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## DEPARTMENT OF REHABILITATION AND CORRECTION

### Classification of violations of the offense of assault

- Increases the penalty for assault from a fifth degree felony to a third degree felony if the assault occurs in or on the grounds of a state correctional institution or an institution of the Department of Youth Services, the victim of the offense is an employee of the Department of Rehabilitation and Correction (DRC) or the Department of Youth Services (DYS), and the offense is committed by a person incarcerated in the state correctional institution or by a person institutionalized in the DHS institution pursuant to a commitment to DHS.
- Eliminates the increased penalty for assault when committed against a probation department employee, visitor, or business visitor and the assault is committed in a DRC or DHS institution or against a DRC or DHS employee in a DRC or DHS institution by a person not incarcerated in such an institution.

### Other provisions

- Creates the Office of Enterprise Development Advisory Board to advise and assist the Department of Rehabilitation and Correction in implementing the Department's job training and employment program.
- Eliminates the Advisory Council of Directors for Prison Labor that currently provides some services that are similar to those that will be provided by the Office of Enterprise Development Advisory Board.

### Classification of violations of the offense of assault

(R.C. 2903.13, 2923.125, and 2929.13; Section 815.10)

The bill increases the penalty for assault from a fifth degree felony to a third degree felony if the assault occurs in or on the grounds of a state correctional institution or an institution of the Department of Youth Services, the victim of the offense is an employee of the Department of Rehabilitation and Correction (DRC) or the Department of Youth Services (DYS), and the offense is committed by a person incarcerated in the state correctional institution or by a person institutionalized in the DHS institution pursuant to a commitment to DHS.

The bill eliminates existing law that makes assault a fifth degree felony instead of a first degree misdemeanor when the assault occurs in or on the grounds of a state



correctional institution or an institution of DYS and either (1) the victim of the offense is an employee of a probation department or is on the premises of the particular institution for business purposes or as a visitor, and the offense is committed by a person incarcerated in the state correctional institution, by a person institutionalized in the DYS institution pursuant to a commitment to the DYS, by a parolee, by an offender under transitional control, under a community control sanction, or on an escorted visit, by a person under post-release control, or by an offender under any other type of supervision by a government agency or (2) the victim of the offense is an employee of DRC or DYS, and the offense is committed by a parolee, by an offender under transitional control, under a community control sanction, or on an escorted visit, by a person under post-release control, or by an offender under any other type of supervision by a governmental agency.

### **Creation of the Office of Enterprise Development Advisory Board**

(R.C. 5145.162; Sections 610.20 and 610.21)

The bill creates the Office of Enterprise Development Advisory Board to advise and assist the DRC with the creation of training programs and jobs for inmates and releaseses through partnerships with private sector businesses. The bill eliminates the Advisory Council of Directors for Prison Labor. Under current law, the Advisory Council provides advice and assistance to DRC when it adopts rules for the administration of DRC's program for the employment of prisoners, establishes prices for goods, products, services, or labor produced or supplied by prisoners, and otherwise establishes and administers DRC's program for the employment of prisoners.

The bill provides that the Office of Enterprise Development Advisory Board consists of at least five appointed members and the Executive Director of the Office of Correctional Institution Inspection Committee. Under the bill, the Executive Director serves as an ex officio member of the Advisory Board. The members are required to have experience in labor relations, marketing, business management, or business. The members and chairperson are appointed by DRC. Under current law, the members of the Advisory Council are appointed by the Governor. Members of the Advisory Board do not receive compensation but may be reimbursed for expenses actually and necessarily incurred in the performance of official duties of the Advisory Board. Those members who are state employees are reimbursed for expenses pursuant to travel rules promulgated by the Office of Budget and Management.

The Advisory Board is required to adopt procedures for the conduct of the Advisory Board's meetings. The Advisory Board must meet at least once every quarter and at the call of the Chairperson or the Director of DRC. The Advisory Board must obtain the concurrence of a quorum of its members to transact the Board's business.



Sixty per cent of the Advisory Board's members constitutes a quorum. The bill provides that the Advisory Board may have committees with persons who are not members of the Advisory Board but whose experience and expertise is relevant and useful to the work of the committee.

The bill gives the Advisory Board the following duties:

(1) Solicit business proposals offering job training, apprenticeship, education programs, and employment opportunities for inmates and releasees;

(2) Provide information and input to the Office of Enterprise Development to support the job training and employment program of inmates and releasees and any additional, related duties that are requested by the Director;

(3) Recommend to the Office any legislation, administrative rule, or department policy change that the Advisory Board believes is necessary to implement DRC's program;

(4) Promote public awareness of the Office and the Office's employment program;

(5) Familiarize itself and the public with avenues to access the Office on employment program concerns;

(6) Advocate for the needs and concerns of the Office in local communities, counties, and the state;

(7) Play an active role in the Office's efforts to reduce recidivism in Ohio by doing all of the following:

(a) Providing input and making recommendations for the Office's consideration in monitoring employment program compliance and effectiveness;

(b) Making suggestions on the appropriate priorities for the Office's grant award criterion;

(c) Being a liaison between the Office and constituents of the Advisory Board's members;

(d) Working to develop constituent groups interested in employment program issues;

(8) Aid in the employment program development process by playing a leadership role in professional associations by discussing employment program issues.



The bill requires DRC to initially screen each business proposal that the Advisory Board receives as a result of the Advisory Board's solicitation of the proposals described in (1), above. The purpose of the initial screening is to ensure that the proposal is a viable venture to pursue. If the proposal is a viable venture to pursue, DRC must submit the proposal to the Advisory Board for objective review against established guidelines. The Advisory Board is required to determine whether to recommend the implementation of the program to DRC.

