LITIGATION (WITHOUT AN ATTORNEY)**

This one is the stickiest. We often see people filing motions for judicial release or to take back pleas in parole-eligible cases. Generally, parole-eligible people are not judicial-release eligible. It is also extremely rare that a court allows a plea to be withdrawn years into the sentence. Filing such motions on your own (or with the help of a jailhouse lawyer) is a surefire way to tell the Parole Board that you don't take responsibility for your actions and think that your punishment is too harsh. While it may be true that your punishment is too harsh, these filings are more likely to extend your punishment than shorten it. Having a lawyer file for you provides a check on litigation to avoid meritless filings or filings with no chance of success. It will also allow you to tell the Parole Board that you only filed because your lawyer advised you to; not because you were not taking responsibility.

# What to Expect DURING THE PAROLE BOARD REVIEW PROCESS

## What is the Parole Board?

The Parole Board was created by statute as a section within the Adult Parole Authority. The Board consists of up to twelve (12) members, including the Chair. The members are appointed by the Director of the DRC and Chief of the Division of Parole and Community Services and must be qualified by education or experience. Such experience may include correctional work, (including) law enforcement, prosecution of offenses, advocating for the rights of victims of crime, probation or parole, in law, in social work, or a combination of these categories. Members, except the Chair and the Victim Representative, cannot serve more than two, 6-year terms.

The DRC Director, in consultation with the Governor, must appoint one individual to the Board who is a victim of crime, a member of a victim's family, or who represents an organization that advocates for the rights of victims of crime. The Parole Board members' primary duties include conducting release consideration hearings on all parole eligible s and providing clemency recommendations to the Governor.

## How Family and Friends Can Contact the Parole Board

Interested parties may provide input regarding a person's release through writing a letter to the Board. Letters may be submitted by regular mail, fax (614-752-0600), or through the DRC website ([www.drc.ohio.gov/parole/board/contact](http://www.drc.ohio.gov/parole/board/contact)). The mailing address is:

Ohio Parole Board  
4545 Fisher Road Suite D  
Columbus, OH 43228



Try to include the person's name and institution number so it can be properly filed and considered.

## What is the Standard for Release<sup>1</sup>?

The Parole Board *may* grant release to a person on or about the date of eligibility, unless the Parole Board determines the person should not be released for one or more of the following reasons<sup>2</sup>:

- There is substantial reason to believe the person will engage in further criminal conduct, or that the person will not conform to the conditions of release;
- There is substantial reason to believe that, as the unique factors of the offense of conviction significantly outweigh the person's rehabilitative efforts, the release of the person into society would create undue risk to public safety, and/or would not further the interest of justice nor be consistent with the welfare and security of society;
- There is substantial reason to believe that due to serious infractions of [Rule 5120-9-06](#) of the Administrative Code, the release would not act as a deterrent to the person or to other institutionalized persons from violating institutional rules and regulations; and
- There is need for additional information upon which to make a release decision.

<sup>1</sup>OAC 5120:1-1-07(A)

<sup>2</sup>OAC 5120:1-1-07(B)

## Information the Parole Board Considers

Except for documents related to a grievance under rule 5120-9-31, the Parole Board will consider relevant information concerning the person, including<sup>3</sup>:

- The person's risk to reoffend as measured by the applicable risk assessment tool as set forth in [R.C. 5120.114\(A\)](#).
- The person's criminal history and community supervision history, including but not limited to, the unique factors of offenses of conviction, whether the criminal history demonstrates a pattern of increasing severity or frequency, and the person's success or failure while on any form of community supervision. The Board shall consider:
  - Any official report of the person's prior criminal record, including a report or record of earlier probation or parole;
  - Any pre-sentence or post-sentence report; and
  - The presence of outstanding detainers against the person.
- The person's ability to control their behavior, and the degree to which the person demonstrates impulsivity in the prison or in the community. The Board will consider:
  - Any reports of physical, mental or psychiatric examination of the person;
  - Any reports prepared by any department of rehabilitation and correction staff member relating to the person's personality and social history; and
  - Any reports or information related to the person's substance abuse history.
- The person's institutional programming, including but not limited to, whether the person has successfully completed programming consistent with the assessed needs and risk to reoffend.
- The person's institutional behavior, particularly any demonstrated inability to conform to institutional rules and regulations, which is predictive of a person's risk to reoffend in the community. The Board will consider any reports generated by institutional staff, including conduct reports, that reflect upon the person's institutional adjustment.
- Any recommendations regarding the person's release made at the time of sentencing or any time thereafter by the sentencing judge, presiding judge, prosecuting attorney, and any information received in response to statutory notice provided prior to the hearing, including comments made on current sentencing ranges.
- Any communications from a victim or victim's representative.
- The degree and substance of community support or opposition to release.
- The recommendation of the person's defense counsel, including comments made on current sentencing ranges.
- Written or oral statements by the person, other than grievances filed under [Rule 5120-9-31](#) of the Administrative Code.

<sup>3</sup>No single factor or group of factors will create a presumption of release or the presumption of continued incarceration. The parole decision does not have to expressly address any of the factors. [OAC 5120:1-1-07\(C\)](#).

- The person’s ability, readiness, and motivation to assume obligations and undertake responsibilities, as well as the person’s own goals and needs and the adequacy of the person’s reentry plan or prospects on release, to include:
  - The person’s employment history and occupational skills;
  - The person’s education, vocational training, and other training;
  - The physical and mental health of the person as they reflect upon the person’s ability to perform his plan of release and comply with the conditions of release; and
  - The person’s family situation and other support system, including:
    - The person’s family status, including whether his relatives intend to support his or her plan for release;
    - Whether he or she has other prosocial associations in the community;
    - The availability of adequate housing; and
    - The availability of community resources;
- The age of the person at the time of the offense and the diminished culpability of youth, to include immaturity and failure to appreciate risks and consequences, where applicable.
- The family and home environment of the person at the time of the offense.
- The degree to which the person demonstrates that they have changed during the term of incarceration, which includes but is not limited to, consideration of the person’s level of motivation to successfully reenter society and whether the person demonstrates an understanding of the person’s risk factors and crime cycle, and any subsequent growth or increase in maturity during imprisonment.
- The following mitigating factors will be considered by the board for individuals who were under age 18 at the time of the offenses for which they were convicted<sup>4</sup>:
  - The chronological age of the person at the time of the offense and that age’s hallmark features, including intellectual capacity, immaturity, impetuosity, and a failure to appreciate risks and consequences.
  - The family and home environment of the person at the time of the offense, the person’s inability to control their surroundings, a history of trauma, and the person’s school and special education history.
  - The circumstances of the offense, including the extent of the person’s participation in the conduct and the way familial and peer pressures may have impacted the person’s conduct.
  - Whether the person might have been charged and convicted of a lesser offense if not for the incompetencies associated with youth such as the inability to deal with police officers and prosecutors during the person’s interrogation or possible plea agreement, or the person’s inability to assist their own attorney.
- Any other factors which the board determines to be relevant.

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<sup>4</sup>2967.132; 5120:1-1-07.4

## Parole Board Process and Timing

### INITIAL VERIFICATION

<b>Timeframe:</b>	Within 90 days of admission to DRC.
<b>What to expect:</b>	Persons subject to parole release review will receive verification of the month and year upon which they become eligible for parole.

### OFFENDER AND VICTIM CONFERENCE DAYS

<b>Timeframe:</b>	Offender Conferences are scheduled approximately one to two months before you are scheduled to be heard by the Parole Board.
<b>What to expect:</b>	<p>Family or supporters who have an interest in someone who is scheduled to be heard by the Parole Board may attend. These conferences are held in Columbus, Cleveland, Canton, Dayton, and Toledo, or via video conference.</p> <p>The family member or supporter should focus on plans for assisting with transition. Try to avoid talking about how the person has served enough time. Also avoid talking about discipline tickets.</p> <p>If a support person cannot attend in person, that person can schedule a telephone conference. To schedule a conference at the appropriate time, they should call the Parole Board at 614-752-1200 or 888-344-1441.</p>
<b>Victim Conference days:</b>	You should know that victim conferences are also scheduled to offer victim's representatives an opportunity to be heard by the Parole Board member. Victims and their representatives have a right under Ohio law to attend a victim conference.

### INSTITUTION PANEL HEARING

<b>Timeframe:</b>	This will occur after the Offender and Victim Conference days, generally 30 to 60 days prior to the "review date."
<b>What to expect:</b>	<p>First and continued hearings are often conducted by a hearing panel that includes most of the Parole Board members who appear by video conference. The individual being considered for release is present and may have an attorney and/or special needs facilitators. A prosecuting attorney may also appear. The person's attorney and prosecutor can observe the hearing virtually but cannot appear in person, participate, or record the hearing. The person being considered for parole is given the opportunity to speak, answer questions, and respond to any information disclosed during the hearing and provide any information relevant to the release decision. If the person being considered for release was under age 18 at the time the offense occurred, their attorney can participate pursuant to <u>R.C. 2967.132</u> and DRC rules and policy, but the prosecutor cannot participate.</p>
<b>Potential results of this hearing:</b>	<p><i>Release onto Parole Supervision:</i> This occurs if there are enough Board members to reach a quorum (more than 50%) and they agree that release onto Parole Supervision is appropriate. If this occurs, you will be given a <i>parole on or after date</i> (POA) of 60 days or more into the future. <i>Note: If opposition to your release is received within that 60 days, you will be scheduled for a Full Board Hearing and your status will change from PRD to Parole Pending Full Board Determination (PPFBD).</i></p> <p><i>COBR (Central Office Board Review):</i> This occurs if (a) there are not enough Board members on the panel to reach a majority; or (b) if there are enough Board members, but they cannot reach a majority decision on what to do. In these cases, the matter is scheduled for COBR, where all Board members vote to reach a majority. Outcomes of COBR can include (1) Release onto Parole Supervision; (2) Continue (flop) for an amount of time; or (3) Parole Pending Full Board Determination (PPFBD). COBR generally occurs within 60 days of the Panel Hearing.</p> <p><i>PPFBD (Parole Pending Full Board Determination):</i> This occurs either (1) after the Panel Hearing; or (2) after COBR. If there is <i>opposition</i> to your release, then a full hearing in front of the Board will be scheduled, generally within 90 days.</p>

## FULL BOARD HEARING

<b>Timeframe:</b>	This is scheduled several months after the Institutional Panel Hearing.
<b>What to expect:</b>	You will be contacted by a representative of the Parole Board to see if you want representation by the Ohio Public Defender or if you wish to use your own attorney. Prior to the hearing, your attorney will submit a summary outlining your accomplishments, release plans, and other relevant information. At the hearing, your attorney and supporters will speak on your behalf and answer questions from the Board. Additionally, anyone that is opposing your release onto parole supervision will have an opportunity to speak and the Board will have an opportunity to ask them questions. Then, the Board will take a break to deliberate.
<b>Potential results of this hearing:</b>	<p><i>Continuation (flop):</i> This occurs when the majority vote is to <i>not release</i> you onto parole supervision and the continuance can be anywhere from 12 to 120 months.</p> <p><i>Release onto Parole Supervision:</i> This occurs if there are enough Board members to reach a quorum (more than 50%) and they agree that release onto parole supervision is appropriate. If this occurs, you will be given a <i>projected release date</i> (PRD) of 60 days or more into the future. <i>Note: Parole can and will be rescinded if you receive any institutional infractions between the time of the decision and your actual release.</i></p>

*Special note:* Early Release Consideration—A person who was denied release at their last regular parole release hearing and was scheduled for their next parole hearing 7 years or more after the date of that hearing will be scheduled for release review after half the length of the continuance. The release review will determine whether a hearing should be held prior to the original continued hearing date. At that time, the Parole Board may also recommend programming for the person to participate in prior to their next scheduled hearing.<sup>5</sup>

<sup>5</sup>DRC Policy 105-PBD-03.



# How to Prepare FOR THE INSTITUTION PANEL HEARING

## Develop Your Reentry Plan

It is important to explain to the Parole Board what your plan is for when you are released. You want to show how you intend to support yourself and how you plan to become a responsible and productive member of the community. Understandably, it can be difficult to come up with concrete plans for when you get released. The more time you give yourself to work out a game plan, the more confident you will be with it.

*Note: There is a worksheet in [Appendix B](#) that gives you space to answer these questions. Read this section first so you can best answer the questions.*

### IMPORTANT PARTS OF A REENTRY PLAN

#### Housing

Housing is one of the most critical parts of successful reentry into the community. The Parole Board will not release someone without adequate housing. You should begin by thinking about where you will live and who you will live with. You can reach out to family and friends to see who you can live with. Then, ask that person to write a letter explaining that they are willing to let you stay with them, and for how long. If you are unable to find housing through family and friends, you should seek out potential transitional or temporary housing. Sometimes case managers can assist with identifying housing options for you. If you identify temporary or transitional housing, you should have a plan for where you will live afterwards. Please be aware the Parole Board may not approve of living with a significant other and out-of-state placements should be with an immediate family member.



#### Employment

Finding employment before your release is easier said than done. Without knowing exactly when you would be available to work, it can be very difficult to discuss employment terms and conditions. But, you can start thinking about reasonable options for employment. Be thinking about the kinds of jobs you might want when released and that will be most available to you. Any employment is good employment. However, if you know the type of job you want to have when released, you can focus your efforts on education, trade programs, and certifications at the facility that can move you closer to your ideal job. Even if you are not able to obtain confirmed employment at the time of your Parole Board hearing, the Parole Board will look positively on your efforts to increase your employability while in the institution. Friends and family outside of the institution can be helpful in looking for and speaking with potential employers.

#### Transportation

Transportation is a critical piece of your reentry plan because you need to get to work, school, and/or your PO's office. The transportation that is available to you can ultimately influence where you can live and work. What forms of transportation will be available to you when you are released? Will you have access to a car? What about public transportation or a bicycle? Will you need to rely on friends and family for transportation? Or, will your basic needs need to be within walking distance of where you live? The Parole Board will be very interested in knowing how you plan to get to and from employment, your PO's office, and any other places necessary for your successful reintegration into the community.

#### Support Network

The Parole Board will want to know who you will be around that will be a positive influence on you when you are back in the community. These can be friends, family members, mentors, or organizations. Consider asking if these people or organizations would be willing to write letters of support for you. These letters should explain how they can help you be successful. The Parole Board will also want to know who you will be around that could be a negative influence on you

and how you will overcome that challenge. Right or wrong, the Parole Board will often assume the kinds of activities you will engage in by who you choose to hang out with. It is very important that you make efforts to distance yourself from potential negative influences out in the community. While the Parole Board can see who is on your visitation list and who has visited you, it cannot always see who calls you or keeps in touch through jpay or video visitation. Sharing that information can help build a more complete picture of who has remained in touch during your incarceration.



### **Programs and Classes**

Think about what programs and classes you will engage in after you are released to foster success. Examples of these kinds of programs are: AA and NA meetings, counseling, parenting classes, anger management, educational programs, and religious service.

## **Demonstrate Your Success**

A huge part of having a positive Parole Board Hearing is demonstrating how successful you have been while incarcerated. This means pointing to behavior and activities which show how much progress you have made towards being rehabilitated.

Below is a list of popular areas that you will want to demonstrate success in when preparing for a Parole Board Hearing. This list is by no means all the things you should consider discussing at a Parole Board Hearing. Remember, anything you do at the institution that demonstrates your successful rehabilitation is potentially worth bringing up at the Parole Board Hearing.

### **GOOD BEHAVIOR**

It is crucial that you be able to show good behavior at the institution. This means avoiding institutional violations, and any actions that may lead to your security level rising. You want to have at least several months of good behavior to present to the Parole Board. The longer this streak of good behavior is, the better it looks. You should also be prepared to respond to questions about any rule violations that you have received.

### **COMPLETION OF PROGRAMMING**

Ideally, you want to show that you have finished all programming that you were required to complete while at the institution. If there is a legitimate reason as to why you have not completed a required program (something you had no control over) then it is very important that you provide that explanation to the Parole Board. If you can, keep notes on when you sign up for a program but are not allowed to participate for some reason. Other programming completed in prison may help to show that you have taken a serious look at your prior crime and have taken proactive steps to improve yourself and limit the risk that you will engage in negative behavior.

Programming should align with the offense. For example, if the crime is homicide of a significant other, a batterer's intervention would be an excellent choice for programming. For a higher risk sex offender, comprehensive sex offender programming is ideal. If your offense involved alcohol or drug use or you had an early onset of abuse, seek out Recovery Services programming. And, be willing to transfer to another prison if the appropriate programming is not available at your parent institution.

### **PROSOCIAL ACTIVITIES**

You want to be able to demonstrate that you have engaged in activities that show a willingness to cooperate with others, and that benefit other people or society. Examples of this include volunteering or mentoring. Because these kinds of activities are often not mandatory, it looks particularly good when you can point to these activities since it demonstrates your willingness to connect and help those around you even when you are not told to.

### **EDUCATIONAL PROGRESS**

Educational success is often tied to general success when someone is released from an institution. Because of this, being able to demonstrate academic success is important. This also applies to trade classes and certifications that you gain while incarcerated. All these things demonstrate your ability to learn and increase your employability.

## POSITIVE ATTITUDE

The Parole Board will want to see that you are confident in your rehabilitative progress and that you are eager to continue with that progress. The Board will also want to see that you have genuine remorse for the actions that led to your incarceration and genuine empathy for the victim and victim's family. It is important to remember that showing no signs of remorse or trying to minimize or dispute your conviction can be incredibly damaging to your odds of being released.

## THINK OUTSIDE THE BOX

This list is not meant to be the only things you should consider. Take time to consider anything else you have done at the institution that demonstrates your successful rehabilitation. Put yourself in the shoes of the Parole Board and try to think about the things you would want to see someone demonstrate that would make you more likely to release them. If you find yourself struggling to find things you have done to demonstrate your success, there is no better time than right now to begin doing things that will demonstrate your rehabilitation.

## Practice What You Will Say

Practice makes perfect. You should go into your Parole Board Hearing knowing what you want to say. This also means being prepared to answer questions by the Parole Board. Remember that *how* you say something can be just as important as *what* you are saying. If you come off as combative, disinterested, or insincere it can significantly damage your odds of success at the hearing.

Be prepared to discuss the facts surrounding your case, your reentry plan, your time at the institution (including any positive or negative behavior), your family support, your prosocial behavior and activities, your educational success, and any programs you are required to complete. If you think about what you will say and how you will say it before your hearing, you are much less likely to be caught off guard or feel flustered and uncomfortable when you are in front of the Board. You should also practice being respectful when addressing the Board and avoid using swear words or slurs. Consider preparing a short statement to conclude the hearing.

## Mental Preparation



It is natural to feel a mix of emotions about your Parole Hearing. You may feel scared or anxious about the hearing itself; about being denied parole; or even about being granted parole. Even when thinking about the best-case scenario, your mind could quickly turn to the number of challenges and obstacles you will have to deal with once you are released from the facility. This is okay and completely normal! Everyone, whether they are incarcerated or not, can feel stressed or anxious about the obstacles in their life.

Here is a question for you: Are you feeling stressed about your hearing because you feel unprepared? If so, that is what this toolkit is for! You may find that a lot of your anxiety can be reduced by being better prepared for your Parole Board Hearing.

Of course, even if you are as prepared as you can be, you can still feel a flurry of negative emotions about the hearing. Again, this is completely normal. When, despite your best efforts, you still feel overwhelmed with negative emotions, it can help to practice mindfulness in the form of activities like meditation and yoga. There are many benefits to practicing meditation and/or yoga. Both can help you manage your emotions and influence how you react to forces outside of your control. For more information on meditation, mindfulness, and yoga, please refer to the appendix for yoga and meditation exercises, and additional resources. To find out what resources your institution has regarding mindfulness, meditation, and yoga, you should talk to your case manager.

# How to Prepare FOR A FULL BOARD HEARING

When preparing for the Full Board Hearing, many of the same suggestions from the last section will apply.

*Note: As of November 2021, Full Board Hearings are being held virtually.*

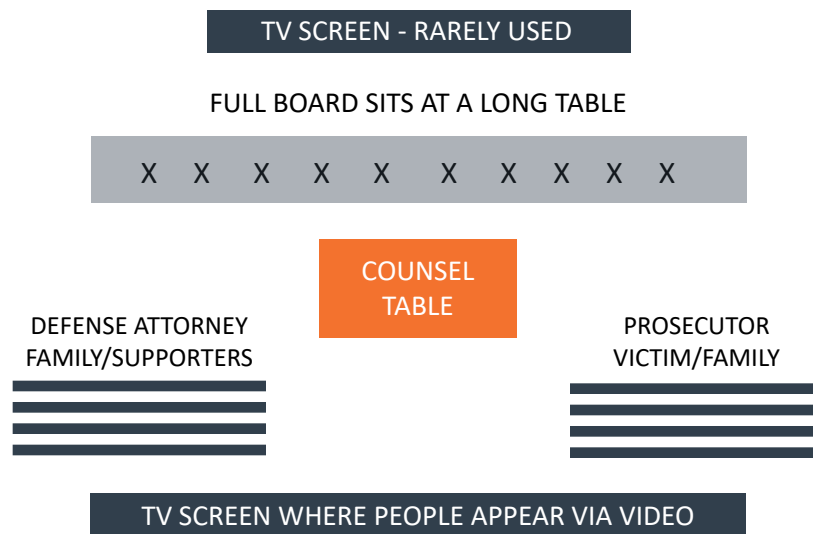
## Working with Your Attorney

Speaking with your attorney will also be very helpful in navigating this process, and likely reduce some of the anxiety you may be feeling as described in the section above. But in order for attorneys to be the best advocate they can be for you, they will need to know a lot of information about you. Although some information will be easy to talk about, some might be more difficult. To prepare for meeting your attorney, please set aside time before your first meeting to fill out the form that begins below. The more detail that you provide in your answers, the better. Your meeting may not be very long, so having this information all written down will help make sure that you do not forget any details.

Please fill out the worksheet in Appendix B *before* you meet with your attorney. Give yourself some time to fill out the form, as some of it may require you to gather information. Be honest and thorough with your attorney.

## Room Map

### PAROLE HEARING ROOM LAYOUT



# IF PAROLE IS DENIED

By following this Toolkit step by step, you'll be putting yourself in the best position possible. However, even if you follow all these steps, it is important to remember that parole is rarely granted on the first attempt. So, keep in mind that if you are denied, you should not take it personally. Denial now does not mean that the Board will not grant parole in the future.

If the Board denies parole, it may issue a continuance of 1-10 years. This means that you will not be eligible for parole until that period ends. For example, if the Board issues a 2-year continuance, then you will not be able to go through this process again until those 2 years have ended. This is often called being "flopped."

If you are denied, you could experience all of the feelings that come along with any significant rejection. If you experience these feelings, it is crucial that you touch base with your support system (family, a psychiatrist, religious leaders, friends, etc.). If you know other people who have been denied parole, speak to them about their experience and how they coped.

It may also help to reflect on the feedback you received from the Board so that you can prepare for your next Parole Board Hearing in the future. See [Appendix C](#) for recording notes on your Parole Board process.

Most importantly, do not give up hope. It is very understandable that you will be disappointed if you are denied parole, but it is also important that you "bounce back" and continue showing your positivity and readiness for life in society even after being denied.

*I am fundamentally an optimist.  
Whether that comes from nature or nurture,  
I cannot say.  
Part of being an optimist,  
is keeping one's head pointed toward the sun,  
one's feet moving forward.  
There were many dark moments  
when my faith in humanity was sorely tested,  
but I would not and could not  
give myself up to despair.  
That way lays defeat and death.*

— Nelson Mandela —

# SPECIAL CIRCUMSTANCES

## If You Were Under the Age of 18 When the Offenses Happened

### Senate Bill 256 Kids Sentenced as Adults – Parole Eligibility Summary

#### The U.S. Supreme Court and Ohio Supreme Court have ruled:

- For non-homicide offenses, kids cannot receive life sentences<sup>6</sup> or sentences that exceed their lifetime.<sup>7</sup>
- For homicide offenses, kids cannot receive mandatory life without parole because kids have “diminished culpability and heightened capacity for change.”<sup>8</sup>

#### Bill Summary

- SB 256 applies to anyone who was under age 18 at the time of the offenses for which they were convicted and sentenced.
- SB 256 abolishes the sentence of life without parole for kids in future cases.
- SB 256 became effective on April 21, 2021.

#### Parole Eligibility

- The bill provides parole eligibility as follows:
  - If the person was the principal offender in 2 or more homicide offenses in the same or separate incidents, then parole eligibility begins after serving 30 years.
  - For all other homicide offenses, parole eligibility begins after serving 25 years.
  - For all non-homicide offenses, parole eligibility begins after 18 years.
- The bill does not provide parole eligibility for “Aggravated Homicide Offenses,” defined as the “principal offender” in the purposeful killing of 3 or more persons, or an act of terrorism that involves murder or aggravated murder.
- Parole eligibility does not guarantee release. The bill provides people convicted of crimes that occurred when they were children with a meaningful opportunity for release, to show the Parole Board that they have been rehabilitated and pose no threat to the community.
- If the Ohio Parole Board denies release, the Board must hold the next review within 5 years. In December 2022, the Ohio legislature passed SB288, which requires, beginning April 3, 2023, the Board to schedule the next review in accordance with rules adopted by DRC (currently up to 10 years).

#### Mitigating Factors

In addition to other factors, the Ohio Parole Board must consider mitigating factors associated with youth:

- The chronological age of the person at the time of the offense, including intellectual capacity, immaturity, impetuosity, and a failure to appreciate risks and consequences;

<sup>6</sup>*Graham v. Florida*, 560 U.S. 48 (2011).

<sup>7</sup>*State v. Moore*, 149 Ohio St.3d 557 (2016).

<sup>8</sup>*Miller v. Alabama*, 567 U.S. 460 (2012).

- The family and home environment of the person at the time of the offense, the person's inability to control their surroundings, a history of trauma, and the person's school and special education history;
- The circumstances of the offense, including the extent of the person's participation in the conduct and the way family and peer pressures may have impacted the person's conduct;
- Whether the person might have been charged and convicted of a lesser offense if not for the incompetencies associated with youth such as the person's inability to deal with police officers and prosecutors during an interrogation or possible plea agreement, or the person's inability to assist their own attorney; and
- Examples of the person's rehabilitation, including any subsequent growth or increase in maturity during imprisonment.

**Senate Bill 256**  
**Kids Sentenced as Adults – Parole Eligibility**  
**Frequently Asked Questions**

**I was under the age of 18 at the time of my offense(s). Does SB256 apply to me? Yes.**

**I was 18 years old or older at the time of my offense(s). Does SB256 apply to me? No.**

**Does SB 256 change my sentence?**

Technically, no. SB256 does not change the sentence given to you in court by your sentencing judge. SB256 may provide earlier parole eligibility than the sentence you received in court.

**Will I go back to court?**

No. The DRC and Ohio Parole Board are currently working to identify everyone impacted by SB256 and will update the system to display your parole eligibility date on the kiosk or your tablet.

**I was given a determinate sentence for non-homicide offenses, am I now eligible for parole?**

Maybe. Even if you were not parole eligible based on the sentence you were given in court, if you were under the age of 18 at the time of your offenses and you were sentenced to more than 18 years for non-homicide offenses, you will now be eligible for parole after serving 18 years.

**I was under 18 and sentenced to LWOP, am I now eligible for parole?**

Yes. Unless you were convicted of what is now known as an “Aggravated Homicide Offense” which is defined as being the “principal offender” in the purposeful killing of 3 or more persons, or an act of terrorism that involves murder or aggravated murder.

**What if I am denied parole?**

SB256 requires that anyone under the age of 18 at the time of their offense who is denied parole must be scheduled for a subsequent Parole Board Hearing within 5 years. In December 2022, the Ohio Legislature passed SB288; which requires, beginning April 3, 2023, the Board to schedule the next review in accordance with rules adopted by DRC (currently up to 10 years).

**I had a parole review in the last few years but was continued for more than 5 years. Will I be reviewed sooner because of SB256?**

Yes, if your parole review hearing occurs prior to April 3, 2023, you can be continued up to 5 years and you will receive a parole review date if you were given more than 5 years. Starting April 3, 2023, the Board will schedule the next review in accordance with rules adopted by DRC (currently up to 10 years).

**My sentence provides for parole review earlier than 25 or 30 years for a homicide offense(s). Will my parole eligibility be pushed back?**

No. If your sentence allows for parole eligibility earlier than provided in SB256, you will receive parole eligibility at the earlier opportunity.

**What are the different types of supervision based on how a person is released?**

- If you are eligible for and are granted judicial release by your judge, you will be placed on community control for up to 5 years, and any violation could return you to prison to complete your determinate sentence.
- If you are released on parole, you will likely be supervised for 5 years, and any violation could return you to prison to complete your prison sentence. If you are returned for a technical violation, you would be reviewed by the Parole Board every 5 years. If you are returned for a new felony offense, you would become eligible after serving the new felony sentence, and then every 5 years.



- If you complete a determinate sentence, you will be placed on PRC for as long as 5 years, and any violation could return you to prison in 9-month increments for up to half of your original prison sentence.

**How should I prepare for my parole review?**

Use the Parole toolkit to help you prepare. Good behavior, education, and treatment programs for which you are eligible as well as having a reentry plan are all important factors. A reentry plan should include where you intend to live, employment opportunities, and what supports you will need upon release.

**What if I have not been able to complete many programs because my sentence made me ineligible?**

You may become eligible to complete additional programs with your new parole eligibility date. Talk with your caseworker. If you began using substances at a young age, if substance abuse contributed to your offenses, or if you have infractions for use while incarcerated, contact Recovery Services for an assessment. The best thing to do is maintain good behavior and sign up for programs once eligible. The Parole Board does not expect you to complete programs that are not available to you.

**Will an attorney be able to represent me during my parole review?**

The Ohio Public Defender's Office will be working to represent as many people as possible during their parole reviews. We will also be working with County Public Defender Offices and other lawyers to provide legal assistance.

**How will I know when I will be reviewed for parole?**

At first, a large number of individuals will become eligible for parole because of SB256. The OPD is working with DRC and the Ohio Parole Board to identify everyone and schedule those reviews. This may take some time. Your parole eligibility date will appear on the kiosk or your tablet.

**What if I still have questions?**

The Ohio Public Defender Office has a working group of staff called the Kids in Adult Prison Working Group, or KAP. You can write questions to our office at: Office of the Ohio Public Defender, Attn: KAP Working Group, 250 East Broad Street, Suite 1400, Columbus, OH 43215.

**What if SB 256 applies to me but I do not receive a new parole eligibility date?**

If you are not given your parole eligibility date or believe your current date is incorrect, please write to the KAP Working Group at the address above and we will review your case.

## Information for Families

If you are a family member or a close supporter of a person being considered for parole, there are many ways you can be involved and help improve the likelihood of both a successful grant of parole and a successful reintegration into the community upon release. If the person who is incarcerated is having difficulty getting into programming for example, consider calling the case manager to ask about the situation and how you can help.

### PAROLE PLAN

A parole plan has many parts, as it tries to address the needs of the person who will be reentering the community. Just as different people's needs can vary dramatically, there can be significant variation in parole plans. Nonetheless, there are some areas that should always be considered to identify if your loved one may have needs.

### PLACEMENT

One of the first questions to answer is where the person will live after they are released. That may be with you, another friend or family member, or starting with a community program. Regardless of the choice, you should provide details. This is where you can often provide details that the person being released may not know.

#### **If the person being paroled will be staying in a private home:**

- Who else will be living there?
- Will the person being paroled have their own room? *Note: This is a basic requirement.*
- Will other residents be able to support/assist/oversee the person being released?
- Are there any guns in the home? *Note: The person being released will not be permitted to be around firearms.*
- If there are guns in the home, is the owner willing to move them off site?
- If the person being paroled has sex offender restrictions:
  - How close is the home to schools or daycare sites?
  - Are there any minors living in or visiting the home?
  - If there will be minors who visit, what is the plan to make sure that the person being released will not be present?
- Is there a person in the home who has significant medical, care, or other assistance needs?  
If so, how will you make sure that the person being released is not responsible for providing that assistance?

*Note: From the Parole Board's perspective, it is a difficult process to reenter society after many years of incarceration. They do not want people to be distracted from the important work of reentry due to filling a caretaker role.*

- Is the private home with a fiancée or a person who is a romantic interest?

*Note: Both are disfavored by the Parole Board. Romantic relationships are complicated for everyone and can be stressful at times. The Board worries that the stress of a new relationship on top of all the significant adjustments needed to successfully reenter society risks setting people up to fail. We recommend against living with a fiancée or romantic partner as a primary release plan unless there are no other options.*

### **If the placement is out of state:**

- A supervision plan including a description of why the person will be more successful in that state, what the support system there will look like, how the person will support themselves, and the living arrangements will be required.

### ***Mandatory Transfers***

- Will this be in the home of a direct family member? *Note: Fiancées are not considered family for this purpose*
- Does the person have a prior history of residency in that state before incarceration?

### ***Discretionary Transfers***

- Would the person's transfer to that state improve public safety?
- Are there significant rehabilitation opportunities there, which the person lacks in Ohio?
- Would it protect a victim(s) and/or their rights for the person to be moved out of state?
- What is the plan if the person is released prior to the transfer being approved OR if it is denied?

*\*Generally, a person cannot be released to another state simply due to preference. There will need to be a strong connection to the receiving state or justification and the receiving state must agree to accept the person on parole.*

### **If the placement is with a community program (such as a Halfway House or Treatment Program):**

- How long does the programming last?
- What type of programming do they provide?
- Do they have useful numbers regarding successful completion or reduction in recidivism?
- How long can the person stay after programming ends?
- Do they provide housing assistance?
- What is the plan following the end of stay with the program?  
*Note: If it is independent housing, make sure you have a plan if housing cannot be quickly located.*
- Will the program accept people with the person's offense history?  
*Note: Sex offenses and Arson both complicate acceptance to many programs.*
- Does the program predict having space within the likely release timeframe?
- Can you get a letter attesting to some of these facts and potentially stating that they are likely to accept the person being released based on the information they have so far?

*Note: Most programs will be unwilling to commit until they have a date and the person's full information from the prison system.*

### **OTHER AREAS**

Aside from placement, you should look into the other areas listed in the [Develop Your Reentry Plan section](#), including Financial Support, Transportation, Support Network, and Programs and Classes. As a person living outside of prison you are likely in a better position to confirm some of that information, such as availability of public transportation, job prospects, availability of supportive services (such as addiction recovery and/or mental health), and program and class details.

## Awareness of Criminal History

As a community member supporting a person reentering society from prison, the Parole Board will expect you to have a clear understanding of that person's original crime. If they see you as not knowing the person's criminal history, this will suggest to them that the person may not have been entirely forthcoming with you, may have minimized their conduct, or has not fully accepted responsibility for and come to terms with their actions. While you, no doubt, have some understanding of the original crime, it is worth reengaging on this topic and going through all the details with the person who is going through this process. This will make sure that the Parole Board sees you being fully aware of the person's history, which it will see as you being in the best position to hold the person accountable to avoiding future criminal conduct, following targeted conditions of release, and focusing on reentry.

### ***\*Special Case—If you believe that your loved one is innocent\****

The Parole Board does not determine guilt or innocence. Rather, its role is to decide whether the person has served an appropriate amount of time for the conduct they were found guilty of and has a strong reentry plan, limiting the risk of future injury to the community. You must recognize that it is critical that you be actively involved in supporting the person upholding their conditions of release. Those conditions may not seem as critical to you, if you believe the person is innocent. Yet, the Parole Board considers them essential to protect the life and safety of others in the community; you should look at them in the same way. Nothing will stop you from pursuing relief in a court to have a conviction overturned. Until then, you must act as if the person was, in fact, guilty of the charges they were convicted of.

## Registration Duties

Most people being released on parole have some sort of registration duty. This can be on the Violent Offender Registry, Arson Registry, or Sex Offender Registry. We cannot get into all the details of each duty here, but they are important to follow. Each requires registration with the county sheriff. Failure to register can be charged as a new felony and will be a parole or post-release control violation. Have a clear conversation about this with the person you are supporting and that person's parole officer, once assigned.

## Communications with Parole Officers

Parole officers are there to help assist in the reentry process and make sure that the person released on parole is faithful to the conditions of their release and other obligations. Please feel free to reach out to the relevant parole officer and establish good communication. If the person released is struggling, the parole officer, in some cases, can help connect them with supportive resources in the community. This can aid people in their reentry before a struggle becomes a violation of parole. The Parole Board will value your willingness to engage, as they see it as a predictor of better outcomes for people receiving parole.



## Support Letters

Not everyone will have the time or opportunity to speak with the Parole Board directly on behalf of the person whose release you are supporting. Letters of support provide documentation to the Board from people that the Board would otherwise not have the opportunity to hear from and become part of the permanent file.

Consider sharing how you have remained or became involved with your person over time. The longer you have been connected, the better. Share what role you would expect to play in the person's life upon release and how you will be able to support them. While the more robust support is preferable, even providing someone to talk with and get advice from (social support) is valuable. People have many different needs. How do you see yourself helping to fill the needs of the person you are supporting?

We recommend reviewing these letters with the person you are supporting before forwarding them to the Board, so that everyone is on the same page. If there is an attorney involved on your person's behalf, you should also speak with them before sending your letter to the Parole Board. They may have recommendations or valuable feedback to share, which might help to improve your letter. See appendices D and E for guidance on writing a support letter.

*While it is important to be aware of the past,  
"Dwell on the future, not the past."*

# APPENDICES

# Appendix A

## CHECKLIST

- Doublecheck which law applies to you and what this means for your parole process. ([page 3](#))
- Use the [What to Know Early in Your Sentence section](#) to remind yourself how to appropriately use social media, Jpay, GTL, other types of email or video messaging, and the phone. ([page 5](#))
- Look over your visitor list to make sure it contains only appropriate visitors and no one who may negatively impact your parole process. ([page 6](#))
- Look into the programs and classes offered by your institution. Consider which ones would be best to help you in the parole process. ([page 6](#))
- Regularly go through and organize your records. Remember to make copies and keep everything. ([page 6](#))
- Remember the value of a clean institutional record and focus on keeping a clean record or working to improve your record. ([page 6](#))
- Review the “Parole Don’ts” to make sure you are not negatively impacting your chance of parole in any way. ([page 8](#))
- Reach out to family and supporters to ask for letters to help you in the parole process. The mailing address for letters is on page 9 and other helpful information and examples of letters can be found in appendices [D](#) and [E](#).
- To help prepare for your Full Board Hearing, fill out the included worksheet before meeting with your attorney. ([Appendix B](#))
- Review the [What to Expect During the Parole Board Review Process section](#) to learn about what the Parole Board is, the standard for release, what information the Board will review, and details about the process and timing of each step. ([page 9](#))
- Develop your reentry plan. Important things to focus on are housing, employment, transportation, and your support network. ([page 14](#))
- Take time to practice what you will say to the Board. ([page 16](#))
- Do your best to mentally prepare for your Parole Hearing. ([page 16](#))
- Review the parole hearing room map so you know what to expect ([page 17](#))
- Prepare for all outcomes by reading the [If Parole is Denied section](#). This also includes a section about how to prepare for parole a second time if you aren’t released this time. ([page 18](#))
- Share the [Information for Families section](#) with your family and supporters so they can best help you. ([page 23](#))
- Review the Appendices for helpful resources such as templates for letters of support, information on two programs you may consider upon release, mindfulness exercises, book recommendations, and helpful definitions. (starting on [page 26](#))

# Appendix B WORKSHEET

Please fill out the worksheet below *before* you meet with your attorney. Give yourself some time to fill out the form, as some of it may require you to gather information.

Did you go to trial or enter a plea? Please circle:            Trial            Plea

Have you ever filed any appeals or post-conviction motions? Please circle:            Yes            No

If yes, please explain:

Who is on your visiting list? (Please fill out the table below):

Name	Relationship to you?	How often do they visit?

If you have additional visitors, please list here:

Name	Relationship to you?	Form of communication (email, phone, letter, etc.)	How often do you communicate? (every day, once a week, etc.)

You may have two speakers (plus your attorney) at your Full Board Hearing. Who do you plan on having speak?

Name	Relationship	Phone number	Have they confirmed their attendance with the Board?

The next few questions will be about your re-entry plan. To help make the best re-entry plan possible, please refer to pages 14-16 of this toolkit.

What is your re-entry plan? (Please circle):      Halfway House                      Staying with an individual

If it is a Halfway House, have you contacted them? (please circle)      Yes                      No

If it is staying with an individual, please fill out this table:

<b>Name</b>	<b>Relationship to you</b>	<b>Have you lived with them before?</b>	<b>Do they rent or own their residence?</b>	<b>What is their address?</b>

What are your financial plans? (Please explain):

Do you have money saved? Please explain:

Do you plan to work? (please circle)                      Yes    No

If yes, do you have any leads on employment? Please explain:

If no, are you eligible for veteran’s benefits, Social Security, etc.? Please explain:

Please explain any steps you have taken in the institution toward your education (for example, have you taken GED courses, finished your GED, taken college courses, etc.)

Have you completed any vocational training (for example, an apprenticeship, OPI, etc.)?



What prosocial programs have you participated in (for example, Victims Awareness, T4C, Cage your Rage, etc.)?

If you have, please explain them. For more explanation on prosocial programming, see [page 15](#).

### **SPECIALIZED PROGRAMMING QUESTIONS**

If you took part in mandatory and/or comprehensive sex offender programming:

Do you have a relapse prevention plan? Please circle: Yes No

If yes, have you shared it with your support system?

If you took part in Treatment Readiness, IOP, or Recovery Maintenance:

Do you have a relapse prevention plan? Please circle: Yes No

If yes, have you shared it with your support system?

Has the Board previously requested that they want to see you complete additional programming?

Please circle: Yes No

If yes, did you complete the program?

If no, why not?

Do you have any chronic physical or mental health issues? Please circle: Yes No

If yes, please list all conditions:

Do you take medication? Please circle: Yes No

Are you compliant with all treatment recommendations, such as always taking your medication?  
(Please circle) Yes No

How long has it been since your last institutional ticket?

Have you ever had a ticket for violence or sexual acts?

## PREVIOUS PAROLE BOARD INTERACTION

*Note: Especially for the previous two questions, err on the side of over-sharing with your attorney. One of the worst things that can occur at your hearing is that a Parole Board member asks about something that they feel is significant and your attorney has no knowledge of the event/issue and cannot provide an answer. Maybe you got caught up in an institutional investigation, but never received a ticket. Maybe you had a loved one that tried to send you contraband in the mail. Maybe you have had someone restricted from your visiting list. Tell your attorney! Please also share if the Board has previously brought up other concerns. Your attorney needs to know!*

The next few questions are about any previous interactions you have had with the Board. It is important for your attorney to know how often you have seen the Board and how your communication with them has been over the years.

Is this your first Full Board Hearing? Please circle:            Yes                    No

What have you told the Board about the facts of your conviction? Has what you told them remained consistent or has it changed? For example, did you tell them the first time that you did not commit the crime but then later accepted responsibility?

Have you written any letters to the Board? Please circle:            Yes                    No

If yes, what did you say in the letters? Please explain:

At your Panel Hearing, did the Board seem concerned about anything? Please circle:    Yes                    No

If yes, what did they seem to not like or not believe? What were they worried about?

Has your release plan changed since your last meeting with the panel? Please circle:    Yes                    No

If yes, why did your plans change?

## GATHERING MATERIALS

Finally, unlike in a court setting, your attorney does not get a copy of everything in your parole file. Because of this, it is good for you or your family members/support people to keep copies of important documents. Here is a checklist of some documents you should consider getting copies of:

- Program Certificates
- Staff Input forms
- Support Letters
- Relapse Prevention Plan(s)
- Victim Awareness Letter(s)
- Any ticket—even if it doesn't rise to RIB—between the time you see the panel and your eventual release from prison can stop your parole. *If this does happen, tell your attorney as soon as possible!*

Your attorney can generally obtain copies of medical records, mental health records, and records of your participation in recovery services.

## *Appendix C*

# PAROLE BOARD FEEDBACK EXERCISE

While the experience of going through the Parole Board process is recent and still fresh in your mind, write down answers to the questions below. These notes will be useful later and will offer you the chance to continue learning and growing while waiting for your next hearing.

What did the Parole Board respond positively to?

Did the Parole Board seem to find anything problematic? If so, what?

Were you asked anything that you were not prepared to answer?

Did the Parole Board comment about your education, job performance, your good (or bad) behavior while incarcerated or your letters of support from the community? If yes, what did they say?

# Appendix D

## TEMPLATE LETTER OF SUPPORT

As described on [page 25](#), support letters can be helpful during this process. They can come from friends, families, community members, colleagues, etc. They should be personal and honest.

### Template for Letter of Support

Date  
Board of Parole Hearings  
Re: Person's Name (#)

*Note: If writing on behalf of an organization, use your letterhead or attach a business card.*

Dear Parole Board:

Explain who you are and how you have come to know the person. Here is where you can explain how long you have known them and how often you communicate with them or visit them in person. You may also wish to explain your personal background here. This allows for the Board to fully picture the author of the letter.

Explain why you are writing and the nature of your support. Here are some questions to think about when writing this section:

- Have you provided the person up for parole support in the past?
- If the individual is paroled, will you be providing any further support such as financial or emotional?
- If paroled, do you plan to assist the individual with transportation, food, help finding employment, or housing? If so, explain this in your letter.
  - If you will be opening your home to the individual, explain this in detail (“I live at 123 Apple Drive in Anytown, Ohio, 12345. I have a 3-bedroom apartment with 2 bathrooms...”). The letter should affirm that there are no weapons/drugs permitted in home, regardless of conceal and carry permit.
  - If the letter includes an offer of employment, you should also be specific (include the address, name of employer, the pay, a description of the job, and the number of hours the person will be working).

Describe the person's suitability for parole. This is what the Board is going to be considering, so this part of your letter will be crucial:

- Your opinion about the person's likelihood of success on parole;
- The person's skills, character, good qualities, rehabilitation, and remorse; and
- If the person has helped others in anyway (mentoring, providing advice, leading a group, etc.).

For each part of the letter, it helps to be as specific as possible. If you are explaining that you think the person is personable, share a memory of a time where you saw the person display that trait. Similarly, if you are explaining how a person has cultivated a certain skill, explain how you have seen them use that skill and how it will serve them and help them contribute to society upon release. You may also share memories of this person in this section (for example, if you knew the person as a youth, perhaps share your observations of what their life was like when they committed their offense and how they have changed since then).

Sincerely,

Full Name  
Street Address, City, State, Zip Code  
E-mail  
Phone #

# Appendix E

## SAMPLE LETTERS OF SUPPORT

(Using Template from Appendix C)

### Letter from Friends or Family

1/1/2021

Board of Parole Hearings

Re: Person's Name (#)

Dear Honorable Members of the Parole Board:

My name is Sally Smith, and I am 40 years old. This is a letter of support for my brother, Bob Smith.

Bob is my younger brother, so I have spent my whole life watching him grow. When he was first arrested for this offense, I did not speak to him for a few months. However, apart from those months, we have been very close for our whole lives. Growing up, we were the best of friends and as adults I am thankful that we have remained as close as we have. I usually speak to Bob twice a week on the phone and typically visit him in-person once a month. I am a nurse and have four children. Bob is very kind to all my children, and they all look up to their Uncle Bob. I have been married for 30 years and my husband also has a wonderful relationship with Bob.

While it is true that Bob made very serious mistakes in the past, I am confident that he has been rehabilitated. He is very remorseful about his crime. We have had many conversations on the phone and in person where he has explained the details of what he did and expressed his remorse for his actions. He speaks to me often now about guilt and taking responsibility.

I am very proud of the changes that Bob has made in his life, as they will make him a productive and law-abiding citizen upon release. Growing up, Bob was quick to anger or get into a fight. He was also reckless and often did not think before acting. But today, Bob is calm, kind, and level-headed. He is also much more diligent in his actions. For example, he keeps himself on a strict schedule and has spoken to me time and time again about how he avoids people who are a bad influence on him. Bob is now much more mature, and for that I am grateful.

Bob took part in many programs in prison that I think have helped him to develop the skills I described above. For example, his anger management program taught him how to cope better. He also participated in mentoring programs, of which he is very proud. Along the way, he also participated in educational classes and would talk to me on the phone about how he was becoming a better writer. Because of Bob's sentence, he could not participate in certain programs, but I am thankful that he took the ones that he did.

When released, Bob will be well-supported by his family, friends, and community. If granted parole, we will be prepared to assist in his re-entry.

First, Bob will be able to stay with my husband and I. We live in a four-bedroom home at 123 Apple Drive, Anytown, OH 12345. My children are all grown and out of the house, so we will be able to make plenty of room for Bob. My husband and I have agreed that Bob can remain with us for as long as he needs. My husband and I own 2 vehicles and we will both be able to rotate driving him to work, doctors' appointments, and any other meetings he needs to attend. Anytown also has a bus system and there is a bus stop 2 blocks from our home, so Bob can also take the bus as needed. My husband still works as a teacher and I am retired, so my husband can help during summers and breaks, and I will assist in all other transportation.

My family has also worked to secure various leads on jobs for Bob. Our neighbor managed a restaurant for 5 years and the new manager is prepared to offer Bob an interview upon release to work in the kitchen. Bob enjoys cooking so this would be a great fit for him. However, if he is not hired by the restaurant, our friend owns a construction business and agreed to talk to Bob upon release about assisting him on various projects. If neither of these opportunities work out, my husband and I will provide Bob financial support.

We also have extended family prepared to offer a healthy and strong support system for Bob. My children all live within an hours' drive, as do most of our cousins. Frequent visits will provide Bob a supportive social circle to make sure that he successfully re-enters society.

In conclusion, I want to re-iterate that I think Bob is an excellent candidate for release. He has reformed since his crime, accepted responsibility, expressed remorse, and developed into a great person. If he is released, he will be a productive member of the Anytown community. His re-entry will also be supported by me, my husband, our children, and my neighbors and friends. Most importantly, Bob's own diligence and responsible nature will help him succeed upon re-entry.

Thank you for taking the time to review Bob's application. If you have any questions or concerns, please contact me as I want to help in any way that I am able.

Sincerely,

Sally Smith

123 Apple Drive  
Anytown, OH 12345  
111-222-3344  
sallysmith@email.com

## Letter from Future Employer

1/1/2021

Board of Parole Hearings

Re: Person's Name (#)

Dear Honorable Members of the Parole Board:

This letter is to confirm that upon release, Bob Smith will be employed at Apple Restaurant as a cook. Mr. Smith will be employed full time (40 hours/week) at an hourly rate that will begin at \$13 per hour. Apple Restaurant is located at 123 Apple Road Anytown, OH 12345.

The position will entail Mr. Smith prepping ingredients, cooking meals, and plating the meals to be served. Mr. Smith will also assist with cleanup as needed. If you have any further questions, please feel free to call me at 123-456-7891.

Sincerely,

Mr. Jim Miller  
Owner, Apple Restaurant

## *Appendix F*

# **KINDWAY/EMBARK & EDWINS**

There are a few Ohio programs available that provide you with support and/or training in prison and continue the support on your release. The [Embark](#) program through [Kindway](#) is a Christian ministry and reentry support program that provides ministry and reentry planning while you are incarcerated. It also provides housing assistance, job assistance, active community mentoring, and recovery services. They currently work with people incarcerated at MCI and ORW. They are quite committed and have an excellent track record of helping to support people reentering the community after long sentences.

[Edwins](#) is a culinary arts and reentry program that is operated at [GCI](#) and in Cleveland. If you are interested, but are not incarcerated at GCI, they offer some full-tuition scholarships for the Cleveland program upon release. In addition to culinary arts job training, they offer free housing, legal services, basic medical care, clothing, job coaching, literacy programs and more. Edwins has helped many people successfully reenter their communities and has been gaining national recognition for the strength of their program.

Either of these programs might be able to offer you additional supports to strengthen your release plan. Remember, these programs restrict their housing to those persons who completed their programming in prison.



## Appendix G

# MINDFULNESS READING AND EXERCISES

### Book Recommendations

*Yoga—A Path for Healing and Recovery* by James Fox and the Prison Yoga Project. Anyone can purchase and send books directly to an incarcerated person at no extra charge.

*Full Catastrophe Living* by Jon Kabat-Zinn

*The Power of Vulnerability and The Gifts of Imperfection* by Brene Brown

*Be Free Where You Are* by Thich Nhat Hanh

### Exercises

#### EXERCISE #1: 4 SQUARE BREATHING<sup>9</sup>

4 Square Breathing also sometimes called “Box Breathing” can be very helpful and calming. “Breathing is a powerful, yet simple, relaxation technique that aims to return breathing to its normal rhythm. This breathing exercise may help to clear the mind, relax the body, and improve focus.”<sup>10</sup>

- **What it is:** Square breathing
- **When to use it:** Anytime you feel anxious. It takes as little as 1 minute and can be done anywhere.
- **How long it takes:** 1 minute works but you’ll get more out of the exercise if you do it for 5–10 minutes.
- **How it works:** Begin by paying attention to your breath. Breathe in for 4 counts, hold the breath in for the count of four, breathe out for the count of four, and then pause for the count of four. Repeat the process however many times you want. When your mind wanders (which is normal) just bring your attention back to counting your breath.
- **Why it works:** The exercise helps to slow down your breathing, which communicates to your anxious body that everything is okay.

#### EXERCISE #2: PROGRESSIVE MUSCLE RELAXATION TECHNIQUE<sup>11</sup>

It is believed that when the body is tense so too is the mind. When we are able to relax or release the tension in our bodies, we are better able to release the tension (anxiety, stress, fear, anger) from our mind. Here are a few motions that can help ease tension in your muscles:

- “The Tortoise”: Shrug your shoulders up toward your ears as if you are a tortoise trying to push your head into your shell. Count to 10 slowly and then return your shoulders to your neutral stance. Repeat twice.
- “Aaaahhh”: Open your mouth as wide as you can and imagine you are making the sound “aaaahhh.” Count to 10 slowly. Focus on how the muscles near your mouth hold the tension. Let go and close your mouth. Repeat twice.

<sup>9</sup><https://medium.com/kip-blog/stressed-about-the-election-try-this-breathing-technique-9e90e0e6c7b1>.

<sup>10</sup>*Medical News Today*.

<sup>11</sup>PDF of step-by-step practice by Dr. Phang Cheng Kar, MD, [www.bahaistudies.net/asma/progressive\\_muscle\\_relaxation.pdf](http://www.bahaistudies.net/asma/progressive_muscle_relaxation.pdf).

- “Ankle Flex”: Try to flex your ankle toward your body. Feel the tension around your calves. Count to 10 and release. Repeat twice.
- “Wall Touch”: Imagine there is a wall in front of you. Point your toes and reach forward with your foot as if you are trying to touch the imaginary wall. Count to 10 slowly. Let go and release your foot to a neutral position. Repeat twice.

**Exercise Resource: The Prison Mindfulness Institute<sup>12</sup>**

This organization has many mindfulness resources available for free on their website.

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<sup>12</sup>[www.prisonmindfulness.org/](http://www.prisonmindfulness.org/)

# Appendix H

## ACRONYMS AND DEFINITIONS

### Continuance = Flop

After a hearing, the Board may opt to deny parole and issue a continuance or “flop.” This means that you will not be eligible for parole for a certain period of time, ranging from 1-10 years. To visit the website associated with an institution or agency, hover over and click on the text.

### The Institutions:

<b>AOCI</b>	Allen-Oakwood Correctional located in Lima, OH
<b>BECI</b>	Belmont Correctional located in St. Clairsville, OH
<b>CCI</b>	Chillicothe Correctional located in North Chillicothe, OH
<b>CRC</b>	Correctional Reception Center located in Orient, OH
<b>DCI</b>	Dayton Correctional located in Dayton, OH
<b>FMC</b>	Franklin Medical Center located in Columbus, OH
<b>GCI</b>	Grafton Correctional located in Grafton, OH
<b>LECI</b>	Lebanon Correctional located in Lebanon, OH
<b>LOCI</b>	London Correctional located in London, OH
<b>LORCI</b>	Lorain Correctional located in Grafton, OH
<b>MACI</b>	Madison Correctional located in London, OH
<b>MANCI</b>	Mansfield Correctional located in Mansfield, OH
<b>MCI</b>	Marion Correctional located in Marion, OH
<b>NCI</b>	Noble Correctional located in Caldwell, OH
<b>NERC</b>	Northeast Reintegration Center located in Cleveland, OH
<b>ORW</b>	Ohio Reformatory for Women located in Marysville, OH
<b>OSP</b>	Ohio State Penitentiary located in Youngstown, OH
<b>PCI</b>	Pickaway Correctional located in Orient, OH
<b>RICI</b>	Richland Correctional located in Mansfield, OH
<b>RCI</b>	Ross Correctional located in Chillicothe, OH
<b>SCI</b>	Southeastern Correctional Institution located in Lancaster, OH
<b>SOCF</b>	Southern Ohio Correctional Facility located in Lucasville, OH
<b>TOCI</b>	Toledo Correctional located in Toledo, OH
<b>TCI</b>	Trumbull Correctional located in Leavittsburg, OH
<b>WCI</b>	Warren Correctional located in Lebanon, OH
<b>NCCC</b>	North Central Correctional Complex located in Marion, OH
<b>LAECI</b>	Lake Erie Correctional located in Conneaut, OH
<b>NEOCC</b>	Northeast Ohio Correctional Center located in Youngstown, OH

**DRC** = Department of Rehabilitation & Correction: the state agency responsible for all adult criminal supervision in Ohio.

**APA** = Adult Parole Authority: The part of DRC that is responsible for the release and supervision of adult felony persons returning to local communities from prison, as well as assisting Courts of Common Pleas with supervision duties for felony offenders. It is comprised of the Parole Board and Field Services.

**OPD** = Ohio Public Defender: the office that provides legal support to those who are accused of or who have been convicted of a crime but cannot afford an attorney. This is the Office that will assign you an attorney for the Full Board process.