April 24, 2017

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| The Honorable Kevin Bacon  Chairman, Ohio Senate Judiciary Committee  Ohio Senate Building  Columbus, OH 43215  The Honorable Matt Dolan  Vice Chair, Ohio Senate Judiciary Committee  Ohio Senate Building  Columbus, OH 43215  The Honorable Cecil Thomas  Ranking Minority Member, Ohio Senate Judiciary Committee  Ohio Senate Building  Columbus, OH 43215 | The Honorable Senator Randy Gardner  Co-Sponsor, SB 67  Ohio Senate Building  Columbus OH 43215  The Honorable Senator Cliff Hite  Co-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 Luettke  President  Ohio Association of Local Reentry Coalition  Kari Bloom  Legislative Liaison  Office of the Ohio Public Defender  Wendy Tarr  Vincentian Ohio Action Network  Will Cooley  Co-Chair  Stark County Criminal Justice Reform Committee  Gary Daniels  Chief Lobbyist  ACLU of Ohio  M. Sean McNulty  Chief Public Defender  Toledo Legal Aid Society  Colleen Dempsey, LISW  Practice Associate  National Association of Social Workers--Ohio Chapter  Diane Linville  Reentry Specialist  Adult Court Services  Lesha Farias  Co-Founder  Newark Think Tank on Poverty  Rev. Matthew Walls  Director/President  Jacob Edward Walls Foundation  Nikki Hogarth  Coordinator  Community of Grace, Delaware (Jail and Reentry Ministry)  Dr. Renee Heberle  Professor of Political Science Co-Director, Program in Law and Social Thought Coordinator, Inside/Out Prison Exchange Project  University of Toledo  Jo Dee Davis  Founder  Healing Broken Circles | Stephen Johnson-Grove  Deputy Director  Ohio Justice and Policy Center  Erin Davies  Executive Director  Juvenile Justice Coalition  Warren Wright  President  Society of St. Vincent de Paul, Columbus Diocese  Frank Fleischer  Co-Chair  Stark County Criminal Justice Reform Committee  Yeura R. Venters  Director  Franklin County Public Defenders  Kenneth Sharp  Board President  Toledoans for Prison Awareness  Lisa Ho  Chaplain  Ohio Wesleyan University, Delaware  Jerry Freewalt  Office for Social Concerns  Catholic Diocese of Columbus  Jim McCarthy, Pres/CEO  Miami Valley Fair Housing Association & Central Ohio Fair Housing Association  Liat Ben-Moshe, Ph.D  Assistant Professor, Disability Studies  University of Toledo  Susan Figge  Chair, Behind Bars & Beyond Interfaith Working Group  Barbara Bain  Education Consultant  One At A Time  Jim Prager  Prison 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)