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S.B. 357
136th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Sen. Gavarone

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SUMMARY

- Expands the Violent Offender Database (VOD) to additionally require persons convicted of second degree felony strangulation to register.
- Requires the sheriff that receives an enrollment or re-enrollment in the VOD to enter the information received into the Law Enforcement Automated Data System (LEADS) created under existing law.
- Requires the Bureau of Criminal Identification and Investigation to create an online portal through which the public may access VOD records.
- Requires the Superintendent of the State Highway Patrol to ensure that LEADS contains all the information provided by sheriffs pursuant to VOD enrollment or re-enrollment and to ensure that a flag is prominently displayed when a law enforcement officer is directed to the main information page of a VOD registrant.

DETAILED ANALYSIS

Violent Offender Database

Background

The Violent Offender Database (VOD), known as “Sierah’s Law,” went into effect on March 20, 2019, and presumes each offender designated as a “violent offender” or “out-of-state violent offender” will enroll and annually re-enroll in the database. A “violent offender” or “out-of-state violent offender” may rebut the presumption at the time of sentencing by filing a motion with the sentencing court and establishing, by a preponderance of the evidence, that the offender was not the principal offender in the commission of the offense.

Violent offenders and out-of-state violent offenders who do not rebut the presumption are generally required to enroll in the database within ten days of sentencing or release from incarceration. The duties begin on release from confinement and generally last for ten years, but

the period of enrollment may be extended if the offender violates a term or condition of a sanction imposed for the underlying offense or is convicted of another offense of violence during the enrollment period.¹

Expansion of “violent offender” and “out-of-state violent offender” definition

The bill expands the definition of “violent offender” and “out-of-state violent offender” so that those terms also include a person who, on or after the effective date of the bill, is convicted of or pleads guilty to the offense of strangulation under circumstances where the offense is a second degree felony.² By expanding those definitions, the bill expands the coverage of the VOD so that offenders convicted of second degree felony strangulation must enroll and re-enroll in the VOD unless they can rebut the presumption outlined in “**Background**,” above.

Second-degree felony strangulation requires that the offender knowingly cause serious physical harm to another by means of strangulation or suffocation.³

Online portal

The bill requires the Bureau of Criminal Identification and Investigation (BCI) to establish and maintain a publicly available online database, similar to the State Registry of Sex Offenders, created in existing law. The online database must contain any statements, information, photographs, fingerprints, or other materials provided for enrollment or re-enrollment in the VOD, but must not contain a Social Security number, driver’s license number, or state identification card number provided to the sheriff for enrollment or re-enrollment.⁴

Entry into LEADS

Under continuing law, after a violent offender or out-of-state violent offender enrolls in the VOD with a sheriff or sheriff’s designee, the sheriff or designee must forward the offender’s signed, written enrollment form, photograph, fingerprints, palm prints, and other materials to BCI.

The bill requires the sheriff to enter the above information into the Law Enforcement Automated Data System (LEADS).⁵ The Superintendent of the State Highway Patrol must ensure that LEADS contains all of the information provided by the sheriff for entry into LEADS and must ensure that a flag is prominently displayed when a law enforcement officer is directed to the main information page of a VOD registrant.⁶

¹ R.C. 2903.41 to 2903.43.

² R.C. 2903.41(A)(3) with conforming changes in R.C. 2903.41(C); R.C. 2903.42(A)(1)(a), (A)(2)(a), and (A)(3); and R.C. 2903.43(A)(1) and (2).

³ R.C. 2903.18, not in the bill.

⁴ R.C. 2903.43(F)(3) and (J).

⁵ R.C. 2903.43(F)(1).

⁶ R.C. 5503.102.

Technical corrections

The bill also corrects two existing law references to the defined term “qualifying out-of-state violent offender” where the term “qualifying out-of-state offender” had been used in error.⁷

HISTORY

Action	Date
Introduced	02-10-26

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⁷ R.C. 2903.43(D)(2).