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House Criminal Justice Committee
C/O Chairman Nathan Manning
12th Floor
77 S High St.
Columbus, OH 43215

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Dear House Criminal Justice Committee Members:

I STRONGLY OPPOSE SB 231. It is a misguided approach to solving a limited problem. There are a number of problems with this legislation that include the following:

Although this will not “officially” be on line, the public will still have access to data on the “private law enforcement database.” The effect of having third parties exploit this information has devastating consequences, as has proven to be the case with sex offender registries.

Being included on the VOD will stigmatize the persons required to register, resulting in making it difficult to be rehabilitated because they will have difficulties with finding employment and housing.

Because it is based on the prior offense rather than the likelihood of future offenses, it will be a shot gun approach that treats all offenders alike. A better approach would be to base any system on risk assessment and judicial discretion to identify threats to society. We need to provide rehabilitation and treatment options, not registration.

The VOD largely duplicates information already available on the Law Enforcement Agencies Data Systems (LEADS) law enforcement database. It would be better to make additions or changes to this system for including persons judged to be a threat to society. Such changes to LEADS could incorporate information from parole/probations systems to show current addresses. This would eliminate the need for 88 separate county sheriff systems and would be more secure against un-authorized use, though LEADS is not completely secure. See: *(COLUMBUS, Ohio (AP) — Officers in Ohio were fired, suspended or otherwise disciplined more than 70 times between 2013 and 2015 for misusing confidential law enforcement databases, according to an Associated Press tally of records provided by the Ohio State Highway Patrol and the state attorney general. (Sandusky Register, 9-28-2016))*

These registration systems create cumbersome reporting procedures such as reporting changes in address, employment, auto ownership that are easy to violate and result in offenders facing harsh penalties associated with failure to notify that add to Ohio's increased prison population.

Registrations schemes affect not only the registrant, but also his family, friends, neighbors, and sometimes even the very people the register is supposed to protect. It has been well-established that registration provides a false sense of security, and even victims' rights groups advocate for spending the millions we spend annually on SORN registration for prevention, rehabilitation and treatment

The costs of the SORN have skyrocketed to well over \$6 million annually, with no demonstrated return on that investment. Local ordinances imposing additional restrictions, such as residency restrictions which exceed state law, increase that cost. This legislation will likely face similar costs.

A better legislative approach would be a system that uses risk assessment and judicial discretion to identify high risk individuals. Such a system could make use of LEADS and other criminal justice systems that are more secure against un-authorized use by third party and other dissemination of data to the general public. If such a system were enacted, it should provide severe penalties for un-authorized disclosure of the data in the system. On request, I can provide you with a bibliography of reports, studies, news articles, etc. that show the problems with sex offender registries that are likely to occur with this registry.

A recent letter to the editor in the Toledo Blade well describes the problems with this type of legislation:

“Violent offender registries are violations of a basic human right to know when one’s punishment is over, when a debt has been paid for a harmful act. Our system punishes more harshly than any other in the industrialized world, and then, after those sentences are served, we keep punishing. We must stop enacting policies like the proposed registries in reaction to tragedies that are not the norm, but the horrible exception. It casts way too expansive a net out of a feeling of desperate grief and sadness over one-time horrible tragedies”ⁱ

Sincerely Yours

Dennis P. Brinton

ⁱ See: <https://www.toledoblade.com/opinion/letters-to-the-editor/2018/11/24/offender-registries-unfairly-stigmatize-renee-heberle/stories/20181123004>