



Ohio Judicial Conference

The Voice of Ohio Judges

February 21, 2019

The Honorable Rick Perales
Ohio House of Representatives
77 South High Street, 13th Floor
Columbus, OH 43215

Re: HB 69

Dear Representative Perales:

The Criminal Law and Procedure Committee of the Ohio Judicial Conference has reviewed your bill, House Bill 69, which would create a statewide registry of all individuals convicted of a “child abuse offense.” I would like to share with you some of the committee’s concerns.

Ohio’s judges generally disfavor mandatory, offense-based registries. As explained in greater detail in the Judicial Conference’s Policy Statement on Criminal Registries and Databases (enclosed), such one-size-fits all approaches to criminal justice are rarely effective. There is little to no evidence suggesting that offense-based registries actually promote public safety. Attention should instead be placed on the offender’s likelihood of reoffending, or any evidence that the offender poses a continued risk to his or her community. Judges are in the best position to determine that likelihood of reoffending, and should play a role in determining whether an offender should be included on a registry.

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 registry 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. Additionally, the threat of mandatory registration is often used to negotiate a plea to a lesser offense for which registration would not be required. This has the unfortunate effect of keeping off of the registry many offenders who may very well pose a significant risk to the public.

I hope you find the enclosed Policy Statement helpful in explaining the Judicial Conferences general concerns with mandatory, offense-based registries. Thank you for considering the feedback of the Judicial Conference, and do not hesitate to contact me if you have any questions.

Sincerely,

Paul Pfeifer
Executive Director

OHIO JUDICIAL CONFERENCE

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