April 24, 2017

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| The Honorable Kevin Bacon Chairman, Ohio Senate Judiciary CommitteeOhio Senate Building Columbus, OH 43215The Honorable Matt DolanVice Chair, Ohio Senate Judiciary CommitteeOhio Senate Building Columbus, OH 43215The Honorable Cecil ThomasRanking Minority Member, Ohio Senate Judiciary CommitteeOhio Senate Building Columbus, OH 43215 | The Honorable Senator Randy GardnerCo-Sponsor, SB 67 Ohio Senate Building Columbus OH 43215The Honorable Senator Cliff HiteCo-Sponsor, SB 67 Ohio Senate Building Columbus OH 43215 |

Dear Chairman Bacon, Vice Chair Dolan, Ranking Member Thomas, Senator Gardner, and Senator Hite:

We are writing to express concerns with the possibility of Ohio creating a public violent offender registry as a tool to reduce crime and enhance public safety. We start from a deep desire for safety -- a desire we share with you and with Sierah’s family. We all are fiercely committed to working with policymakers to make sure no other Ohioan has to experience the powerlessness and traumatic loss suffered by Sierah’s family. And that is exactly why we are concerned with efforts to create an additional registry. Registries have been proven to be a costly and ineffective method for preventing future crime and increasing public safety. A wide range of research concludes registries serve simply as an illusion of control and that registries have not accomplished the goal of making citizens safer.[[1]](#footnote-1)

Public registries have unintended consequences that ultimately hinder a range of current efforts aimed at improving public safety and reentry in Ohio. Returning citizens face challenges with access to affordable housing, difficulties obtaining steady employment at a living wage, transportation barriers, and difficulty in reintegration. A public registry requirement exacerbates these challenges. Individuals currently on public registries exist in the margins of society. They live outdoors in camps in the woods, under public bridges, and on sidewalks in front of businesses and churches. Increasing the number of people in this situation, especially those with a violent history, does not enhance public safety and will create additional burdens to taxpayers in the form of increased need for social safety net services.

We are also concerned because:

* The executive branch – and the Attorney General specifically – should not have undue authority to determine which offenses should be included on the registry;
* Creating a registry results in another unfunded responsibility for local Sheriff Departments;
* Too many questions are currently unanswered about the registry, including how long a person would be required to register, any conditions under which the registrant would be required to insure compliance, and penalties for noncompliance;
* Registries do not take into account recidivism rates or individual risk factors pertaining to the crimes the registry is seeking to prevent. For example, violent prisoners, like those convicted of homicide and sex offenses, are statistically the least likely to commit the same crime again.[[2]](#footnote-2)
* Registries provide the public very limited information.  With plea bargains it is difficult to know if the registry reports what actually occurred;
* A name on a registry provides no information on a person's current adjustment or threat to the community;
* Registries may result in vigilantism if a crime occurred near a residence of a registrant;
* The registry leaves open the potential of including youth before they turn 18, which would go against the rehabilitative focus of the juvenile court and well-established principle that youth can change for the better.

A number of signatories of this letter also have specific concerns about particular populations that may be impacted by the creation of a violent offender registry, like battered women, juvenile offenders, and various others returning to the community that we believe would face significant direct hardship and possible threats to their safety if they were required to publicly register their home address upon release.

While we are grieved by the tragedy that inspired the creation of this legislation, we maintain that criminal justice policy should be evidence-based, not written as a fear-based reaction to individual tragedies. We respectfully request the Senate Judiciary Committee to fully consider the implications of expanding public registries before advancing SB 67 further.

As signers of this letter and stakeholders, we also seek to be alerted to any future meetings that may occur in connection to SB 67 so we have the opportunity to provide additional information based in our areas of expertise that would benefit the sponsors and committee members as they consider expanding public registries in Ohio.

Sincerely,\*

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| Tom LuettkePresidentOhio Association of Local Reentry Coalition Kari Bloom Legislative LiaisonOffice of the Ohio Public DefenderWendy TarrVincentian Ohio Action NetworkWill CooleyCo-ChairStark County Criminal Justice Reform CommitteeGary DanielsChief LobbyistACLU of OhioM. Sean McNultyChief Public DefenderToledo Legal Aid SocietyColleen Dempsey, LISWPractice AssociateNational Association of Social Workers--Ohio ChapterDiane LinvilleReentry SpecialistAdult Court ServicesLesha FariasCo-FounderNewark Think Tank on PovertyRev. Matthew WallsDirector/PresidentJacob Edward Walls FoundationNikki HogarthCoordinatorCommunity of Grace, Delaware (Jail and Reentry Ministry)Dr. Renee Heberle Professor of Political ScienceCo-Director, Program in Law and Social ThoughtCoordinator, Inside/Out Prison Exchange ProjectUniversity of ToledoJo Dee DavisFounderHealing Broken Circles  | Stephen Johnson-GroveDeputy DirectorOhio Justice and Policy CenterErin Davies Executive DirectorJuvenile Justice CoalitionWarren WrightPresidentSociety of St. Vincent de Paul, Columbus DioceseFrank FleischerCo-ChairStark County Criminal Justice Reform CommitteeYeura R. VentersDirector Franklin County Public DefendersKenneth SharpBoard PresidentToledoans for Prison AwarenessLisa HoChaplainOhio Wesleyan University, DelawareJerry FreewaltOffice for Social ConcernsCatholic Diocese of ColumbusJim McCarthy, Pres/CEOMiami Valley Fair Housing Association & Central Ohio Fair Housing AssociationLiat Ben-Moshe, Ph.DAssistant Professor, Disability StudiesUniversity of ToledoSusan FiggeChair, Behind Bars & Beyond Interfaith Working GroupBarbara BainEducation ConsultantOne At A TimeJim PragerPrison CONversations |

*\*Affiliations are listed for Identification Purposes Only*

1. *Molly J. Walker Wilson, The Expansion of Criminal Registries and the Illusion of Control, 73 La. L. Rev. (2013) Available at:* [*http://digitalcommons.law.lsu.edu/lalrev/vol73/iss2/7*](http://digitalcommons.law.lsu.edu/lalrev/vol73/iss2/7) *and Agan, Amanda Y. “Sex Offender Registries: Fear without Function?” The Journal of Law & Economics, vol. 54, no. 1, 2011.* [*www.jstor.org/stable/10.1086/658483*](http://www.jstor.org/stable/10.1086/658483)*.* [↑](#footnote-ref-1)
2. *Patrick A. Langan, Ph.D. David J. Levin, Ph.D., Recidivism of Prisoners Released in 1994, Table 10. Rearrest rates of State prisoners released in 1994, by most serious offense for which released and charge at rearrest. June 2002, NCJ 193427.* [*https://www.bjs.gov/content/pub/pdf/rpr94.pdf*](https://www.bjs.gov/content/pub/pdf/rpr94.pdf) [↑](#footnote-ref-2)