

How to Terminate or Modify Your Duty to Comply with Sexual Offense Registration (SORN) Laws [\(R.C. 2950.151\)](#)

A new law, effective April 12, 20201, allows certain eligible adolescents to petition the court for modification or termination of SORN duties. I lobbied for five years to get the legislature to pass this bill ([Senate Bill 47](#), passed as an amendment to [House Bill 431](#) in the 133rd General Assembly). This will outline all the steps you need to take to succeed in filing this petition.

STEP ONE: Determine if you are eligible for the petition.

You are eligible if you satisfy ALL of the following criteria:

- You were convicted of an offense of unlawful sexual conduct with a minor, or its equivalent, and it was a first offense
- You were 18, 19 or 20 at the time of the offense, the minor was 14 or 15 and consented to the conduct, and you were not in a position of authority over the minor;
- There was no force, threat of force or coercion;
- You were determined to be low risk at the time of sentencing;
- You were sentenced to community control sanctions instead of prison;
- You have fulfilled every condition of every community control sanction imposed by the sentencing court, and ben discharged from supervision;
- You have not been convicted of or pleaded guilty to any other sexually oriented offense.

STEP TWO: Hire a lawyer

If you satisfy these eligibility criteria, you should [hire a lawyer or public defender](#), if you can afford one. Expect to pay a lawyer at least \$5,000, the [public defender](#) less. If you cannot afford a lawyer, you can still file the motion/ petition yourself. I can help provide a sample motion for filing.

There are [several good lawyers](#) who are interested in handling modification or termination cases, but I only know one who has [actually brought a case](#) and WON. I would be happy to work with your lawyer, or refer you to someone.

STEP THREE: Obtain proof that you are eligible

Be prepared to obtain as many of the following documents as possible on your own to save money on attorney fees:

- A **certified copy** of the judgment entry of sentencing.
- Judgment entry or other evidence of termination of supervision.
- Evidence that you have completed a sex offender treatment program [certified by the department of rehabilitation and correction](#).
- Other evidence that you satisfy the eligibility criteria.

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You will need to pay for the certified copy of the judgment entry at the clerk of courts. If you find that the case has been closed, and the documents returned to your defense attorney, you may also need to contact your former lawyer to obtain the file.

If your sex offender therapy was not [certified by ODRC](#) or if you were not ordered to attend therapy, you will have to argue that you were rehabilitated by the other conditions of supervision, or by the program you actually attended, if any.

STEP FOUR: [Other evidence](#) that is strongly recommended, but not required

Again, you can save money by obtaining proof of as many of the following as possible:

- Evidence of payment of all court costs and financial sanctions in the original action;
- Evidence that driver's license, CDL, or other driving privileges are current and have NOT been suspended;
- Proof of financial responsibility for a motor vehicle;
- Payment of child or spousal support, if any;
- Copies of three years income tax returns (including local, if applicable);
- Evidence that you have addressed sexual offending behavior, and drug or alcohol abuse, if applicable;
- Proof that you have maintained a residence; if not, an explanation of the circumstances should be included;
- Employment status, including an explanation of why you are unemployed, if applicable.

STEP FIVE: Building your case

You will need to prove to the court that you have been rehabilitated, and do not pose a risk to society. If you can afford to pay for a psychological evaluation/ risk assessment, I strongly recommend it. If not, try to build your case with other evidence. Consider doing as many of the following as possible:

- Obtain your confidential file from your previous lawyer;
- Try to get a letter of reference from your PO, sheriff, or other person who worked on your case;
- Obtain your treatment plan (ISP) from any sex offender treatment program or drug and alcohol program you have attended;
- Provide evidence of stability in your life. This can include proof of continued employment, proof of stable housing, and especially, proof that you have a strong support system to keep you from relapsing. Toward that end, obtain as many of the following letters of reference as possible.

Letters should be addressed to the judge, but can be delivered by defense counsel. If possible, letters should acknowledge that the writer knows you are a registered sex offender, but that the writer still trusts you and does not view you as a danger.

The following are intended as suggestions only:

- Letters from neighbors, especially neighbors with young children;
- Letters from employers describing the circumstances of employment;
- Letters from a priest or minister;
- Letters from supervisors indicating volunteer service to the community;
- Letters from military supervisor, if applicable;
- Letters from family;
- Letters from school (yours or your child's):
- Letters from team members and parents, if you coach children, or from teammates if you participate in team sports;
- Letters from club members, if you belong to any clubs or organization;
- Letters from anyone else who knows you, and is willing to you made a mistake, but shouldn't be punished for twenty-five years.

STEP SIX: Stating your case

This is the part where your lawyer comes in. Although you can perform some of these tasks, a lawyer is uniquely situated to help you because he/she has done this before. However, I never talked to lawmakers before, and yet I managed to push this legislation through, so you never know what you can accomplish until you try.

- Hiring a private investigator (not required)
- Arranging a psychological evaluation/ risk assessment, if available
- Evaluating the evidence/ Drafting the motion
- Filing the motion
- Talking to the prosecutor about the case
- Appearing at the hearing/ Making oral arguments
- Following up to make sure the county sheriff takes the action ordered by the court

STEP SEVEN: [Applying to have your record sealed](#)

This is an entirely separate process, unless you or your lawyer choose to combine it with the above action. There are reasons why you should/ shouldn't combine the two. This is not available until the court terminates your registration duties, so we'll leave that for another day.