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Re: Notes from Committee Testimony on SB 67

Registration laws are simply trying to heal a gunshot wound with gauze; they don’t heal the symptoms, they are really just another form of over-criminalization

* Arson registration, sex offender registration, OVI plates, and now this proposed bill criminalize the problems these offenders face after conviction
* It criminalizes homelessness, lack of adequate transportation, social and familial instability

I have practiced criminal law throughout Ohio the last 6 years and I see how registration laws negatively affect registrants without making the community safer

* As others said in their testimony, there is no evidence that registration prevents recidivism at all
* The research is conclusive at this point after almost 2 decades of Megan’s law, the AWA etc.
* In my experience, sex offenders are more likely to commit a registration offense than any other crime; often sitting in jail awaiting a resolution on their case, further disrupting their lives

Registration is a burden on State/local resources, the registrant, and especially the Sheriff’s office

* Implementing a new registration system that would have several times more registrants would be incredibly fiscally irresponsible from a legislature who likes a fiscally responsible budget
* The burden of registration is thrown at the sheriff’s office in all 88 counties here and there isn’t a correlative increase in their budget
* In franklin county, they already are so busy with sex offender registration, they force registrants to report by noon; anyone showing up later than that will have to come back another time
* And of course there’s only 1 location, 410 S. High
* I recently had a client indicted for a registration offense for essentially reporting after the noon hour

One of the most important reasons to hold off on this bill was never mentioned, the Recodification Committee; change to the criminal code and chapter 29 of the ORC; if major changes are made to the criminal code in the future changes to it in the near term should be minimal; SB 67 is not a minimal change

* The legislature formed a committee to make much needed improvements to the criminal code; even 2 staff attorneys were hired; everyone had a seat at the table so to speak
* A 4000 page draft was just accepted and passed by a margin of 16-2 among all the parties
* Hopefully it is all adopted, however, even if only a small portion of it is adopted it will dramatically change criminal law in Ohio
* It could change the levels of offenses, the definitions of crimes, and more
* It would be remiss to make a drastic change in the law like sB 67 when so much of the criminal code may change in the next couple years

Senator Huffman wondered aloud during the hearing if community notification works; it doesn’t

* Only Tier III offenders have community notification right now, which has the least amount of offenders; how would this bill work? It’s vague on this issue
* I receive many of these notifications in the mail, neither I nor anyone I know, who is very interested in this topic pay attention to them; they’re mostly just more junk mail
* This is another “scarlet letter” mechanism that doesn’t work; it’s trying to define offenders, just like the yellow license plates; shaming doesn’t prevent future crime, it usually just ensures poor treatment from their neighbors