



Office of Representative John E. Barnes, Jr.

Thank you, Chair Bacon, Vice Chair Dolan, Ranking Member Thomas, and my esteemed colleagues in the Senate Judiciary Committee for the opportunity to give sponsor testimony on House Bill 6, which has been coined as the “Mugshot Sites Act”.

House Bill 6 is a reintroduction of the 131st General Assembly’s House Bill 172, which passed in the House of Representatives and in the Senate unanimously. However, we did not have time to have it confirmed by the House in the end due to certain amendments, which were unrelated to the bill, going unconfirmed.

I was inspired to initiate this bill after I was asked to comment on a news segment from WKYC TV 3 in Cleveland, with Reporter Tom Meyer highlighting the injustice committed by publishers of public records. Under Section 149.43 B of the Ohio Revised Code, there exists public access to criminal records, and any business or individual can request them. Please allow to me introduce this news segment, after which I will provide further comments regarding House Bill 6.

House Bill 6 will:

- prohibit a person engaged in publishing or otherwise disseminating criminal record information through a print or electronic medium from negligently soliciting or accepting from a subject individual the payment of a fee or other consideration to remove, correct, modify, or refrain from publishing or otherwise disseminating criminal record information. Criminal record information is defined as a booking photograph or the name, address, charges filed, or description of a subject individual who is asserted or implied to have engaged in illegal conduct. House Bill 6 will make a violation of this prohibition a first degree misdemeanor.

- specify that in a lawsuit for damages for a criminal act under continuing law, a subject individual who suffers a loss or harm as a result of a violation of this prohibition may be awarded \$10,000 or actual and punitive damages, whichever is greater, and reasonable attorney's fees, court costs, and any other remedies provided by law.

The purpose of our criminal justice system is to achieve justice first and foremost. It is an injustice to have a process, where individuals are receiving money and charging fees at the expense of achieving justice, and at the same time ruining the reputation of individuals who are otherwise innocent.

Thank you again for this opportunity, I would be happy to answer any questions.