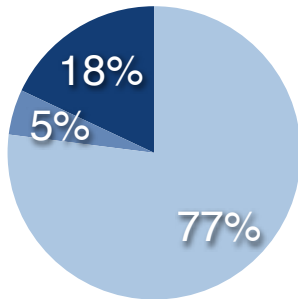


CASE STUDY: OHIO

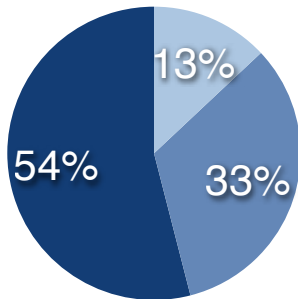
Prior to conforming to the Adam Walsh Act (AWA), Ohio had a three tiered risk assessment-based system that resulted in a registry that looked much like what scientific research tells us about the likelihood of sex offender recidivism.

Before AWA



- Level 1
Low Risk
- Level 2
Mod. Risk
- Level 3
High Risk

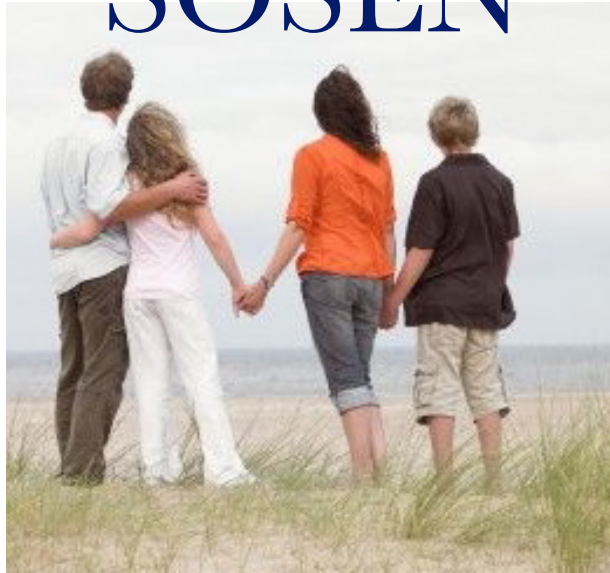
After AWA



The transition from a risk-based to AWA's offense-based system has turned Ohio's sex offender registry upside down, with triple the number of high risk Level 3 offenders, whose actual propensity to reoffend is simply unknown - resulting in a much less useful tool to law enforcement and the community.

SOURCE: Written testimony of Amy Borrer, Office of the Ohio Public Defender, to the U.S. House of Representatives, Committee on the Judiciary, March 10, 2009

ABOUT SOSEN



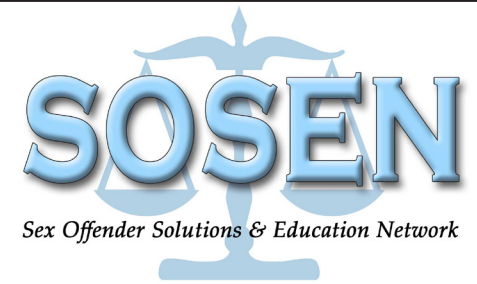
SOSEN - Sex Offender Solutions & Education Network is a not-for-profit organization made up of Registered Former Sex Offenders, their families, friends and allies in the social justice community.

We know through personal experience that most former sex offenders are good people who made a big mistake in their lives, have accepted responsibility and paid their debt to society - **and are now living law abiding lives.**

We know through extensive law enforcement agency and academic research that - contrary to myth - former sex offenders have a low recidivism rate and that **the vast majority pose no risk to their neighbors.**

SOSEN is committed to safe communities and knows that the keys to success for former offenders are the love of family, the support of friends and the strengthening of community ties.

We advocate for public policies that offer smart-on-crime solutions based on reason and facts and oppose the "one size fits all" approach that is based on emotion and irrational fear - and that frequently produces laws that damage the lives of law abiding former offenders without providing any real protection to the community.



How the
Adam Walsh Act
Turned the Sex
Offender Levels
Upside Down...

3 2 1

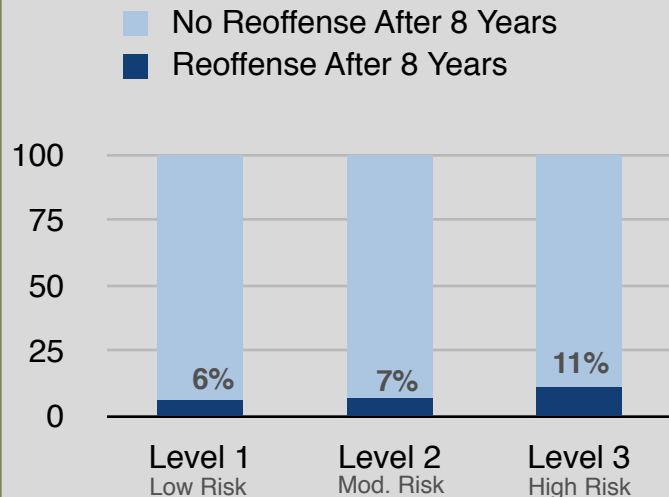
...and Made Them Meaningless.

SOSEN speaks on the levels...

Sexual Offenders have one of the lowest recidivism rates of any offender group in the criminal justice system – a fact repeatedly confirmed by national and state studies.

Yet, a small subset of sexual offenders do have a high recidivism rate and there is a public safety interest in identifying those at the highest risk who could present a danger to the community.

Since the advent of Megan's Law, risk-based actuarial methods that look at particular factors of the offender and the crime have been used to place registrants in one of three risk levels. A 2005 study by New York State Div. of Criminal Justice Services that looked at offenders 8 years after initial registration, found that these methods have demonstrated some moderate success.



This study shows that while there was little statistical difference between the reoffense rates of Levels 1 and 2, Level 3 registrants had almost twice the likelihood of reoffending as Level 1. It is important to note though, that even 89% of NY Level 3 offenders did not reoffend after 8 years.

The Adam Walsh Act seeks to dismantle the risk-based assessment method and replace it with an offense-based method. Classifications would be assigned without evaluations or allowing offenders due process to contest their registration level.

Classifications were designed to make an analytical assessment of recidivism probability, NOT a political assessment of public displeasure with particular crimes.

For example, there is significant public indignation with adults who have sex with minors, but history has shown that all such offenders do not pose the same risk of reoffense.

AWA looks only to the conviction to assign higher levels to these offenders, when the "context of the crime" and the "history of the offender" is far more determinative in predicting risk.

Creating more higher risk offenders based solely on the offense, makes the community less safe by creating "a bigger haystack for the few dangerous needles to hide in."

Basing classifications on the offense eliminates even the pretense of levels being used as a reliable tool to predict the risk of recidivism.

To learn more about SOSEN, visit us on our website at: www.sosen.org or call: (800) 773-4319

Where SOSEN stands...

- SOSEN favors actuarial risk-based assessment because it recognizes the historical data that all offenders who commit the same crime do not present the same risk of reoffending. Although recidivism prediction is an inexact science, these methods have shown some success at predicting risk.
- SOSEN opposes the conviction-based tiers in AWA because they bear no relationship to recidivism and undermine the whole purpose of the classification system - to give law enforcement and the public a tool to gauge risk. They further reinforce the "broad-brush" stereotype that all sex offenders are alike - creating needless fear in the community.
- SOSEN believes that while risk-based classification is a far preferable method to offense-based, the shortcoming of the existing model is that it is a static system that just looks at the offender at the time of conviction. We favor real reform that would periodically take a renewed look at the offender's progress and reward success.
- SOSEN strongly urges that AWA returns to its legislative intent of creating a *uniform standard* for the registry and not the *minimum standard* that it morphed into under the former Attorney General's Guidelines - resulting in a continued patchwork of confusion throughout the 50 states.