

Ohio Department of Rehabilitation and Correction Administrative Rule		
Institutions	5120-9-12	INMATES SENTENCED TO DEATH

(A) All inmates sentenced to death under Ohio law shall be confined in ONE OR MORE institutionS designated by the director of the department of rehabilitation and correction. SUCH inmates MAY be assigned to an area of the institution to be designated by the managing officer, which area shall be known as "death row".

(B) Absent significant extenuating circumstances, NO inmate shall be assigned to or housed in death row unless that inmate has been sentenced to death. if any inmate is assigned to or housed in death row that has not been sentenced to death, the respective regional director shall be notified and his or her approval is required.

(C) THE DIRECTOR OR HIS DESIGNEE MAY ASSIGN OR REASSIGN AN INMATE WHO HAS BEEN SENTENCED TO DEATH TO A SECURITY CLASSIFICATION OR SPECIAL MANAGEMENT STATUS OTHER THAN THAT WHICH IS NORMALLY USED FOR SUCH INMATES, BASED ON THE SECURITY OR MEDICAL REQUIREMENTS FOR THE INMATE. THE INMATE SO ASSIGNED SHALL RECEIVE THE PRIVILEGES AND PROGRAMMING THAT ARE APPROPRIATE FOR THE OTHER SECURITY OR MANAGEMENT STATUS, NOTWITHSTANDING PARAGRAPH (D), OF THIS RULE.

(D) INMATES WHO ARE SENTENCED TO DEATH AND WHO HAVE NOT BEEN REASSIGNED TO SOME OTHER STATUS SHALL RECEIVE CELL PRIVILEGES WHICH AT A MINIMUM, SHALL INCLUDE:

(1) PERSONAL HYGIENE ARTICLES;

(2) MAIL AND KITE PRIVILEGES;

(3) ACCESS TO LEGAL MATERIALS AND SERVICES, INCLUDING LEGAL KIT;

(4) ACCESS TO CLEANING ARTICLES FOR CELL SANITATION AS APPROVED BY THE WARDEN OR HIS DESIGNEE;

(5) VISITS BY DEPARTMENT STAFF;

(6) ADEQUATE FOOD;

(7) ACCESS TO CURRENT RULES OF THE OHIO ADMINISTRATIVE CODE, ALSO KNOWN AS "ARs," 5120-9 SERIES;

(8) CELL FURNISHINGS TO INCLUDE TOILET, WASH BASIN, RUNNING WATER, MATTRESS, SHEETS, BLANKET (DEPENDING ON WEATHER CONDITIONS);

(9) ACCESS TO MEDICAL SERVICES AS REQUIRED BY THEIR MEDICAL CONDITION;

(10) REGULAR ASSESSMENT OF THEIR MENTAL HEALTH CONDITION BY MENTAL HEALTH SERVICES AND ACCESS TO SUCH SERVICES AS REQUIRED BY THEIR MENTAL CONDITION;

(11) INSTITUTION COVERALLS OR CLOTHING, UNDERWEAR, AND FOOTWEAR;

(12) ADEQUATE LIGHTING FOR READING;

(13) FIVE HOURS OF RECREATION PER WEEK;

(14) OPPORTUNITY TO SHOWER AND SHAVE FIVE TIMES PER WEEK;

(15) ONE NON-CONTACT VISIT PER VISITOR, PER MONTH; AND

(16) LIMITED COMMISSARY PURCHASES.

Abuse of any privileges may lead to their restriction or denial by the manager of the death row unit OR MAJOR OF THE INSTITUTION. WHEN AN INMATE IS DEPRIVED OF ANY AUTHORIZED ITEM OR ACTIVITY, A REPORT OF ACTION IS FILED IN THE APPROPRIATE INMATE'S FILE AND FORWARDED TO THE MAJOR, THE DEPUTY WARDEN OF OPERATIONS AND THE WARDEN.

(E) Any death row inmate leaving or entering death row shall be thoroughly searched, and shall be escorted to and from his destination.

Effective Date: January 1, 2002

CERTIFICATION: Reginald A. Wilkinson

SIGNATURE : *Reginald A. Wilkinson*

Promulgated Under: R. C. 111.15

Rule Authorized by:

Rule amplifies: R.C. §§2949.21, 5120.03, 5120.16

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