


STATE OF OHIO



DEPARTMENT OF REHABILITATION
AND CORRECTION

SUBJECT: Transitional Control Screening	PAGE <u> 1 </u> OF <u> 5 </u> NUMBER: 108-ABC-05
RULE/CODE REFERENCE: 2967.16 2967.26 2930.16	SUPERSEDES:
RELATED ACA STANDARDS:	EFFECTIVE DATE: September 6, 2010
	APPROVED: 

I. AUTHORITY

This policy is issued in compliance with Ohio Revised Code 5120.01 which delegates to the Director of the Department of Rehabilitation and Correction the authority to manage and direct the total operations of the Department and to establish such rules and regulations as the Director prescribes.

II. PURPOSE

The purpose of this policy is to establish screening guidelines for offenders transferred to the Transitional Control (TC) Program

III. APPLICABILITY

This policy applies to all employees of the Department of Rehabilitation and Correction (DRC) and all offenders under the supervision of DRC.

IV. DEFINITIONS

Authorized Independently Licensed Mental Health Professional (AILMHP) – Psychiatrists, Psychologists, Advance Practice Nurse – Mental Health (APN-MH), Professional Clinical Counselors (PCC), and licensed independent social workers, who by virtue of their training and experience, are qualified to provide mental health care and have been specifically assigned identified tasks in this policy.

V. POLICY

It is the policy of the Ohio Department of Rehabilitation that offenders shall be screened to determine transitional control eligibility based upon the criteria established pursuant to Ohio Revised Code section 2967.26, and Administrative Rules 5120-12-01, Establishment of a Transitional Control Program and Minimum Criteria Defining Eligibility, and 5120-12-02, Screening, Selection and Notice of Transfer.

A. General Guidelines

1. All inmates shall be screened to determine initial transitional control eligibility based on the criteria established in Administrative Rule 5120-12-01, Establishment of a Transitional Control Program and Minimum Criteria Defining Eligibility.
2. The Ohio Parole Board is the section of the Adult Parole Authority designated with the duty of determining which eligible inmates shall be recommended for transfer to the transitional control program. If recommended for transfer, inmates may participate in the program up to 180 days prior to their release or expiration of sentence.
3. If it is determined at any time that the inmate shall not be placed on transitional control, the inmate shall be notified in writing of this fact.

B. Transitional Control Screening Procedures for the Ohio Parole Board and Institutional Staff

1. Initial eligibility is determined utilizing a checklist which is auto-populated and reported on the PBTC screen in DOTS Portal, which determines whether or not an inmate is initially eligible to participate in the program.
2. Utilizing the TRCRP Report in DOTS Portal, the Unit Manager/designee shall interview all inmates determined to be initially eligible to explain the transitional control program and determine if the inmate wishes to participate.
3. Based on the interview, the decision of the inmate shall be documented on a Transitional Control Program Request Waiver (DRC3181), which shall be signed by the inmate. The Unit Manager/designee shall also enter this information into the TCOK screen in DOTS Portal by checking either "Participate" or "Waive."
4. If the inmate elected to participate in the TC program, the Unit Manager/designee shall provide the following forms to the Record Office:
 - a. Transition Control Program Request Waiver (DRC3181), signed by the inmate, indicating that the inmate has requested to participate in the TC program;
 - b. Two copies of the Institutional Summary Report (DRC2666).
5. Upon receipt of the Transition Control Program Request Waiver (DRC3181) and the Institutional Summary Report (DRC2666) the Record Office Supervisor/designee shall schedule, in accordance with the Record Office Manual, either a hearing by the Parole Board or a review by Parole Board staff.
6. Inmates serving sentences imposed for crimes committed prior to July 1, 1996, who request placement into the TC program, shall have a parole board hearing in accordance with Department Policy 105-PBD-03, Parole Board Release Process.
7. Inmates serving sentences imposed for crimes committed after July 1, 1996 who request placement into the TC program shall have a file review completed by the designated

Parole Board staff who will make a recommendation for/against transfer into the TC program.

- a. If it is determined that no investigation has been completed on the case(s) for which the inmate is incarcerated, then the designated Parole Board staff shall request an investigation from APA Field Services. Once received, the investigation and ISR shall be reviewed.
- b. If the inmate is eligible for the program, a file review shall be completed by designated Parole Board staff. The recommendation for/against transfer into the TC program will be based on criteria as established in Administrative Rule 5120-12-01, Establishment of a Transitional Control Program and Minimum Criteria Defining Eligibility, and any other information pertaining to the inmate's prior criminal record and institutional adjustment deemed relevant.
- c. The results notification from DOTS Portal shall be forwarded to the inmate, indicating whether transfer to the program has been recommended or denied. Copies shall be forwarded to the institution record office.
- d. If exclusionary criteria exists that makes an inmate ineligible to participate in the TC program, the designated Parole Board staff shall complete the Transitional Control Ineligibility Form (DRC3114). A copy of this form shall be forwarded to the inmate and the institutional record office.
- e. If the inmate is recommended for transfer to TC by Parole Board staff, the record officer shall give notice of the pendency of transfer to the sentencing court in accordance with the Record Office Manual.

C. Transitional Control Screening Procedures for Mental Health

1. By the 15th day of each month, the Mental Health Administrator/Mental Health Manager (MHA/MHM) or designee will review the transitional control report (TRCRP screen) in DOTS Portal to determine if any offender being considered for TC release is currently on the mental health caseload.
2. The MHA/MHM or designee will assign any C1 or C2 (on psychotropic medication) offender being considered for TC release to a psychiatrist/APN-MH to review and determine, based on clinical judgment, if the offender is able to complete the requirements of the TC program.
3. The MHA/MHM or designee will assign any C2 (not on psychotropic medication) offender being considered for TC release to an Authorized Independently Licensed Mental Health Professional (AILMHP) to review and determine, based on clinical judgment, if the offender is able to complete the requirements of the TC program.
4. The MHA/MHM or designee will complete the referral section of the Mental Health Caseload Transitional Control Release form (DRC5514) and forward it to the assigned psychiatrist/APN-MH or AILMHP.

5. The psychiatrist/APN-MH or AILMHP will review the offender's mental health file and conduct a face-to-face interview, if necessary, within 2 weeks of the assignment to determine if the offender meets the following criteria.
 - a. The offender must be 80% medication compliant for 90 days (if applicable);
 - b. The offender must be able to work full time (32 or more hours/week) and/or participate in full time educational or vocational training.
6. The psychiatrist/APN-MH or AILMHP shall document his/her recommendation in the recommendation section of the Mental Health Caseload Transitional Control Release form (DRC5514) and on the MHOK screen in DOTS Portal. A brief progress note shall be completed in the offender's mental health file.
7. A copy of Mental Health Caseload Transitional Control Release form (DRC5514) will be sent to the Unit Management Administrator/designee and the assessment outcome shall be documented in DOTS Portal on the TRCP and MHOK screen.
8. The Mental Health Caseload Transitional Control Release form (DRC5514) shall be filed in the offender's mental health file.
9. When notified by the Bureau of Community Sanctions (BCS) that an offender has been approved for the TC program in accordance with Section E5 of this policy, the MHA/MHM or designee shall ensure that the psychiatrist/APN-MH or AILMHP is aware of the approval. If an offender is on medication, a psych/MR nurse will be assigned to follow-up with the offender.
10. A copy of the Transitional Control Release Certificate will be filed in the offender's mental health file.

D. Placement Packet

If the inmate is determined to be recommended for the transitional control program in accordance with Sections B and C of this policy, the Unit Manager/designee shall prepare and send a placement packet to the Bureau of Community Sanctions pursuant to Department Policy 101-PLA-01, Reentry Supervision Release Process.

E. Transitional Control Screening Procedures for the Bureau of Community Sanctions

1. A Bureau of Community Sanctions designee shall perform a review of the TRC PBPO Review list in DOTS Portal to determine which offenders have been screened eligible for TC participation by the Parole Board. A BCS designee shall perform a review of the status of each recommended offender ensuring the offender continues to meet the eligibility requirements of the TC program.
2. A BCS designee may refer the case back to the Parole Board for reconsideration in the event of newly discovered evidence which would make the offender statutorily ineligible for TC participation, input from the victim, or any other reason when the transfer would be contrary to law or inconsistent with the purposes of the TC program. BCS reserves

the right to cancel offender TC participation in lieu of referring the case back to the Parole Board for reconsideration for reasons including newly discovered medical or mental health information, or repeated institutional disciplinary or institutional adjustment infractions inconsistent with the purposes of TC program requirements.

3. If the BCS review determines that the offender remains eligible for placement in TC, a BCS designee shall schedule and coordinate transportation with the institution and halfway house and send a Transitional Control Release Certificate to the institutional record office, Unit Management Administrator/designee, halfway house designee, and APA no less than five days prior to release.
4. If the inmate is determined to be ineligible for participation in TC, a BCS designee shall forward an ineligibility letter to the institutional record office, Unit Management Administrator/designee, APA unit, and the inmate.
5. The Bureau of Community Sanctions shall notify the MHA/MHM or designee which offenders on the mental health caseload have been approved for the TC program and the offender's designated halfway house by emailing a copy of the Transitional Control Release Certificate to the MHA/MHM or designee.

F. Victim Notification

1. Victim notification pursuant to section 2930.16 of the Ohio Revised Code shall be sent by the Office of Victim Services as mandated prior to the transfer to transitional control. If the victim submits a statement to the Parole Board in a timely manner, it shall be considered in deciding whether transfer to the transitional control program is appropriate.
2. Pursuant to directives established in the Record Office Manual regarding TC notification procedures, the institutional record office shall notify the Office of Victim Services with the release date of offenders scheduled for TC release upon receipt of a Transitional Control Release Certificate from BCS.

Related Department Forms:

Transitional Control Program Request Waiver	DRC 3181
Institutional Summary Report (ISR)	DRC 2666
Transitional Control Ineligibility Form	DRC 3114
Mental Health Caseload Transitional Control Release Form	DRC 5514