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Chairman LaRe, Vice Chair White, Ranking Member Leland, Leader Seitz, and members of the House Criminal Justice Committee: my name is Ryan Harkins, and I appreciate the opportunity to write to you regarding my opposition to HB 459.

I wish to begin by stating that I believe strongly that people who have broken the law deserve punishment and rehabilitation. Offenders need a strong hand monitoring them for a time after an offense to establish healthy habits that build a defense against criminal behavior once released from supervision. However, I am opposed to measures that are ineffective, reflexive rather evidence-based in nature, and add burdens to people who have already paid their debt to society.

For a brief background, I am registered in Ohio as the result of an offense I committed in Colorado in 2002. I was convicted in 2004, categorized as low risk, and sentenced to 10 years to life on probation. I was only required to register annually, based upon my risk assessment. I was released back to Wyoming, where I finished graduate degrees at the University of Wyoming, married my wife Sara, and began a career as a control engineer at a refinery. After 10 years on probation, I petitioned for and was granted release from probation, having shown no signs of recidivism or risk.

I came to Ohio this past spring in pursuit of a better job opportunity. Knowing Ohio was far stricter on sex offenders than Wyoming, I still thought I could handle the increased registry burden and be successful in my new career. However, problems became apparent even before moving. In seeking temporary housing, we were continually turned down because of my status on the registry, regardless of my classification. When we did arrive in Ohio and began to search for a new residence, we continually missed opportunities to bid on housing (in a market that was unbelievably hot) as we awaited word back from sheriff's offices as to whether I could even live in the house under consideration. When we finally won a bid on a house that had been approved by the county sheriff's office, and after we had moved in, we received word that we were being forced to move because local ordinances prohibited my living in our newly acquired home. Fortunately, we won a legal challenge to that ordinance, but the difficulty has been immense.

A legal challenge we did not win was with my classification on the Ohio registry. Though I had been categorized for almost 18 years in the lowest tier in Wyoming, tiers that had originally been set through risk evaluation, when I arrived in Ohio I was categorized as Tier III and a Sexual Predator, due to the fact that Colorado required a lifetime registration for the statute under which I was convicted. My greatest concern about this classification was the community notification to which I would then be subject, something I had not had to endure previously. And this concern was more for my children than for myself.

My wife and I have four daughters. Now distant from family and friends, we've struggled to make any relationships in our neighborhood. Our daughters have been shunned as playmates. We fear what they might be subjected to in classroom or social settings once my offense becomes known to their peers. I understand fully that the law should not minimize the severity

of an offense because the punishment might impact children, but I fully believe there is a problem when the rules keep changing and increase the risk to my children along the way.

My experience on the registry has been one of continually adding burdens to registrants. My original classification as low-risk kept my information from public consumption. But after the Adam Walsh Act, Wyoming placed all its registrants online for the public to notice, regardless of offense or risk. Wyoming later enacted residency restrictions that were never successfully challenged, and so I found myself prevented from living in certain places, though that had not previously been the case, and nothing had changed about my supervision or status on the registry. Finally, to help pay for all the increased overhead in monitoring its sex offenders, Wyoming started forcing sex offenders to pay for any update to their registration.

Now in Ohio, I see House Bill 459 seeking to place restrictions on registered sex offenders, and applying criminal penalties for failure to comply, with no regard to length on the registry or risk, but only on Tier II or Tier III classification. So again, having lived as society would hope that I would – no re-offense in 18 years, in a stable marriage with children, and in a stable career that more than provides for our needs – I am to be subjected to even more restrictions. This restriction is especially onerous because it would prevent me from volunteering in certain areas, excluding me from many activities my daughters could be doing. It truly feels like the only reward for a sex offender living an exemplary life is continually increased punishment.

Thank you for your time. I know that this is a personal plea, not a data-driven analysis, but I do ask you consider the effects of adding more restrictions onto people who have already been sentenced and are attempting to rebuild their lives and move forward.

Sincerely,

Ryan C. Harkins