DEPARTMENT OF YOUTH SERVICES

- Would have required a convicted felon who is under 18 years old at the time a sentence is executed to be committed to the Department of Youth Services (DYS) and assigned to an institution within DYS until the felon turns 18 or until other conditions are met (VETOED).

Youth felons in DYS facilities (VETOED)

(R.C. 2949.12)

The Governor vetoed a provision that would have required a convicted felon who is under 18 years old at the time a sentence is executed to be committed to the Department of Youth Services (DYS) and assigned to an institution within DYS. Within five days after sentencing (excluding Saturdays, Sundays, and legal holidays), the sheriff of the county where the conviction occurred would have been required to deliver the felon to the DYS-designated facility. For such a conviction to occur under continuing law, the felon must have been bound over from the juvenile court and convicted as an adult of a felony offense. Upon delivering the felon to the DYS facility, the act would have required the sheriff to present the managing officer with a copy of the sentence, a copy of the indictment, and a copy of the certification binding the felon over from the juvenile court to the court of common pleas.

A felon who is delivered to a DYS-designated facility under the vetoed provision would have been held in the facility until age 18, until the felon's prison term expired, until the felon was pardoned, paroled, or placed on post-release control, until DYS in the discretion of the Director, lacked the capacity to house the felon, or until the felon was transferred under laws permitting the transfer of prisoners. The vetoed provision would have required a felon delivered to a DYS facility to be transferred to the Department of Rehabilitation and Correction (DRC) and committed to a DRC facility for the remainder of the felon's sentence when the felon reached age 18 or when the felon, because of a rule violation or violations, was determined by DYS to be a danger to self or others. At the time of a transfer to DRC, the sheriff would have been required to present the managing officer with a copy of the sentence, a copy of the indictment, and a copy of the certification from the juvenile court to the court of common pleas.