

Non-Life Felony Indefinite Prison Term Notification

You were ordered to serve an indefinite sentence with a minimum and maximum term of incarceration. It is presumed that you will be released at the expiration of the minimum term. However, your institutional conduct may result in a shorter or longer term of actual incarceration.

Under Revised Code 2967.271, DRC may determine at a hearing that your incarceration should be maintained for an additional period, up to the maximum term, if:

- 1) Your conduct demonstrates a lack of rehabilitation and that you pose a threat to society demonstrated by:
 - a. violating institutional rules that compromise the security of an institution, or
 - b. violating institutional rules that compromise the safety of staff or incarcerated adults, or,
 - c. violating rules that involve physical harm or a threat of physical harm to staff or incarcerated adults, or,
 - d. committing a violation of law that was not prosecuted;
- or
- 2) You are placed in extended restrictive housing at any time within the year preceding the hearing date;
- or
- 3) At the time of the hearing, your security classification is a level 3 or higher.

However, if you demonstrate exceptional conduct or adjustment to incarceration, the Director may recommend to your sentencing judge that your sentence be reduced by 5 to 15 percent. Some examples of exceptional conduct and adjustment to incarceration include:

- * Complying with institutional rules
- * Completing all recommended programming
- * Developing a plan for reentry into the community
- * Engaging in meaningful and extensive community service
- * Participating in pro-social groups and activities
- * Maintaining positive social ties to individuals in the community

The Director may make a written recommendation to the court that a reduction be granted. In order to be considered for a reduction, eligible incarcerated adults must request a Petition for Sentence Reduction (DRC-3197E) from the Case Manager. Once complete, submit the petition and supporting documentation to your Case Manager who will review it with you and if eligible, forward to the managing officer. The managing officer will review the petition for consideration or will deny the request. If supported, the petition and supporting documentation will be sent to the Director. If the Director recommends a sentence reduction, the court will schedule a hearing to consider whether to grant the reduction. The prosecutor and victim(s) can also submit information to the court, and the prosecutor may present relevant information at the hearing. A judge will ultimately decide if your sentence will be reduced.

Incarcerated adults serving a non-life felony indefinite prison term for a sexually oriented offense are statutorily ineligible for a reduction.