

Juvenile Registration in Ohio

Frequently Asked Questions

What is Senate Bill 10? Senate Bill 10 (“SB 10”) is Ohio’s sex offender registration and notification statute. The registry is the system by which law enforcement keep a record of people who are classified as sex offender registrants or juvenile offender registrants. You may also hear people refer to the registry as the Adam Walsh Act or SORNA. Most adults who have been convicted of a sexually oriented offense and some juveniles who have been adjudicated delinquent of a sexually oriented offense are on the registry.

<p>Not all youth are required to register. Whether a child has to register depends on his age at the time of his offense and his prior offense history.</p>	<p>The timing of the hearing also depends on the child’s age and offense history.</p>
<p>Who <u>must</u> be classified? (Mandatory Registrants)</p> <ul style="list-style-type: none"> ▪ All youth who were 16 or 17 at the time of their offense are required to register. ▪ Youth who were 14 or 15 at the time of their offense and who have had a prior adjudication for a sexually oriented offense are required to register. <p>Who <u>might</u> be classified? (Discretionary Registrants)</p> <ul style="list-style-type: none"> ▪ First-time offenders who were 14 or 15 at the time of their offense. The court must consider a specific list of factors (i.e., treatment, remorse, public safety, etc.) before deciding whether to classify these youth. <p>Who <u>will not</u> be classified?</p> <ul style="list-style-type: none"> ▪ Youth who were under 14 at the time of their offense are not eligible for registration. 	<ul style="list-style-type: none"> ▪ For 14-17-year-olds with a prior adjudication for a sexually oriented offense, classification occurs at disposition. ▪ For 14- and 15-year-old first-time offenders the hearing, <i>if</i> it occurs at all, can occur at disposition or upon the child’s release from a secure facility. ▪ For 16- and 17-year-old first-time offenders, the hearing occurs at disposition, unless the child is committed to a secure facility, in which case the hearing is held when the child is released from the secure facility.

The tier levels vary in frequency and duration. The durations for the juvenile tier requirements are generally shorter than the adult tiers.

Levels	Frequency	Duration
Tier I	Once a year	Ten years.
Tier II	Every 180 days	Twenty years.
Tier III	Every 90 days	Life.
PRQJOR (2152.86)	No longer a valid classification	No longer a valid classification

Is the tier level based on the child’s offense? No. Offense-based classifications apply to adults only. For all registration-eligible juveniles, judges have discretion to determine tier level. But, you should not see a juvenile registrant classified to a higher tier than what an adult can receive for the same offense.

How does the judge decide which tier to place a child in? While the statute is not very clear, generally, courts look at the child’s offense, his remorse, results of any treatment, public safety, and the results of any professional risk assessment.

Is a juvenile’s registrant status permanent? Not necessarily. When a child completes DYS supervision the court is required to have a hearing to review the youth’s classification. If the court fails to schedule this hearing, ask for one! At that hearing, the court may continue the current classification, lower the child’s tier level, or for youth who were discretionary registrants initially, declassify them. The court may NEVER increase the child’s tier level at this hearing. Three years later, the child may petition the court again for removal.

Is registration information available to the public? Yes. According to statute, only youth with a tier III classification are eligible to have community notification cards sent out to neighbors, schools, etc. But, all registration records (even for tier I and II juvenile offender registrants) are subject to public records requests. No juvenile registrants should appear on law enforcement online databases. But, private registries (mugshots.com or busted.com) have been known to obtain copies of a juvenile's registrant status and post that information online.

Do juvenile registrants have to register while they are in a secure facility? No. But, if they are in a residential facility that is non-secure, and they have already been classified, they must register.

Do juvenile registrants have to register in multiple counties at the same time? Generally, no. Unlike adult registrants, juvenile registrants only have to register where they live. If they move to a different city/county to attend college and they live in that city/on campus, they must register there. But, if they commute daily to class (they live in Franklin County, but go to school in Athens County), they only have to register in their home county, not the school county. The only time a juvenile registrant needs to register in multiple counties simultaneously is if he stays in the second county more than 3 consecutive days or for 14 days over a 30 day period.

What happens if a juvenile offender registrant fails to register or violates another registration requirement? If a juvenile registrant fails to comply with a registration requirement after he has turned 18, he can be charged with a felony offense in adult criminal court. If convicted, he may be placed on community control or given a prison term and post-release control.

Are juvenile registrants prohibited from living in certain places? No. Residency restrictions (prohibiting a person from living within 1,000 feet of a school, daycare, etc.) only apply to people whose offenses occurred after they turned 18. After completing their parole (which may have come with its own restrictions), juvenile registrants may live wherever they want.

Once a juvenile registrant turns 18 or 21, does he have to start complying with adult registration requirements? No. If a child is classified as a juvenile offender registrant for an offense that occurred when he was under 18, he will always be a juvenile offender registrant and the adult registration requirements do not apply to him.

What happens if a juvenile registrant moves to another state? Every state has its own registration requirements. No state has the exact same requirements as Ohio. So, before a juvenile registrant moves to another state, he should consult with an attorney to find out what the requirements of that new state are, so that he complies with that state's requirements when he moves.