



## Ohio Administrative Code Rule 5120-17-06 Issuance of passes.

Effective: [March 7, 2016](#)

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(A) The treatment provider may issue passes for the temporary release from a treatment facility of prisoners transferred into the substance use disorder treatment program for certain limited purposes. No passes shall be issued to a prisoner within thirty days of the prisoners arrival to the treatment facility. Prior to issuing a pass, the treatment facility director or designee shall evaluate whether issuing the pass is appropriate considering the prisoners risk level and the prisoners participation, response and adjustment to the treatment program.

(B) Passes may be issued for the following purposes:

(1) To visit a dying relative;

(2) To attend the funeral of a relative;

(3) To visit with family;

(4) To arrange or attend employment;

(5) To aid in the prisoner's rehabilitation and facilitate successful reentry, as determined by the treatment provider facility director (or designee).

(C) A pass from a treatment provider facility in which a prisoner is confined in the substance use disorder treatment program may only be granted for a period of time no longer than is reasonably necessary to accomplish the purpose or purposes for which the pass is intended and only if all of the following requirements are met:

(1) No single pass shall exceed forty-eight consecutive hours.

(2) No series of passes shall exceed three hundred and thirty six hours cumulative in any six month



period of time, unless authorized by a bureau of community sanctions designee.

(3) No prisoner in the substance use disorder treatment program shall be granted a pass to a destination outside the state of Ohio.

(4) A pass request for overnight leave shall be granted only to a single pre-approved location.

(5) No prisoner in the substance use disorder treatment program shall be permitted to go on a pass to or be transported by an individual convicted of a felony offense within the past five years or released from felony supervision within the last five years. Prisoners shall not be approved for a pass to a residence of any victim or co-defendant involved in any of the prisoner's past or present offenses.

(D) The pass approval process shall follow the steps outlined below:

(1) Any prisoner in the substance use disorder treatment program applying for a pass shall submit the request to the treatment provider in which the prisoner resides.

(2) The treatment provider designee shall review the pass request.

(3) For any unescorted pass, the treatment provider shall investigate the destination after receipt of the request for investigation. If the prisoner requests a pass outside the region of the treatment provider, the treatment provider shall request that the treatment provider or department of rehabilitation and correction designee in the area of the pass location conduct the investigation. The investigation shall include at a minimum:

(a) The community treatment provider or department of rehabilitation designee shall verify that the location of the pass is a legitimate residence.

(b) The community treatment provider or adult parole authority shall verify that the prisoner is visiting the person designated on the pass request and that no adults residing at the pass location have a record of any felony convictions or have been released from felony supervision within the past five years.



- (c) The treatment provider or adult parole authority shall verify the purpose of the pass and that all other pass requirements have been met.
- (4) The treatment provider director or designee shall approve or disapprove the pass request within a reasonable amount of time and communicate the decision to the relevant parties. No pass request shall be granted or considered valid unless signed by the treatment provider director or designee.
- (E) Any prisoner released on a pass pursuant to this rule who violates any part of this rule or any condition or rule of the substance use disorder treatment program, shall be subject to a violation sanction, which may include revocation of the substance use disorder treatment program. Any prisoner who presents an immediate threat to the safety or security of any person or place may be returned directly to the prison institution from which he was transferred into the substance use disorder treatment program, notwithstanding any provision to the contrary in any other administrative rule.
- (F) Any prisoner released on a pass who fails to return as designated, or whose deviation from the conditions and terms of the pass and the substance use disorder treatment program constitutes a substantial risk of failure to return as designated, may be declared a violator at large. The time between the declaration that the prisoner is a violator at large and the prisoner's subsequent return to an Ohio correctional facility shall not be credited toward the completion of the prisoner's prison term, but all other time in the substance use disorder treatment program shall be so credited.