



Ohio Administrative Code

Rule 5120-12-08 Return to the institution for administrative reasons.

Effective: April 1, 2018

(A) A prisoner shall be removed from the transitional control program without a hearing and returned to prison if any of the following events occur:

- (1) After transfer to transitional control status, it is learned that the prisoner does not meet all of the eligibility requirements set forth in rule 5120-12-01 of the Administrative Code.
- (2) After transfer to transitional control status, the prisoner requests to voluntarily withdraw from the transitional control program.
- (3) The department of rehabilitation and correction obtains information that the prisoner has received an added sentence or information about a conviction that makes the prisoner ineligible.
- (4) A jurisdiction files with the department of rehabilitation and correction a detainer for one or more unadjudicated felony charges, a sentence imposed but not yet served, a parole or probation violation, or any other reason which causes the bureau of community sanctions to believe that the prisoner is an escape risk.
- (5) A jurisdiction subpoenas a prisoner to testify or appear at an out of state hearing.
- (6) Circumstances arise, through no fault of the prisoner, which prevents the completion of the transitional control program in the community.
- (7) Unacceptable adjustment to the transitional control program or program rule violations or any other reason deemed appropriate by the bureau of community sanctions.

(B) A prisoner in the transitional control program may be returned to prison without a hearing, subject to reinstatement to the program, whenever the prisoner's physical or mental health renders the prisoner substantially incapable of participating in the transitional control program or pursuing



its goals and objectives or requires treatment that can be provided more efficiently or cost-effectively in prison.

(C) Returns pursuant to this rule shall be made upon written order of the bureau of community sanctions designee. The order shall state the reasons for the return and whether the return is temporary or permanent. A copy of the order shall be given to the prisoner as soon as practical.

(D) Upon completion of the necessary course of treatment, and completion of a medical, psychological, or psychiatric evaluation of the individual's health, the warden or their designee may refer the prisoner's records back to the bureau of community sanctions for consideration of the prisoner's return to transitional control status.