



# Judicial Impact Statement

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## SB 67 – Establish a violent offender registry

### SB 67

**Sens. Gardner and Hite**

### Version

### As Introduced

#### Title Information

To enact section 109.561 of the Revised Code to require the Attorney General to establish a violent offender registry and to name this act "Sierah's Law."

#### Judicial Impact

The bill as introduced would require the Attorney General to establish and maintain a state registry of violent offenders, granting the Attorney General the sole authority to determine which offenses will be subject to registration requirements.

Protecting the public by taking proactive steps to ensure that violent offenders do not reoffend is a goal that all parties can support, and a violent offender registry would likely be an effective means of furthering that goal. Such a registry, however, cannot be effective without giving judges the discretion to determine which offenders should be required to register, based upon their likelihood of reoffending. We can look to Ohio's current mandatory registration for sexually-oriented offenders as an example of how well-intentioned policy can have unintended consequences. A mandatory, offense-based registration system effectively dilutes the status of the most serious offenders who pose the greatest risk to the public, by grouping them in the same registry as lower-level offenders who are less likely to reoffend. Allowing judges to assess offenders on a case-by-case basis will help ensure that only those who pose the greatest risk of reoffending will end up on such a registry, in a way that a one-size-fits-all approach cannot. Judges are in the best position to determine an offender's likelihood of re-offending. They already have and use scientific and evidence-based risk-assessment tools, as well as their own judgment, experience, and personal knowledge of the offender, to come to a well-informed, thoughtful determination as to an offender's likelihood of re-offending.

#### Conclusion

The legislature should avoid creating additional mandatory, offense-based registries for criminal offenders. SB 67 should be amended to give judges the discretion to determine an individual offender's likelihood of reoffending, and whether that offender should be required to register for a violent-offender registry.

What is a Judicial Impact Statement?

A Judicial Impact Statement describes as objectively and accurately as possible the probable, practical effects on Ohio's court system of the adoption of the particular bill. The court system includes people who use the courts (parties to suits, witnesses, attorneys and other deputies, probation officials, judges and others). The Ohio Judicial Conference prepares these statements pursuant to R.C. 105.911.