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Old parole guidelines tossed for good

90 percent of inmates now doing time under 1996's 'flat-sentencing' law

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BY ALAN JOHNSON

THE COLUMBUS DISPATCH

The Ohio Parole Board is throwing out its old parole guidelines beginning today, primarily because nine of 10 inmates now in the system already are doing time under the 1996 "flat-sentencing" law.

"The population has changed significantly since Ohio went to determinate sentencing," Parole Board Chairwoman Cynthia Mauser said in an interview. "These guidelines aren't really effective anymore."

Mauser said she doesn't think the number of inmates paroled will increase dramatically just because the complicated guidelines are being abandoned.

"I don't see a significant change," she said. "Every case has its own unique set of facts and circumstances. It's going to be a weighing and balancing."

The change will affect 10percent of the prison population - roughly 5,000 inmates.

Mauser said the change is not related to current overcrowding in Ohio prisons, which now are 32 percent over the designed capacity. Some institutions are much more overcrowded.

The "old law" versus "new law" debate has raged since the 1996 sentencing overhaul. Under the current law, offenders get a flat, pre-determined sentence without time off for good behavior or other factors. The old law had sentencing ranges, meaning offenders could come up for one or more parole hearings before they served their maximum sentence.

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The most frequent complaint from offenders and their families was that inmates sentenced for the same crime served more time under the old law than the new law.

The parole guidelines utilized a complicated analysis of factors that determined inmates' parole eligibility by placing them on a grid. It often resulted in an inmate being turned down for parole, or "flopped" in the prison vernacular.

A notice posted on the Ohio Department of Rehabilitation and Correction Web site and in prisons across the state cited the "the dramatic transformation of Ohio's parole-eligible population" as the reason for tossing the old guidelines.

The board will revert to using Ohio laws and administrative code in effect since 1975.

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