

STATE OF OHIO



DEPARTMENT OF REHABILITATION  
AND CORRECTION

SUBJECT: <b>Offender Name Change</b>	PAGE <u> 1 </u> OF <u> 3 </u>  NUMBER: 07-ORD-04
RULE/CODE REFERENCE: ORC 2717.01	SUPERSEDES: 07-ORD-04 dated 12/01/14
RELATED ACA STANDARDS:	EFFECTIVE DATE: May 24, 2016
	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 procedures for managing and recording name changes by offenders for religious or other legitimate reasons as established by Ohio Revised Code 2717.01.

**III. APPLICABILITY**

This policy applies to all employees of the Ohio Department of Rehabilitation and Correction (DRC), specifically those involved in managing offender records.

**IV. DEFINITIONS**

**AKA** – Abbreviated term meaning “also known as” when an offender is referred to by another name.

**COMMITMENT NAME** – Name provided to DRC on initial court documents used to identify an offender during incarceration for all records, including electronic.

**LEGAL NAME** – Name that identifies a person for legal, administrative and other official purposes.

**V. POLICY**

It is the policy of the Ohio Department of Rehabilitation and Correction (DRC) to recognize a limited right of a legally changed name by adopting a concept known as an “AKA” alternative which permits continued use of a committed name in institutional records and also allows the new name to be listed. The DRC needs to reform its record-keeping practices only to the extent necessary to allow an offender to receive services, benefits, privileges and information in his/her new name within the institution.

**VI. PROCEDURES**

- A. The offender's name as it appears on the original sentencing entry determines the name of the offender upon admission to a reception facility. No punctuation marks shall be used. An offender's commitment name shall only be changed by an order from the Common Pleas Court amending the name on the original sentencing entry.
- B. When the Court of Common Pleas amends an offender's name on the original sentencing entry, the following shall occur:
1. The Bureau of Sentence Computation (BOSC) staff shall complete the following:
    - a. Correct the offender's commitment name in the OFENI screen in Dotsportal;
    - b. Complete an update and correction sheet indicating "Name Change";
    - c. Send a memorandum to the offender's current institution advising them the offender's commitment name has been changed. The memorandum shall instruct the institution to update all records, including electronic, and to issue the offender a new identification card reflecting the new commitment name; and
    - d. Scan a copy of the court order, update and correction sheet, and the memorandum into the legal file folder in OnBase.
  2. Upon receipt of the memorandum from BOSC, the managing officer's designee at the offender's current institution shall ensure the following occurs:
    - a. All offender records, including electronic, are updated to reflect the new commitment name; and
    - b. Issue the offender a new identification card reflecting the new commitment name at no cost.
- C. An offender may change his/her legal name by filing with the Probate Court. If an offender changes his/her name at will, without any legal proceedings, the DRC shall not recognize the name change on the internal records. However, pursuant to Ohio Revised Code 2717.01 and federal law, an offender has the right to legally change his/her name for religious reasons or otherwise. The DRC recognizes an offender's right to legally change his/her name; however, offenders do not have the right to require prison officials to change their internal record-keeping and identification procedures whenever an offender changes their name.
- D. When a court order is received by the Bureau of Sentence Computation (BOSC) that changes an offender's legal name, the following shall occur:
1. BOSC staff shall complete the following:

- a. Verify the accuracy and authenticity of the court order. This verification may be accomplished by noting that the order has been filed in the Common Pleas Probate Division and signed by the judge;
  - b. Enter the legal name change in the ONAMI screen in Dotsportal;
  - c. Complete an update and correction sheet indicating the new name “Legal Name Change (John Doe) added” and send to the Bureau of Criminal Investigation and to the offender’s current institution; and
  - d. Scan the court order and the update and correction sheet into the legal file folder in OnBase.
2. Upon receipt of the update and correction from BOSC, the managing officer’s designee at the offender’s current institution shall ensure the offender is issued a new identification badge and clothing labels with the new name added as an “AKA” (e.g. John Doe AKA Abdul Hakim Muhammad, #000-000). The offender shall bear the cost to change the name on the identification badge and his/her clothing labels. The changes to the identification badge shall make an employee aware that an offender has legally changed his/her name and, consequently, the employee shall be culturally sensitive to an offender’s desire to be addressed by his/her legal name. However, failure of an employee to use the new legal name shall not excuse an offender from obeying an order or directive given by an employee using the commitment name. Offenders may not, however, be forced to refer to themselves by the commitment name.