



Ohio Senate

Statehouse
Columbus, Ohio 43215

SENATOR RANDY GARDNER & SENATOR CLIFF HITE

Sponsor Testimony – Senate Bill 67

Sierah's Law

February 28, 2017

Mr. Chairman. Members of the Senate Judiciary Committee.

We are here today to begin Senate consideration of an idea to address significant concerns in Northwest Ohio and across the state of Ohio regarding public safety and awareness.

Last July, Sierah Joughin, a 20-year-old University of Toledo student, was murdered along a rural road in Fulton County. The tragedy occurred as she was riding her bicycle near her home. The person indicted for this crime lived only miles away – the same person who was convicted of abduction of a young female in the 1990s in the same area. He spent three years in state prison for that felony.

Very soon after Sierah's death, more than 10,000 people through an online petition asked that the state of Ohio establish a violent offender registry. The registry would be available both to the public and law enforcement officials to improve awareness and faster response times when missing person alerts are issued or an abduction or kidnapping occurs or is suspected.

Specifically, the bill requires the Ohio Attorney General to establish the registry by the end of this year, and provides some guidance but without mandates as to what felonies would be included or how the registry would be implemented. It is likely that the county sheriffs would be primarily responsible for local

implementation but that is to be decided by the Attorney General and the General Assembly through the legislative process.

There are only five states in the nation that currently maintain a violent offender registry, namely Indiana, Illinois, Montana, Kansas and Oklahoma. All of them differ in important ways. For example, Indiana includes only murder and voluntary manslaughter on its registry lists and Illinois only capital murder.

We know we have written this legislation in such a way that provides significant discretion to the Attorney General to establish the registry. We know too that the legislature may prefer to be more specific in terms of those crimes that would be included. Members of this committee may also have interest in detailing the terms of implementation and corresponding responsibilities for local law enforcement if such a registry is established. We know those are serious issues that must be addressed.

Thank you for allowing us to bring this issue before the Ohio Senate for consideration. We look forward to your questions and your suggestions as we seek to take additional steps to make our communities safer.

FEATURED EDITORIAL

Sierah's Law



The Blade Published on Dec. 7, 2016

Relatives and friends of Sierah Joughin recently gathered for a vigil at Wildwood Metropark to build support for a criminal registry for violent offenders.

Ms. Joughin was riding her bicycle in rural Fulton County when she was abducted, then killed.

The man charged with the crime — he has not been tried and found guilty — had previously been incarcerated in the 1990 abduction of a young woman.

Let's assume for the moment that he is found not guilty of this crime. Would it still not have been good for his neighbors to have known he had been convicted of kidnapping a young woman?

The argument against criminal registries (a violent-offender registry would essentially work like a sex-offender registry) is that they violate civil rights and due process, as well as the privacy of the ex-convict. In effect, he is never free of his crime and given a clean slate.

The argument for them is simple, and nonconceptual: They can save lives.

If you know a former violent offender — a former human trafficker or convicted kidnapper of young women — is living nearby, you make sure your friend, sister, daughter, girlfriend, or little son take as many precautions as possible. You try to make sure, for example, that she does not go jogging or biking alone near the ex-convict's house.

If you have ever had a daughter, sister, or female friend, this is a simple calculation.

Criminal registries have the very real potential to save lives.

Ohio's criminal registry needs to be established by Ohio law. It would be called Sierah's Law. It would be a pitifully small and totally, tragically inadequate memorial to Sierah Joughin, but it is the only fitting and worthy thing we can do.

Ohio Republican state Sens. Randy Gardner of Bowling Green and Cliff Hite of Findlay are already on board with the concept, which they have promised to move forward in the General Assembly.

The measure would create an Ohio registry for violent offenders. Several states already have such registries for use by law enforcement and the public. Had such a tool been available prior to this tragedy, the outcome might — might —

have been different. Ms. Joughin's uncle, Howard Ice, said at the vigil that a registry can reduce a search for a missing person "to hours, not days."

Certainly the establishment of such a database should take place in the state of Ohio.

And surely people have the right to know when a potential predator may be living nearby.

It will not bring back Sierah, and in that sense it is not enough and can never be enough. But a criminal registry is what her family asks of us now. Passing Sierah's Law is a way to honor her family's grief, remember her, and perhaps prevent some monster in some future time and place from taking another beautiful young life.