

Fall 2012 Newsletter

President

Arthur B. Hill
Salvation Army-
Harbor Light

Executive Director

Lusanne Green

OCCA Agency Members

Alvis House - Columbus,
Dayton, Chillicothe, Lima

ARCA, Inc - Cleveland

Behavioral Healthcare Partners of
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Community Assessment &
Treatment Services, Inc. -
Cleveland

Community Corrections
Association, Inc -Youngstown

Community Correctional Center,
Talbert House -Lebanon

Community Transition Center -
Lancaster

Community Treatment &
Correction Center, Inc. -
Canton

CROSSWAEH CBCF, Oriana
House, Inc. - Tiffin

Judge Nancy R. McDonnell
CBCF, Oriana House, Inc. -
Cleveland

Ohio Link Corrections &
Treatment, Inc. - Toledo

Oriana House, Inc. - Akron,
Cleveland, Sandusky

Salvation Army Harbor Light -
Cleveland

Summit County CBCF Oriana
House, Inc. - Akron

Talbert House - Cincinnati

Turtle Creek, Talbert House -
Lebanon

Volunteers of America of Greater
Ohio - Cincinnati, Dayton,
Mansfield

Volunteers of America of
Northwest Ohio - Toledo

Message from the President



As we look back over the last few months, it is important to express appreciation to those that support us. Feedback from conferences and trainings was extremely positive and we hope that the attendees will utilize the material to better serve others while making our communities safer.

The effort put forth by the General Assembly and the Department of Rehabilitation and Correction, among others, to pass historic legislation addressing Collateral Sanctions is critical to continue the downward trend in the prison population. This piece of legislation will remove barriers to employment and allow many more to easily provide for their families.

In order to continue to be Ohio's Best Bargain in the provision of services to those with a criminal past, our mantra will remain "Right person to the Right intervention at the Right time."

We are very appreciative of your support as we continue to be a cost effective solution within the criminal justice system.

Sincerely,



Arthur B. Hill III - Beau
OCCA President

**OHIO
LEGISLATORS**

**MARK
YOUR CALENDAR**

**OCCA
LEGISLATIVE
RECEPTION**

April 16, 2013

5:30-7:30p.m.

**Ohio Statehouse
Atrium**

Mission

The Ohio Community Corrections Association provides to member community corrections service providers the opportunity for advocacy and professional development which enhances their ability to reduce repeat criminal offending.

Sentencing Reform Update

Kelly O' Reilly, GPG

When House Bill 86 (HB 86) took effective on September 30, 2011, the criminal justice community was enthusiastic about the impact that the wide-reaching criminal sentencing reform measure would have on Ohio's system. So far, HB 86 has achieved much of its intended effect: figures show that in the first six months implementing the HB 86 sentencing reform, hundreds of inmates have been diverted away from state prisons to less-expensive community programs. In addition, the total prison population has dropped to 49, 846, the lowest since November 2008.

Even with all that success thus far, stakeholders in the criminal justice community have been meeting and working on "clean up" provisions to correct or "fine tune" some of the provisions enacted in HB 86. In that vein, a HB 86 clean up workgroup established a list of 24 suggested revisions to the bill. OCCA participated in this workgroup and help to shape the content of the 24 proposed changes.

Initially, it was planned to have a new bill introduced to make all of the HB 86 clean up changes requested by the workgroup. However, given the volume of legislative activity in the Spring of 2012, policymakers decided to simply amend the HB 86 clean up provisions into other bills that were ready for passage. Accordingly, the following list of HB 86 clean up provisions were amended into either SB 337 (collateral sanctions) or HB 487 (the mid-biennium budget bill) prior to passage:

- 1) Time limit to object to the imposition of a serious youthful offender dispositional sentence is twenty (20) days;
- 2) Competency attainment reports and juvenile bind-over evaluation reports shall not include details of the alleged offense as reported by the child;
- 3) ORC 2152.52(A) is limited to delinquency cases;
- 4) The juvenile competency statute shall assess the juvenile's status "currently";
- 5) Training of juvenile probation officers will be done by DYS not DRC;
- 6) The court record will travel with the juvenile. If the juvenile completes his disposition in juvenile court, his adult conviction record is subject to the juvenile seal and expunge law. If the child returns to common pleas court and is sentenced as an adult, the record will be subject to the sealing law in the adult criminal code;
- 7) The "major drug offender" maximum is clarified;
- 8) Earned credit notice is removed from statute;
- 9) Authorize judges to create local rules for concurrent probation supervision;
- 10) Community Alternative Sentencing Center language is clarified by removing references to "alternative residential facility";
- 11) ORC 2921.331(E) is revised to ensure that the felony offense has a higher penalty (license suspension) than a misdemeanor offense;
- 12) ORC 2301.27 was amended to give courts the specific authority to contract with a private entity to provide PSIs even if the court has its own probation department or has contracted with the APA for the provision of other probation services;
- 13) The halfway house ancillary services threshold is increased from 10 to 15%;
- 14) A sentencing court will follow new guidelines to determine credit for time served;
- 15) A prisoner that is released early under a risk reduction sentence is on post release control (instead of "supervised release" which is not statutorily defined);
- 16) The definition of "stated prison term" includes any period of time by which an offender's prison term is shortened under a risk reduction sentence;
- 17) ODRC is immune from liability for damages arising from the issuance, denial or revocation of a certificate of achievement and employability;
- 18) APA does not have to follow certain old procedures for recommendation of medical release of a prisoner;
- 19) ODRC has new guidelines for implementing the 80% early release mechanism;
- 20) The Division of Parole and Community Services will administer the transitional control program, not the APA;
- 21) A person serving a term in a CBCF is responsible for his/her own medical and other health care expenses; and
- 22) Municipal courts are eligible for probation improvement and incentive grants to municipal courts.

Finally, two of the HB 86 clean up items did not make it into either the MBR or the collateral sanctions bill. Those provisions would remove the prohibition on visual estimation of speed and clarify what photos can be kept in cells of sex offenders. These provisions may be amended into another piece of legislation during the lame duck session in November/December.

Collateral Sanctions Reform

Lusanne Green, OCCA Executive Director

Ohio offers protections for employers who give second chances to reentering citizens. The Ohio Department of Rehabilitation and Correction federal bonding offers insurance against business losses up to \$5,000 per covered employee. In other words, if you experience financial damages from hiring someone classified as “at risk”, the federal government will reimburse your business directly. Additionally, tax credits are also available. “The Work Opportunity Tax Credit (WOTC) is a federal income tax benefit administered by the U.S. Department of Labor (DOL) for employers who hire individuals from specified target populations. WOTC reduces a business’ federal tax liability, serving as an incentive to select job candidates who may be disadvantaged in their efforts to find employment.

The main objective of this program is to enable individuals to become employed, earn a steady income and become contributing taxpayers. WOTC joins other workforce programs that help provide incentives for workplace diversity and improve access to good jobs for American workers.” (see footnotes below).

The new collateral sanctions bill (Senate Bill 337) builds on these existing benefits by creating a **certificate of qualification for employment** that protects employers who hire persons with a criminal past from any negligent hiring claims. While there are exemptions for professions such as law enforcement/ prosecutors and certain medical professions who do not have to consider such certificates, most professions must determine whether convictions were a “direct nexus” to the job or trade.

The legislation further **expands the eligibility from one prior conviction for criminal records sealing** allowing returning citizens up to two prior convictions. Specified exceptions are convictions for non-support or if the victim was under 18 at the time of commission.

Other items of relevance include:

- A returning citizen is added to the **Ex Offender Reentry Coalition**.
- Now allows persons who were adjudicated as **juveniles** for sexual battery or gross sexual imposition to apply for **sealing** of those records and prohibits an application fee.
- Defines **moral turpitude** as complicity or commission of: aggravated murder/murder/specified sexually oriented offenses and first and second degree felony offenses of violence as defined by law.
- Allows persons with a prior conviction to be licensed as scrap salvage dealers, auctioneers at car auctions and serve as security guards. Exclusions are convictions for crimes that were a “direct nexus” to the profession or trade.
- More disclosure to state applicants who would be excluded from licensure based on criminal records checks prior to undergoing a trainee program.
- Allows for fines or ordered community service instead of drivers’ license suspensions. May also permit limited driving privileges to those suspended for non-support.
- Child support modifications are made based on a person’s actual earning capacity.



Governor John Kasich is surrounded by proponents of collateral sanctions

http://drc.ohio.gov/web/OJL_bonding.htm

http://www.doleta.gov/business/incentives/opptax/PDF/wotc_fact_sheet_new.pdf To learn more, call your WOTC state coordinator at (614) 644-9700 or contact national coordinator Carmen Ortiz at (202) 693-2786 or email: cortiz.wotc@dol.gov

Director Gary Mohr of Ohio Department of Rehabilitation and Correction Wins 2012 Ohio Community Corrections Association President's Award



Gary Mohr speaks after receiving the 2012 OCCA President's Award

The 2012 Ohio Community Corrections Association President's Award was presented to Director Gary Mohr of the Ohio Department of Rehabilitation and Correction at our Annual Conference. Director Mohr earned this prestigious award in recognition of his contributions to community corrections in the State of Ohio and the critical leadership role that he played in the passage of criminal sentencing and collateral sanctions reform.

Throughout his career, Director Mohr has served in a number of corrections leadership positions in both public and private sectors including serving as a warden in several Ohio prisons, mentoring and advising other Ohio wardens, and service as deputy director and superintendent of the Ohio Department of Youth Services. During his illustrious career in public service, Director Mohr served as director of the Governor's Office of Criminal Justice, where he led the investigation into the cause of the 1993 Lucasville prison riot and also chaired the Governor's Taskforce on Gun Violence. In 2005, Director Mohr entered the private sector, founding Mohr Correctional Insight, where he advised the Corrections Corporation of America in areas of staff leadership and development, and implementing unit management.

In January 2012, Director Mohr returned to public service when he accepted Governor John Kasich's request to join his administration as Director of the Department of Rehabilitation and Correction. Director Mohr immediately made plain his commitment to achieving needed sentencing reforms that had long languished in the Ohio General Assembly. Adding his leadership to that provided by longtime advocates like Senator Bill Seitz, other legislative leaders and Governor John Kasich, Director Mohr helped to build the compelling case for common sense sentencing reform that both promotes public safety and more efficiently uses public dollars. Once this first historic sentencing reform was signed into law, Director Mohr immediately turned to the task of reviewing the collateral sanctions that have worked to restrict the ability of ex-offenders to make a successful transition back to their local communities. Crisscrossing the state to speak with key stakeholders, he was instrumental in building support for addressing the barriers that make it difficult for ex-offenders to become productive, law abiding tax paying citizens of our state. Ultimately this new support led to a successful collateral sanctions bill.

The OCCA presented its Presidents Award to Director Mohr in recognition of these accomplishments and with great anticipation of the leadership role that he will play in years to come as we continue to work together to achieve additional needed reforms that will work to reduce the burden on Ohio tax payers while making all of our communities safer.

Please join us in congratulating Director Gary Mohr!

OHIOLINK CORRECTIONS & TREATMENT OPENS NEW FACILITY IN LIMA

On Friday, June 29, 2012, Alvis House President/CEO Ms. Denise Robinson was joined by Neil Tilow, President/CEO of Talbert House, elected officials from the City of Lima, Allen County, the Ohio Department of Rehabilitation and Correction (DRC), Alvis House and OhioLink staff and community members for the ribbon-cutting ceremony at the newly opened Lima facility.



Alvis House will be the lead agency and operate this OhioLink facility. OhioLink is a state-wide nonprofit agency collaborative between Alvis House, Oriana House, and Talbert House dedicated to developing programs and services which promote safer communities in underserved areas of Ohio. All OhioLink residential community corrections programs are accredited by the American Correctional Association.

Lima Mayor David Berger, DRC Bureau Chief Alicia Handwerk, Lima City Councilman Derry Glenn, and OhioLink Board Chair and Talbert House President/CEO Neil Tilow joined Ms. Robinson as speakers and assisted in the ribbon-cutting ceremony.

Ms. Robinson reminded those gathered that Alvis House has been involved in the Lima community for many years at its Community Reentry Center. Alvis House has been and will continue to be a good neighbor in the city of Lima and Allen County. The new facility will be an all male residential program serving clients from Allen

THE FACE OF TRANSITIONAL CONTROL

Ammon Hershberger has hope for the future. This individual has decided to turn his history of negative choices into a positive learning experience. At 18, Ammon, who was raised in the Amish faith, burglarized Amish homes during a church service and was convicted of his only felony. Sentenced to a 90-day work release program and five years probation, Ammon continued to make poor choices and landed in prison.



“You’re as sick as your secrets,” says the now 24 year old. After years of running from his problems, including alcohol abuse and lying to his family and his probation officer, Ammon is glad to have finally turned his life around. Since arriving at Volunteers of America of Greater Ohio’s Transitional Control Program, he has joined AA, found a good sponsor, is gainfully employed and is living life honestly for the first time in years.

Upon release from the program, he will no longer be under APA supervision and for the first few days, he plans to visit family members. He is nervous, but hopes to make amends for the difficulties he has put them through. After that, he will be moving to Colorado to live with his brother and work in the oil fields.

Ammon’s most important goal for the future, he says, is to continue in his sobriety and share his story. He wants others to know that although recovery and change can be an uphill battle, the feeling of accomplishment and repairing of relationships is more than worth it.

COMMON SENSE COMMUNITY CORRECTIONS

The Ohio Community Corrections Association (OCCA) includes 17 **private, nonprofit** contracts that provide community corrections services to each of Ohio's 88 counties. Community corrections programs such as Halfway Houses and Community Based Correctional Facilities (CBCFs) are a solid, **cost effective investment for Ohio**.

The programs are **proven to reduce recidivism** by independent University of Cincinnati researchers. Our **communities are safer** as fewer offenders commit new crimes and return to prison after successfully completing community corrections programming. In addition to better outcomes, the average stay in a Halfway House and CBCF **cost less than prison**.

Halfway Houses

- ◆ **Halfway Houses reduce the prison population.** By taking the right offenders out of the prison setting, we manage our offenders in communities while providing diversionary and reentry programming. In FY11 we reduced the prison population by 472,525 mandays.*
- ◆ **Halfway Houses are more effective at Reducing Recidivism.** 77% of offenders who successfully complete Ohio's Halfway House programs do not return to prison within 2 years according to a 2010 University of Cincinnati study.**
- ◆ **Halfway Houses are cheaper.** The cost to treat Felony 3, Felony 4, and Felony 5 offenders in a Halfway House is \$5,985 per offender compared to \$26,094 in prison (per ODRC FY'11 fact sheet).
- ◆ **Halfway House beds are available with no additional capital costs to the State of Ohio.** More than 600 Halfway House beds are currently available in Ohio (with the ability to accommodate about 2,400 offenders annually) with no additional capital investment.

Community Based Correctional Facilities (CBCFs)

- ◆ **CBCFs contribute to public safety by reducing new crimes in our communities.** Approximately 75% of successful completers had no new felony conviction within two years of being released from a CBCF.
- ◆ **CBCFs are cheaper.** The cost to treat Felony 3, Felony 4, and Felony 5 offenders in a CBCF is \$9,666 per offender compared to \$26,094 in prison (Per ODRC FY'11 fact sheet).

Transitional Control

- ◆ Transitional Control is a statutory sentencing option that allows an offender to spend up to the last six months of their sentence in a Halfway House and on electronic monitoring with programming that addresses individual employment, cognitive behavioral and substance abuse needs.
- ◆ **Transitional Control is most effective at Reducing Recidivism.** 84% of those successfully completing the program did not return to prison within two years. This is the most effective program funded by ODRC to reduce recidivism statewide.

*The Bureau of Community Sanctions FY11 Manday Report

**69% of Ohio's general prison population do not return to prison. UC 2010 study can be found at: <http://www.drc.ohio.gov/Public/UC%20Report.pdf>

**FEATURING SPECIAL
OCCA
40TH ANNIVERSARY
CELEBRATION
EVENTS**

SAVE THE DATE

**May 9-10, 2013
12th Annual Conference
“OCCA: Celebrating 40
Years of Commitment to
Service”**

KEYNOTE SPEAKER:

Mario Paparozzi,

**PhD., Chair and Professor, Department of Sociology
and Criminal Justice at the University of North Carolina**

RCHs , CEUs, and COBs AVAILABLE

To be held at the Embassy Suites Columbus-Dublin, 5100 Upper Metro Place, Dublin, Ohio 43017

For more information, contact Gloria Hampton at (614)252-8417 ext 356, FAX (614)252-7987
Or visit our WEBSITE: www.occaonline.org

11th Annual OCCA Conference Highlights

The 11th Annual OCCA Conference, “A New Era: The Changing Needs of Offenders,” was held on May 10-11, 2012 at the Embassy Suites Columbus-Dublin and was a resounding success.

Over 300 conference participants were privileged to learn from this year’s keynote presenters: Director Orman Hall of the Ohio Department of Alcohol and Drug Addiction Services (ODADAS), Dr. Edward Latessa, Director of the School of Criminal Justice at the University of Cincinnati, and Dr. C.C. Nuckols, an internationally recognized expert in behavioral medicine and addictions treatment.

In addition, this year’s policy roundtable worked to raise awareness of the need for the collateral sanctions reform that ultimately passed later in 2012 and featured a wide group of key stakeholders including representatives of ODRC, Ohio public defenders, child support enforcement, Ohio halfway houses, and ex-offenders.

This year, our workshops featured specialized tracks for probation officers and Chemical Dependency issues. Once again we were pleased to be joined by Delbert Boone, an expert in addictions and criminality who presented two workshops to enthusiastic crowds. As participants engaged in these and a diverse group of other workshops, they were learning the latest in evidence-based practices and working to meet the continuing education requirements of various entities.

Please plan to join us for the 13th Annual OCCA Conference to be held on May 9-10, 2013 at the Embassy Suites Columbus/Dublin hotel as we celebrate 40 years of service to Ohio communities.



Jim Lawrence addresses 2012 conference participants after winning OCCA Membership Award

TRANSITIONAL CONTROL AND ELECTRONIC MONITORING

The Transitional Control program is available to inmates who are reviewed and determined eligible by the Ohio Parole Board. Upon the sentencing judge's approval, appropriate inmates may be placed on Transitional Control and transferred to a halfway house to complete up to the last 180 days of their prison term where they receive programming for employment, cognitive behavioral, and substance abuse needs.

- ◆ The average length of stay in the Transitional Control program for the 2,636 participants including time in a halfway house or on electronic monitoring was 123 days.
- ◆ **44% of participants were employed full or part-time at the time of discharge from the Transitional Control program.**
- ◆ Transitional Control offenders earned \$3,353,261; paid \$2,489 in restitution, \$15,052 in court costs, and \$42,485 in child support; and completed 18,544 community service hours.
- ◆ \$780,093 was paid by offenders into the Transitional Control rotary account.
- ◆ 612 offenders were monitored via Global Positioning Satellite or Electronic Monitoring. 332 of the offenders were under Parole/Post-Release Control supervision of the Adult Parole Authority. 280 of the offenders were Transitional Control participants stepped-down into home placements.

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