



Ohio Administrative Code Rule 5120:1-1-36 Parole board records.

Effective: July 15, 2013

(A) Documents of the adult parole authority, including the parole board, shall be subject to rule 5120-9-49 of the Administrative Code.

(B) In addition, and subject to the same limitations, the following documents of the adult parole authority, including the parole board, shall be deemed public records: determinations, orders, minutes, and records of attempts to provide notice to any individual or entity other than a victim made by the adult parole authority including the parole board, in connection with any hearing required by law or division 5120:1 of the Administrative Code.

(C) As used in this rule "parole board record" means any record that is provided to or considered by the parole board in making its decisions and any record prepared by the parole board in carrying out its responsibilities under the Revised Code.

(D) Notwithstanding paragraph (B) of this rule, the following non-public parole board records shall be made available to representatives of approved media organizations, government officials, victims of any offense of commitment or a subsequent parole violation, or a licensed attorney at law designated by the victim or the inmate under the conditions and according to the procedures set forth in this rule:

- (1) Parole board decision sheets
- (2) Parole board Criminal history risk score
- (3) Hearing officer sanction receipt
- (4) Revocation order
- (5) Post-release control result notification



(6) Parole candidate information sheets

(E) Non-public parole board records shall also be made available to members of the public under the conditions and according to the procedures set forth in this rule, except that inmates who are serving a prison term in an institution operated by the department of rehabilitation and correction and parolees or persons under transitional control, post-release control or any form of authorized release under the supervision of the adult parole authority are ineligible to receive non-public parole board records of other inmates.

(F) Non-public parole board records may be made available after a written request is received which specifically identifies the records being requested. The request shall be granted unless the disclosure of the records would foreseeably result in harm to any person, would present a security risk to any institution or other facility or would materially interfere with the achievement of a fair parole hearing.

(G) Prior to making any non-public parole board record, as specified in paragraph (D) of this rule, available for inspection, the department of rehabilitation and correction shall review the requested record for information which if released could present a security risk to any institution operated by the department or could jeopardize the safety of any department personnel. The department shall also review non-public parole board records for documents that identify the victim of a crime committed by the offender, or contain statements made by informants, statements made by prosecuting attorneys and judges concerning the offender, witness protection information, inmate separation information, juvenile criminal history and diagnostic and testing information of the offender.

(H) A request for the production of non-public parole records may be denied if a request for the same information from the same requester was granted within the preceding twelve-month period.

(I) Any portion of a non-public parole board record that contains information outlined in paragraph (F) or (G) of this rule shall not be released.

(J) The department may require all persons, except those requesting the copies for official government business, to pay for the cost of copies of non-public parole board records in advance. All



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requests for copies of non-public parole board records shall be sent to the bureau of records management at the department's central office. After receiving the request in writing, an invoice for the cost shall be prepared by the bureau and sent to the person making the request. The cost for any request shall be five cents per page for copies, plus a charge for any postage. The bureau shall send the requested records after receiving a check or money order payable to treasurer, state of Ohio, for the amount stated on the invoice.