

STATE OF OHIO



DEPARTMENT OF REHABILITATION  
AND CORRECTION

SUBJECT: <b>Bureau of Sentence Computation Legal File</b>	PAGE <u>  1  </u> of <u>  3  </u>
	NUMBER: 07-ORD-12
RULE/CODE REFERENCE: ORC 5120.21; AR 5120-9-49	SUPERSEDES: 07-ORD-12 dated 03/11/15
RELATED ACA STANDARDS: 4-4097; 2-CO-1E-05	EFFECTIVE DATE May 27, 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 an accurate, efficient, and secure system for the recording, management, and maintenance of the Bureau of Sentence Computation's (BOSC) Legal File.

**III. APPLICABILITY**

This policy applies to all persons employed by the Ohio Department of Rehabilitation and Correction (DRC), offenders, and volunteers.

**IV. DEFINITIONS**

**Active File** – A BOSC Legal File for offenders who are incarcerated, AWL (Absent With Leave), Escape, Parole, Transitional Control, Declared Parole Violator, Declared Parole Violator at Large, Declared Transitional Control Violator, Declared Transitional Control Violator at Large, Suspended Sentence, Judicial Release, Appeal Bond, Community Control, or 80% Court Release.

**Inactive File** – A BOSC Legal File for offenders who have reached the Expiration of Definite Sentence, Expiration of Stated Term, Final Release, Administrative Release, Vacated Sentences, Deceased, Maximum Expiration of Sentence, Post Release Control, Post Release Control Violators, Post Release Control Violators at Large or Risk Reduction.

**Legal File** – An accurate and complete record maintained by the BOSC pertaining to the calculation of an offender's sentence, which includes copies of official court documents and any other related papers created to document the time the offender is required to serve with the Department of Rehabilitation and Correction.

**V. POLICY**

It is the policy of the Ohio Department of Rehabilitation and Correction (DRC) to compile, manage, maintain and update each BOSC Legal File accurately and in a standardized manner.

**VI. PROCEDURES**

- A. The reception center shall provide BOSC the unique identification number to separate each offender from other offenders. The reception center record office staff shall scan all commitment documents to OnBase to initiate an electronic Legal File upon receipt of all new commitments and returned violators.
- B. All information pertaining to an offender's calculation of his/her sentence documenting that the time is accurately computed and recorded in conformance with applicable statutes and regulations shall be maintained in the BOSC Legal File.
- C. The Department shall control access to information in the BOSC Legal File as required by statute (Ohio Revised Code 5120.21, Records, and Administrative Rule 5120-9-49, Public Records).
- D. The Bureau of Sentence Computation (BOSC) shall be responsible for maintaining, updating, and reviewing the Legal File to ensure it is current and accurate.
- E. The contents of all Legal Files shall be scanned into OnBase and stored electronically.
- F. The content of the Legal File shall be as follows:
  - 1. A copy of all official documents pertaining to the offender's incarceration, e.g. Commitment Papers, Indictment or Bill of Information, Journal Entries and Certified Copies of Sentence.
  - 2. Sheriff's Letters.
  - 3. Admission Sheet/Offense Data.
  - 4. Admission Sheet Fax Cover.
  - 5. Offender Summary Sheet from DOTS Portal.
  - 6. BOSC Calculation Checklists.
  - 7. Quality Assurance Certification Checklist.
  - 8. Copy of CERT1, CERT2, and SENTN screens from DOTS Portal.
  - 9. Copies of the front of the old Master File, if applicable.
  - 10. New Offender Summary Sheet and/or Update and Correction.
  - 11. Correspondence from courts.
  - 12. Earned Credit Log or copy of ECDIS and/or GTECI screen from DOTS Portal.
  - 13. Lost Time.
  - 14. Denial of Good Time.
  - 15. Offender Correspondence.
  - 16. Attorney General's Correspondence.

G. Security

1. All active Legal Files shall be maintained at the Bureau of Sentence Computation.
2. DRC employees authorized by the Chief of the Bureau of Sentence Computation and BOSC personnel shall have unlimited access to BOSC Legal Files.
3. Individuals having no access to BOSC Legal Files shall include, but not be limited to:
  - a. Offenders;
  - b. Visitors;
  - c. Family members of offenders;
  - d. Any individual, representative or agency not approved in writing by the Chief of the Bureau of Sentence Computation.

H. Privacy of the BOSC Legal File

1. No employee of the DRC shall copy any document inside the Legal File except when in their official capacity it is necessary.
2. The information inside the Legal File shall only be released in accordance with Administrative Rule 5120-9-49, Public Records; Administrative Rule 5120:1-1-36, Parole Board Records; or the Ohio Revised Code 5120.21.

I. Offender Access to the BOSC Legal File

1. An offender may obtain information regarding his/her sentence calculation by corresponding via kite to the Bureau of Sentence Computation (BOSC).
2. An offender shall not be permitted to obtain information from the BOSC Legal File of another offender or a former offender.

J. Records of Released Offenders and Their Preservation:

1. Legal Files shall be maintained at the Bureau of Sentence Computation (BOSC) until such time they are considered inactive.
2. All inactive files shall be stored electronically in OnBase until the retention period is satisfied, at which time the record shall be destroyed.
3. The Legal Files of offenders who have been released on suspended sentence, judicial release, and 80% court release shall be kept at BOSC until such time documentation is received that the probation or community control has been successfully completed. The files shall be stored electronically in OnBase until the retention period is satisfied, at which time the record shall be destroyed.