

Law You Can Use: Consumer Information Column

Ohio's Sex Offender Law Requires Registration

The Adam Walsh Child Protection and Safety Act, signed into law on July 27, 2006, was intended to provide a standard method of determining sex offender classifications, and to standardize sex offender requirements in every state. Ohio adopted this federal law and made this Act effective in the state on January 1, 2008.

Q: *Who must register as a sex offender?*

A: The Adam Walsh Act organizes sex offenders into three categories, or tiers, with different registration requirements based upon an offender's criminal conviction(s). This law applies to adult offenders as well as juvenile offenders, all of whom are required to register with the sheriff of the county where they live, work and attend school. They also must register with the sheriff any time they change their place of residence

Tier III offenders are considered the most serious offenders. They include those who have been convicted for offenses such as rape, sexual battery, murder with sexual motivation, etc. Tier III offenders (adult and juvenile) must register every 90 days for the rest of their lives.

Tier II offenders include those who have been convicted of offenses such as gross sexual imposition with a victim under 13 years old, pandering sexually oriented material involving a minor, and unlawful sexual conduct with a minor when the offender is four or more years older than the victim. Adult offenders must register every 180 days for 25 years; juvenile offenders must register for 20 years.

Tier I offenders include those who have been convicted of offenses such as sexual imposition, voyeurism, and pandering obscenity. Adult offenders must register once a year for 15 years; juvenile offenders must register for 10 years.

Offenders who fail to register and update information may be charged with a separate felony offense under the law.

Q: *Will the public be notified of sex offenders' whereabouts?*

A: The law requires the community to be notified of the whereabouts of Tier III sex offenders. This means that the sheriff of the county in which a Tier III offender lives or moves to must notify all residents of a neighborhood who live within 1000 feet of that sex offender's home address. The sheriff also must notify schools, registered day-care providers, and other law enforcement agencies within the county any time a Tier III sex offender moves.

Q: *What information must a sex offender provide to the sheriff?*

A: All registered sex offenders must provide information about themselves to the sheriff's office of their residential county during the entire time that they are required to register. That information includes any change of address, places of employment, enrollment in a school or institution of higher education, vehicles registered to them or which they might operate, telephone numbers, and all Internet accounts they may have, including e-mail addresses and any MySpace or similar accounts they may use.

Q: *Where can sex offenders live?*

A: Generally, registered sex offenders may live anywhere they choose, as long as that residence is at least 1000 feet from a school. "Schools" also include preschools and child day care centers. A civil legal action may be taken against any adult sex offender who lives within 1000 feet of a school, and a judge may order the offender to move. Juvenile sex offenders are not prohibited from living within 1000 feet of a school.

Q: *How do I know if a sex offender lives close to me?*

A: The Ohio Attorney General provides an electronic sex offender registration and notification Web site at <http://www.esorn.ag.state.oh.us/Secured/p1.aspx>. Through this site, the public can access a list of registered sex offenders in Ohio. In addition, each county's sheriff's office is responsible for registering offenders and notifying the community. Many of these county offices have Web sites that provide information for the public regarding sex offenders in their county.

This "Law You Can Use" column was provided by the Ohio State Bar Association. It was prepared by Jennifer L. Springer, Knox County assistant prosecuting attorney. The column offers general information about the law. Seek an attorney's advice before applying this information to a legal problem.