



**Representative Al Cutrona**  
59<sup>th</sup> Ohio House District

**Representative Jeff LaRe**  
77<sup>th</sup> Ohio House District

Cutrona

Vice-Chair Swearingen, Ranking Member Leland, and members of the House Criminal Justice Committee, thank you for the opportunity to testify today on House Bill 459. This prevents Tier II and Tier III Sex Offenders from working or volunteering in extensive contact with minors.

Ohio uses a 3-tiered system to classify sex offenders in the Sex Offender Registration and Notification (SORN) system, with the nature of the convictions being generally more heinous as the tiers increase. Tier II offenses include pandering sexually oriented material involving a minor, abduction with sexual motivation, and gross sexual imposition on a victim younger than 13. Tier III offenses include rape, sexual battery, murder with sexual motivation, and kidnapping of a minor to engage in sexual activity.

Nobody convicted of these types of crimes should be able to work in an unaccompanied setting with children, but Ohio law is too lax on this issue. For example, a Tier III Child-Victim Offender could currently volunteer as a youth sports coach or operate a children's dance studio. In fact, part of what prompted work on this legislation was the discovery that a local snack shop in my district that catered to children was run by two Sex Offenders: a Tier II and a Tier III.

House Bill 459 will protect our children by closing this loophole. I would like to thank you again for the opportunity to testify, and I will now turn it over to my joint sponsor.



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LaRe

Currently, state statute does not afford adequate protections to minors from sex predators who are serving in an occupational or volunteer capacity where they have direct contact with children. This creates a serious threat to our children who are exposed to offenders who are at risk to re-offend.

House Bill 459 would strengthen state law to better protect our children and communities by doing the following:

- Enacting restrictions in the Sex Offender Registration and Notification Law (SORN Law) that bar Tier II or Tier III sex offenders and/or child-victim offenders, or the pre-2008 equivalents, from serving in an employer, employee, contractor, or volunteer position that affords extensive contact with minor children;
- Providing that if an offender violates any restriction previously described, a prosecutor may bring an injunction for the violation, or if the offender previously had been subjected to an injunction for a violation of such a restriction, that the violation is a criminal offense;
- Requiring that an offender registering a place of employment under SORN Law provide a detailed description of the offender's position and duties in the employment and either a signed statement by the offender's employer or supervisor confirming that the description the offender provided is accurate, or a sworn statement by the offender that the employer or supervisor, upon the offender's request, refused to provide the offender with such a signed statement.

Thank you again for the opportunity to provide testimony on House Bill 459. We are happy to answer any questions the committee may have at this time.