



## Ohio Prosecuting Attorneys Association

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Executive Director  
Senate Bill 47  
Proponent Testimony  
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Chair Eklund, Vice-Chair Manning, Ranking Member Thomas and members of the Senate Judiciary Committee, thank you for the opportunity to offer testimony in support of Senate Bill 47.

Senate Bill 47 is narrowly drafted to allow for certain individuals who were convicted of unlawful sexual conduct with a minor when they were under 21 years old at the time of the offense, and whose victim was a minor 14 years old or older, to apply to the sentencing court for removal from or modification of sex offender registration and notification duties. In addition, an applicant must have been deemed low risk, been placed on community control for the offense, and successfully fulfilled the conditions of that community control.

A person can be found guilty of unlawful sexual conduct with a minor if they engage in sexual conduct with another who is 13, 14, or 15 years old. Penalties for the offense range from a misdemeanor of the first degree, if the offender is less than four years older than the minor, to a felony of the second degree if the offender has previously been convicted of rape, sexual battery, or unlawful sexual conduct with a minor. Senate Bill 47 is limited to a narrow class of these offenders. In order to be an eligible offender under Senate Bill 47 a person must have been convicted of fourth degree felony unlawful sexual conduct with a minor, a Tier II registerable offense, or first degree misdemeanor unlawful sexual conduct with a minor, a Tier I registerable offense. These are offenses that require registration for 15 – 25 years. In many of these cases, this lengthy registration requirement is disproportionate to the need to protect the public.

Sex offender registration and notification requirements serve an important purpose – keeping the public informed about dangerous individuals. For the group of individuals who would be eligible under this bill we believe that that purpose is not necessarily served. We believe that justice can be secured and the public adequately protected by giving youthful, low risk individuals the opportunity to demonstrate rehabilitation and have their sex offender registration and notification requirements reduced.

Thank you again for the opportunity to provide testimony. I would be happy to answer any questions.