



## Ohio Administrative Code Rule 5120-2-14 Risk reduction sentence.

Effective: May 4, 2020

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(A) As used in this rule, "nonmandatory prison term" or "non-mandatory non-life felony indefinite prison term" means any prison term that is not identified as a mandatory prison term in the sentencing court's sentence.

(B) For each offender upon whom the sentencing court has imposed a risk reduction sentence under section 2929.143 of the Revised Code, the department shall, during the inmate's admission, calculate and record in the inmate's record both of the following:

(1) The date upon which the inmate will have served each mandatory prison term to which the offender was sentenced, if any, and a minimum of eighty per cent of the aggregated nonmandatory prison terms, non-mandatory non-life felony indefinite prison terms, or any combination thereof, reduced by any jail time credit to which the inmate is entitled under section 2967.191 of the Revised Code.

(2) The date on which the inmate would reach the expiration of the inmate's stated prison term or the minimum of a non-mandatory non-life felony indefinite prison term, reduced by any jail time credit to which the inmate is entitled under section 2967.191 of the Revised Code, but not reduced for any risk reduction programming or treatment that the inmate may successfully complete during the inmate's incarceration. This date represents the inmate's expected release date if the inmate does not successfully complete the programming or treatment that comprise the risk reduction portion of the inmate's sentence.

(C) After admitting an offender who has been sentenced to a risk reduction sentence, the department shall conduct an assessment of the inmate's needs and risk of reoffending. After completing that assessment, the department shall prescribe such programming or treatment for the inmate as the department considers appropriate.

(D) An inmate who has been sentenced to a risk reduction sentence may be released from



imprisonment if the inmate successfully completes all of the programming and treatment prescribed for the inmate by the department, has fully served each mandatory prison term to which the offender has been sentenced, and has served at least eighty per cent of the aggregated nonmandatory prison terms and non-mandatory non-life felony indefinite prison term, or any combination thereof, to which the offender has been sentenced. The department shall notify the sentencing court in writing of an inmate's impending release pursuant to this division at least thirty days prior to the date on which the inmate is released from the correctional institution. An offender released under this division prior to the date specified for the offender under paragraph (B)(2) of this rule shall be subject to supervision by the department as provided in rule 5120:1-1-41 of the Administrative Code.

(E) An inmate who has been sentenced to a risk reduction sentence is not eligible for earned credit under section 2967.193 of the Revised Code and rule 5120-2-06 of the Administrative Code. If an inmate commences, but does not successfully complete, the programming and treatment prescribed for the inmate under paragraph (C) of this rule, the inmate shall not receive any earned credit for the inmate's participation in the programming or treatment, unless the inmate signs a waiver of participation in risk reduction.