

IN THE SUPREME COURT OF OHIO

STATE OF OHIO)	Ohio Supreme Court
)	CASE NO. 2025-1215
Plaintiff-Appellee)	
)	On Appeal from the Geauga County
-vs-)	Court of Appeals, Eleventh District
)	
CHRISTOPHER B. SMITH, JR.)	Court Appeals Case No. 2025-G-0005
)	
Defendant-Appellant)	
)	

MERIT BRIEF OF APPELLANT CHRISTOPHER B. SMITH, JR.

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INTRODUCTION

“a place of employment”

What is one’s place of employment?

Where is one’s place of employment?

What terms define one’s place of employment?

These are the questions driving the issue in this case: a place of employment...where it is located, how it is defined, and better yet, under Ohio law, how it is not defined.

The issues in this case center on the term “place of employment.” The Ohio Revised Code does not provide a definition for the term. The lack of a specific definition of the term leads to an ambiguous and confusing interpretation and further fails to define the offense of *Failure to Register a Change of Employment* with sufficient definiteness that ordinary people do not know what conduct is actually prohibited by the vague term.

Appellant Christopher B. Smith, Jr. (herein referred to as “Appellant Smith”), was indicted under O.R.C. §2950.05(F)(2), Failure to Register Change of Employment, specifically “[b]eing required to register a **new** residence, school, institution of higher learning, or **place of employment** address with a sheriff or with an official of another state...did fail to register with the appropriate sheriff...” [Emphasis added.]

The fact that the Ohio Revised Code does not provide any direction or definition for the term “place of employment” makes this case a question of general and public interest and further to the substantial constitutional question of whether R.C. §2950.05(F)(2) violates the constitutional rights of those who are required to register; their rights as protected by the Due

Process Clause of the Fifth and Fourteenth Amendments of the U.S. Constitution and Article I, Section 16 of the Ohio Constitution under the vagueness doctrine.

STATEMENT OF THE CASE AND FACTS

The *Statement of the Case and Facts* as presented in the previously filed *Memorandum of Jurisdiction of Appellant Christopher B. Smith, Jr.* are restated and incorporated herein as that is how the case is before this Honorable Court.

The basic facts in this matter are not in dispute.

On August 21, 2023, Appellant Smith was indicted for a violation of R.C. §2950.05(F)(2), Failure to Register Change of Employment, a felony of the third degree. (Trial Docket No. 3).

R.C. §2950.05(F)(2), provides in pertinent part, as follows:

No person who is required to register a **new** residence, school, institution of higher education, or **place of employment address** with a sheriff or with an official of another state pursuant to divisions (B) and (C) of this section shall fail to register with the appropriate sheriff or official of the other state in accordance with those divisions. [Emphasis added.]

Pursuant to the statute and for his compliance, Appellant Smith had previously reported his residence at 1231 East 61st Street, Cleveland, Ohio in Cuyahoga County to the SORNA¹ officer and his parole officer.

As to place of employment, Appellant Smith reported being employed at the Immaculate Cleaning through the Center of Employment Opportunities (CEO) located at 1500 Hamilton Avenue, Cleveland, Ohio, which is a janitorial service working jobs throughout the Northeast

Ohio area and provides employment to people recently released from prison. There is no doubt among the parties that Appellant Smith had registered Immaculate Cleaning as his employer with both the SORNA officer and parole officer of Cuyahoga County as the county in which he established residency and the address of the company with which he was employed.

At the time of the alleged Indictment, Immaculate Cleaning assigned Appellant Smith to work on the cleaning crew servicing a property in Geauga County, Ohio known as Camp Wise, which provides camping for youth in the Jewish community. There is absolutely no indication that Appellant Smith had any contact with the youth while cleaning on the property.

Appellant would meet at the Immaculate Cleaning van at a location on 115th Street in Cleveland, Ohio, where he would check in and be given his assignment for the day, then during this time, with his fellow employees, he would be driven out to Camp Wise. At the job site, he would complete his cleaning duties as directed, then be transported back to the 115th Street location in Cleveland, and then return to his residence on East 61st Street in Cleveland, never staying in Geauga County beyond completing his job assignments for the day.

Through the Indictment, the State of Ohio alleged that Appellant Smith's place of employment was in Geauga County because of the Camp Wise assignment and therefore had a duty to register with the Geauga County Sheriff this new place of employment. However, his employment with Immaculate Cleaning never changed; he simply had a job assignment that took him to Camp Wise by his employer's direction to complete daily duties.

It was well documented with his Cuyahoga County Sheriff SORNA officer and his parole officer that Appellant Smith was employed with Immaculate Cleaning and was in compliance with his notification requirements.

¹ SORNA stands for the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006. This federal statute, as adopted and codified in Ohio by R.C. 2950.03, establishes

On June 21, 2023, Appellant Smith was arrested for violation of his probation for supposedly violating the condition from being prohibited from unsupervised contact with minors unless the supervising adult was approved by the Adult Parole Authority. Appellant Smith was simply working on the cleaning crew for Immaculate Cleaning at Camp Wise and had no contact with any children while assigned to the camp for his daily duties.

Then on August 21, 2023, Appellant Smith was indicted. (Trial Docket No. 3).

I. The Trial Court wrongly denied Appellant Smith's motion to dismiss.

On December 19, 2023, Appellant Smith entered not guilty to the one count charge in the indictment (Trial Docket No. 16), Failure to Register Change of Employment, a felony of the third degree.

On July 17, 2024, Appellant Smith, through counsel, filed a request for continuance of jury trial and leave to file a *Motion to Dismiss* the charge, which was granted. (Trial Docket No. 65).

On August 16, 2024, Appellant Smith, through counsel, filed the motion to dismiss (Trial Docket No. 92) with the State filed its response on August 29, 2024. (Trial Docket No. 94).

On October 4, 2024, the trial court denied the motion to dismiss. (Trial Docket No. 96). It was found that Appellant Smith's "place of employment" was where "...he spent the majority of his work day on a daily basis." (Appendix, Order, A-1).

Appellant Smith filed his appeal.

II. The Eleventh District Court of Appeals should not have denied Appellant Smith's appeal.

On February 14, 2025, Appellant Smith, through counsel, filed his *Notice of Appeal* with the Eleventh District Court of Appeals. (Appellate Docket No. 2).

consistent national standards for sex offender registration and public notification.

The briefs were filed (Brief of Appellant filed 05/01/25, Appellate Docket No. 18, and Brief of Appellee filed 05/20/25, Appellate Docket No. 20).

On July 23, 2025, oral argument was heard (Appellate Docket No. 22).

On August 8, 2025, the Appellate Court denied the appeal and determined that the assignment of error was without merit, and the Order of the trial court was affirmed. (Appellate Docket No. 24).

The Eleventh District held that “[i]n sum, the term ‘place of employment address’ in R.C. 2950.05(F)(2) is not unconstitutionally vague as applied to Appellant.” That “R.C. 2950.05(B) and (C) reference an offender’s initial registration duties under R.C. 2950.04(A)(2). R.C. 2950.04(A)(2)(c) provides, in relevant part, that ‘[t]he offender shall register personally with the sheriff, or the sheriff’s designee, of the county in which the offender is employed if the offender resides or has a temporary domicile in this state and has been employed in that county *for more than three days or for an aggregate period of fourteen or more days in that calendar year.*’ (Emphasis added.) Thus, the statutory scheme recognizes that some offenders, like Appellant, may perform short-term work at several different locations.” (Appendix, Opinion and Judgment Entry, A-8).

Appellant sought an appeal with the Ohio Supreme Court.

III. The Ohio Supreme Court accepts case on the appeal.

On September 17, 2025, Appellant Smith filed an appeal with the *Memorandum of Jurisdiction* in the instant matter.

On October 14, 2025, the State filed its *Memorandum in Response to Appellant’s Memorandum of Jurisdiction*.

On November 25, 2025, this Court accepted the appeal.

ARGUMENT

Proposition of Law

When a statute fails to define a term which is an element of an offense, a Defendant's Due Process rights under the vagueness doctrine of the Fifth and Fourteenth Amendments to the Constitution of the United States and Article I Section 16 of the Ohio Constitution, as applied to the facts of this case, are violated by the trial court's failure to grant a Motion to Dismiss.

Appellant Smith was convicted of violating R.C. 2950.05(F)(2), Failure to Register Change of Employment, which provides in pertinent part as follows:

No person who is required to register a **new** residence, school, institution of higher education, or **place of employment address** with a sheriff or with an official of another state pursuant to divisions (B) and (C) of this section shall fail to register with the appropriate sheriff or official of the other state in accordance with those divisions. [Emphasis added.]

Appellant Smith completely complied with the requirements of the statute. He reported his place of employment as the Immaculate Cleaning company. He had told his parole officer and his SORNA officer, which Appellee State of Ohio has acknowledged in its own filings with this matter. It was the Immaculate Cleaning that sent Appellant Smith to Camp Wise for daily activities of cleaning. Immaculate Cleaning was directing the daily work, and it was Immaculate Cleaning that was paying Appellant Smith his paycheck; he was not being paid by Camp Wise or provided any employment benefits from Camp Wise, except the facility that needed to be cleaned as the jobsite.

When Appellant Smith was driven out to Camp Wise in Geauga County, he did not change his employment each time. It could not be expected for Appellant Smith to register in Geauga County because his employer selected that worksite for him to work. The Appellee interprets the

statute by requiring Appellant Smith to register with the sheriff of any county in which he performed his daily working activities for his employer. This interpretation does not make sense and could not have been anticipated at time of construction of the reporting requirements.

Either way, the term “new...place of employment” allows different interpretations without further definition. As used in R.C. 2950.05(F)(2), the term is vague, ambiguous, and subject to different interpretations. The term needs further definition, which is not currently provided.

Appellant Smith challenges the constitutionality of the statute, as applied to the facts of his case, under the vagueness doctrine. The supporting argument is the same as presented to the Court in his Memorandum of Jurisdiction.²

The vagueness doctrine has been recognized by the Eleventh District Appellate Court as follows:

The vagueness doctrine is premised on the Due Process Clauses of the Fifth and Fourteenth Amendments and requires fair notice of offending conduct and a criminal statute is void for vagueness if it fails to define an offense with sufficient definiteness that it fails to define an offense with sufficient definiteness that ordinary people can understand what conduct is prohibited, or if it encourages arbitrary and discriminatory enforcement.

State v. Naylor (2024), 2024-Ohio-1648, 242 N.E.3d 195.

This Ohio Supreme Court has recognized it is well settled law that criminal statutes are void for vagueness under the Due Process Clause of the Fourteenth Amendment if the statute fails to contain ascertainable standards of guilt. *State v. Young*, 62 Ohio St.2d 370, 372, 406 N.E.2d 499.

In the instant matter, R.C. 2950.05(F)(2) is void for vagueness because the term *place of employment* is not clearly defined. Appellant Smith, a person of ordinary intelligence, thought

² Much of the argument is taken from the Memorandum of Jurisdiction of Appellant Christopher B. Smith, Jr. as prepared by attorney R. Robert Umholtz and filed with this Court on September 17, 2025, who is hereby credited.

he followed the statute, he acted according to how the statute had been interpreted, but apparently did not know what was actually required and what was prohibited.

That is the essential crux of this case. The term *place of employment* address, which is not defined in the Ohio Revised Code, needs further definition. This Court needs to provide specific meaning, exact description, and an unambiguous definition of what it means as a new place of employment, otherwise the statute remains vague and open to differing interpretations, which is not fair to Appellant Smith and those individuals also subject to the statutory requirements.

Even though the revised code does not provide a definition for the term *place of employment*, the code at R.C. 2901.04(A) does make it clear that sections of the code which define offenses or penalties shall be construed strictly against the state and liberally in favor of the accused. “If the statutory language is clear and unambiguous, [the Ohio Supreme Court will] apply it as written, giving effect to its plain meaning. Further interpretation is necessary only when the statutory language is ambiguous and subject to varying interpretations. When a statute defines a criminal offense, [the Court will] construe the statute strictly against the state and liberally in favor of the accused.” *State v. Bryant* (2020), 160 Ohio St.3d 113, 2020-Ohio-1041.

In *Connally v. General Construction Co.* (1926), 269 U.S. 385, 391, the Supreme Court stated that “...the vagueness doctrine is designed to give an individual the opportunity to comply with the laws of the state, since the statutory language must be sufficiently definite in indicating what conduct is proscribed.”

This is precisely the issue and problem for Appellant Smith in the instant matter. He was denied an opportunity to know what is prohibited or required of R.C. 2950.05(F)(2) because the term *place of employment* is vague, ambiguous, and undefined in the statute. “It is a constitutional imperative that the dividing line between the lawful and the criminal be clear to all

and not subject to conjecture.” *City of Alliance v. Carbone* (2009), 181 Ohio App.3d 500, 2009-Ohio-1197.

Given the situation that R.C. 2950.05(F)(2) uses an undefined term, a vague term, subject to varying reasonable interpretations, the revised code at R.C. 1.42 requires that “[w]ords and phrases shall be read in context and construed according to the rules of grammar and **common usage**. Words and phrases that have acquired a technical or particular meaning, whether by legislative definition or otherwise, shall be construed accordingly. [Emphasis added.] This Court needs to apply these tools of statutory construction and interpret the phrase “place of employment” in its common usage.

The Eleventh Appellate Court, when denying Appellant Smith’s appeal, had analyzed that any term left undefined by statute is to be accorded with its common, everyday meaning. *State v. Dorso* (1983), 4 Ohio St.3d 60, 62. And the Appellee State of Ohio had argued in this case that the phrase should be given its plain meaning and construed according to common usage.

Well, there are certain specific differing interpretations and scenarios for everyday common usage of the phrase.

For example, take an individual that works as a pizza delivery person. The pizza shop that has employed him, hypothetically, is located on Mentor Avenue in the Lake County, Ohio area. His duties are to deliver pizza to businesses and homes in the area which could also take him across county lines into Cuyahoga County and maybe even Geauga County, depending on the quality of the pizza, of course. When the delivery person is asked where he is employed, his place of employment, he will undoubtedly state that he is employed by the pizza shop on Mentor Avenue in Mentor. He will not consider his place of employment the businesses or homes that he delivers the pizza to on a daily basis each time his employer directs him with a delivery. His

place of employment is one location, but the daily duties of his employment may take him to other locations in adjoining counties. His place of employment does not change with each delivery, which remains unchanged, it is just his activities at work that take him to changing locations. In common usage, his place of employment is the pizza shop, not delivery locations.

Another example, the undersigned counsel is the Public Defender in Chardon, Geauga County, Ohio. When he is asked where he is employed, the response is always that he works for the Public Defender Office in Chardon, Geauga County. Now when his duties take him to other courts, such as the Eleventh District Court of Appeals in Warren, Ohio, for the day to argue an appeal, when asked, he will not state that his place of employment is in Warren, Ohio; his place of employment remains in Chardon, Geauga County, Ohio. Or when counsel is set to argue before the Ohio Supreme Court located in Columbus, Ohio, he will not state when asked that his place of employment is in Columbus for that day; his place of employment remains the Geauga County Public Defender Office in Chardon, Ohio. That is the common usage and understanding of the phrase, place of employment. His duties for that day might be in Columbus, Franklin County, Ohio but that does not change his place of employment in Geauga County, Ohio.

There are other examples with plumbers, electricians, and those in the trades, that their place of employment is typically a building located at a certain place but then their duties for the job take them to surrounding cities and counties for their daily assignments. Their place of employment will always be the location of the shop. The common usage and understanding of a person's place of employment does not change because the person is working at a different job site location each day; that location does not become their place of employment.

Consider another example, the tradesman that works for a contractor, call it the ABC Company, with a shop located hypothetically in Berea, Cuyahoga County, Ohio. The tradesman

reports every morning for work at the shop in Berea and checks in for his daily assignment. The ABC Company has a project in Chesterland, Geauga County, Ohio for the remodeling of a lavish home. The company sends the tradesman out to Chesterland, thirty miles east of the shop, to perform his daily duties which entail assisting in remodeling of the home. The project goes on for several weeks if not for a couple of months with the tradesman going to the job site each morning, spending the day until the project is completed. In this scenario the tradesman would not state that his place of employment is in Chesterland just because he is on the remodel house project, but he no doubt would report when asked that his place of employment is the ABC Company with the shop in Berea, Ohio. It just makes sense in the common usage of the phrase *place of employment*. The company directs the tradesman's daily activities, insures the tradesman, provides workers compensation for the tradesman, and issues the tradesman's paychecks; the homeowner does none of these employment accounting activities.

Further examples involving common usage of the phrase involve the completing of forms and applications. On health insurance forms, workers compensation forms, bank account applications, credit card applications, the question for place of employment is always responded with the name and address of the employer. The common person of ordinary intelligence would respond with the name and address of the employer, not the physical location where one may be carrying on duties for a particular day, which may change on a daily or weekly basis.

It is Appellant Smith's position that the common everyday usage of the term "place of employment" means the name and address of one's employer not the physical location of daily work. In everyday conversation and interaction with others, when one is asked their place of employment, the question undoubtedly receives the response of the name and address of one's employer. That is the common understanding of the phrase, place of employment.

When in this matter the Eleventh District Court of Appeals determined in its decision that the term “place of employment” is the physical location where work takes place at any give point in time the Court decision places a great burden upon Appellant Smith and those similarly employed in the trades. These individuals engage in work for their employers at various worksites throughout each day and often travel to different counties on a daily basis. The Eleventh District Court’s findings require the cleaning services, electricians, plumbers, landscapers, roofers, and similar labor workers to register in person with the sheriff in the county which their daily work takes them and places a burdensome duty upon them to register in person a new place of employment address to the sheriff every time the employer assigns a physical work location other than where last assigned and the shop location.

It is logical to a person of ordinary intelligence that a new place of employment, or change of employment, is when a person actually changes jobs; not when the trade person goes from one site to another.

Appellant Smith remained employed at Immaculate Cleaning and the Camp Wise location was only a work site. He complied with the statutory requirements. He neither changed his employment nor did he secure a new place of employment. Any failure to comply with the registration requirements of R.C. 2950.05(F)(2) are absolutely attributable to the statute’s vague, ambiguous, and undefined term for “place of employment.” It is unfair to Appellant Smith. He was certainly denied a reasonable opportunity to know what is prohibited or specifically required under the statute, according to the State’s interpretation, and not to his or the common man, so that he could act in compliance with the reporting requirements.

As prior appellant counsel stated, due process does not allow a statute which either forbids or requires the doing of an act in terms so vague that men of common intelligence must

necessarily guess at its meaning and differ as to its application. *Carbone*, supra, at 41. The Ohio Supreme Court warned that if arbitrary and discriminatory enforcement is to be prevented, laws must provide explicit standards for those who apply them. A vague law impermissibly delegates basic policy matters to policeman, judges, and juries for resolution on an ad hoc and subjective basis, with the attendant dangers of arbitrary and discriminatory application. *Young*, supra, at 372-373.

The mandates of R. C. 2950.05(F)(2), especially until further defined, must be construed liberally in favor of the actions of Appellant Smith and against the Appellee State's interpretation. Appellant Smith's motion to dismiss should have been granted.

CONCLUSION

Based on the foregoing, this Court must reverse the judgment of the Eleventh District Court of Appeals by granting Appellant Smith's motion to dismiss, and to further find that R.C 2950.05(F)(2) is void for vagueness. Further, Appellant Smith's conviction for Failure to Register Change of Employment under R.C. 2950.05(F)(2) must be declared to be in violation of his constitutional rights that are protected by the Due Process Clause as applied to the facts in this case under the vagueness doctrine.

Respectfully submitted,

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CERTIFICATE OF SERVICE

A copy of the foregoing Merit Brief of Appellant was forwarded by regular U.S. Mail, postage prepaid, on this 17 day of February 2026, to the following:

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IN THE SUPREME COURT OF OHIO

STATE OF OHIO)	Ohio Supreme Court
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Plaintiff-Appellee)	
)	On Appeal from the Geauga County
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CHRISTOPHER B. SMITH, JR.)	Court Appeals Case No. 2025-G-0005
)	
Defendant-Appellant)	
)	

APPENDIX TO

**MERIT BRIEF OF DEFENDANT-APPELLANT
CHRISTOPHER B. SMITH, JR.**

IN THE COURT OF COMMON PLEAS
GEAUGA COUNTY, OHIO

STATE OF OHIO,)	CASE NO: 23 C 000131
Plaintiff)	
-vs-)	JUDGE: CAROLYN J. PASCHKE
CHRISTOPHER B. SMITH, JR.,)	
Defendant)	ORDER

This matter is before the Court upon Defendant's Motion to Dismiss and the State's Response to Defendant's Motion to Dismiss. This matter is before the Court on the pleadings and, as such, the Court relies on the facts argued in the pleadings which do not appear to be in dispute.

The Defendant, Christopher B. Smith was indicted and charged with an alleged violation of Ohio Revised Code §2950.05(F)(2) which states:

No person who is required to register a new residence, school, institution of higher education, or place of employment address with a sheriff or with an official of another state pursuant to divisions (B) and (C) of this section shall fail to register with the appropriate sheriff or official of the other state in accordance with those divisions.

The following facts are not in dispute:

- The Defendant is Tier III sex offender and, is required to register pursuant to R.C. §2950 et seq.
- Defendant was employed by Center of Employment Opportunities (C.E.O.) located at 1500 Hamilton Ave, Cleveland, Ohio 44114.
- Through C.E.O., Defendant was placed with Immaculate Cleaning, a janitorial service serving businesses throughout Northeast Ohio.
- Each workday, Defendant reported to a location on 115th Street in Cleveland to meet other employees of Immaculate Cleaning. Once the cleaning crew was assembled, they would drive together to their assigned jobsite location.

- During the time set forth in the indictment, the Defendant was assigned to do cleaning/janitorial work at Camp Wise, located in Geauga County, Ohio.
- Defendant was arrested on June 21, 2023 when law enforcement responded to Camp Wise and found the Defendant working there.
- Defendant, while working for Immaculate Cleaning through C.E.O. worked at Camp Wise each workday from "March or April 2023" until his arrest on June 21, 2023.
- At the end of each workday, Mr. Smith and the rest of the Crew would return in the van to the drop site on 115th Street in Cleveland.
- During this entire time set forth in the indictment, Mr. Smith was in compliance with the registration requirements regarding his residence and he registered his place of employment as C.E.O./Immaculate Cleaning in Cuyahoga County.
- Mr. Smith, having been convicted to two separate sex offenses, was provided with two separate Explanation of Duties to Register Forms pursuant to R.C. §2950.04.

The issue before the Court is whether Defendant was required to register his place of employment in Geauga County since the physical location of his work was at Camp Wise or whether it was sufficient that he registered the name, location of his employer and the place he reports to work on a daily basis.

Paragraph number 2 of The Explanation of Duties to Register as a Sex Offender states, in part:

...you are also required to register, in person, with the sheriff of the county in which you establish a place of employment if you have been employed for more than three days or for an aggregate of 14 days in a calendar year...

Paragraph number 5 of The Explanation of Duties to Register as a Sex Offender states, in part:

...If you change...place of employment...you shall provide written notice of that change to the sheriff with whom you most recently registered, and to the sheriff in the county in which you intend to...establish a place of

employment at least 20 days prior to any change and no later than 3 days after change of employment....

The Defendant argues that the statute under which Mr. Smith was indicted is ambiguous, fails to define place of employment and is susceptible to more than one reasonable interpretation. Defendant urges the Court to dismiss the indictment in this matter because Mr. Smith did not establish a new place of employment or a new place of employment address in that he remained working at Immaculate Cleaning and he continued to report to Immaculate Cleaning's designated transportation location to be transported to the work site assigned by Immaculate Cleaning.

The State argues that the plain meaning of the term "place of employment" is the actual physical location where the Defendant's work was taking place. The State further argues even if the Court finds the statutory language to be ambiguous, the Court should consider the intent of the legislature, which in this case is to provide notice to the public and law enforcement that a registered sex offender is either living, working or engaged in education within the community. The State further points out that in this case, Mr. Smith was within Geauga County for the entirety of his workday, over a several week period, which the State argues are the very individuals and types of situations that R.C. §2950.05(F)(2) attempts to provide notice of the public about.

The Court recognizes Mr. Smith's argument that many occupations such as landscaping, plumbing, heating and cooling repair and construction may travel to

various addresses, counties or states on a daily basis making it very difficult for a Defendant to register the actual physical location of his or her workplace.

However, it is also unreasonable for a Defendant to register the corporate address of an employer when the Defendant never or rarely spends his or her workday at that physical location.

The Court finds some guidance from the Explanation of Duties to Register (which comes from O.R.C. § 2950.04) which requires Defendants to register “...in person with the Sheriff of the county in which you establish a place of employment if you have been employed for more than 3 days or for an aggregate of 14 days in a calendar year.” The time period of 3 days or an aggregate of 14 days, invokes a situation where a person is working at various locations as opposed to a single location, but allows some flexibility for situations where employees are sent to various locations daily.

The Court finds further guidance from The Sex Offender Registration and Notification Act (SORNA), which was passed in 2006 as part of the Adam Walsh Child Protection and Safety Act to provide federal standards for jurisdictions to follow. SORNA calls for states and U.S. territories to meet minimum requirements for sex offender registration and notification. SORNA was enacted in Ohio under S.B. 10, on June 27, 2007 and made effective on January 1, 2008. The statute was adopted to revise Ohio's sex offender registration law to conform it to SORNA.

As part of SORNA, 28 CFR 72.6(c)(3) requires an offender to register “The name and address of any place where the sex offender is or will be an employee, or if the sex offender is or will be employed but with no fixed place of

employment, other information describing where the sex offender works or will work with whatever definiteness is possible under the circumstances.”

The Court finds that Defendant’s “place of employment” is where he spent the majority of his work day on a daily basis.

Defendant’s Motion to Dismiss is DENIED.

IT IS SO ORDERED.




JUDGE CAROLYN J. PASCHKE

**cc: Prosecutor
Public Defender
Defendant
Adult Probation**

ruling in this matter. The Court's prior order denying Defendant's Motion to Dismiss remains in full force and effect.

IT IS SO ORDERED.



JUDGE CAROLYN J. PASCHKE

COURT SERVICE TO:

Prosecutor
Public Defender
Defendant
Adult Probation

**IN THE COURT OF APPEALS OF OHIO
ELEVENTH APPELLATE DISTRICT
GEAUGA COUNTY**

STATE OF OHIO,

Plaintiff-Appellee,

- vs -

CHRISTOPHER B. SMITH, JR.,

Defendant-Appellant.

CASE NO. 2025-G-0005

Criminal Appeal from the
Court of Common Pleas

Trial Court No. 2023 C 000131

OPINION AND JUDGMENT ENTRY

Decided: August 4, 2025

Judgment: Affirmed

James R. Flaiz, Geauga County Prosecutor, and *Christian A. Bondra*, Assistant Prosecutor, Courthouse Annex, 231 Main Street, Suite 3A, Chardon, OH 44024 (For Plaintiff-Appellee).

R. Robert Umholtz, Geauga County Public Defender, 211 Main Street, Chardon, OH 44024 (For Defendant-Appellant).

JOHN J. EKLUND, J.

{¶1} Appellant, Christopher B. Smith, Jr., appeals from his judgment of conviction in the Geauga County Court of Common Pleas sentencing him to community control sanctions following his no-contest plea to Failure to Register Change of Employment, a third-degree felony.

{¶2} Appellant raises a single assignment of error, contending that the trial court erred by denying his motion to dismiss the indictment. Appellant is a Tier III sex offender. He argues that R.C. 2950.05(F)(2), which prohibits a sex offender from failing to register a new "place of employment address" with the county sheriff, is unconstitutionally vague

as applied to him. Specifically, Appellant works for a company that provides janitorial services to businesses throughout Northeast Ohio. He contends that the term "place of employment address" is ambiguous because it may refer to his employer's business location or to the locations where he was assigned to work.

{¶3} Having reviewed the record and the applicable law, we find that Appellant's assignment of error is without merit. R.C. 2950.05(F)(2) is not unconstitutionally vague as applied to Appellant. The common meaning of "place of employment address" is the address of the physical environment where one engages or is employed in activity, i.e., the location where Appellant performs work. Therefore, we affirm the judgment of the Geauga County Court of Common Pleas.

Substantive and Procedural History

{¶4} Appellant is a Tier III sex offender as a result of his sex-offense convictions in the Erie County Common Pleas Court. Consequently, Appellant is subject to lifetime registration requirements under R.C. Ch. 2950.

{¶5} At all relevant times, Appellant resided at East 61st Street in Cleveland, Ohio. He was employed through the Center for Employment Opportunities ("the Center") located on Hamilton Avenue in Cleveland. In March or April 2023, the Center placed Appellant with Immaculate Cleaning, which provides janitorial services to businesses throughout Northeast Ohio. Each workday, Appellant and others reported to a location at 115th Street in Cleveland. Immaculate Cleaning transported the assembled cleaning crew to the assigned work location. At the end of each workday, Immaculate Cleaning transported the cleaning crew back to the 115th Street location, at which time Appellant

returned to his residence. Appellant registered his residence and his employer's name and business location with the Cuyahoga County Sheriff.¹

{¶6} At some point in 2023, Immaculate Cleaning assigned Appellant's cleaning crew to work for several weeks at Camp Wise, which is a children's camp located in Geauga County. On June 21, 2023, law enforcement responded to Camp Wise and arrested Appellant.²

{¶7} On August 21, 2023, the Geauga County Grand Jury indicted Appellant for Failure to Register Change of Employment, a third-degree felony in violation R.C. 2950.05(F)(2). That statute provides:

No person who is required to register a new residence, school, institution of higher education, or place of employment address with a sheriff or with an official of another state pursuant to divisions (B) and (C) of this section shall fail to register with the appropriate sheriff or official of the other state in accordance with those divisions.

(Emphasis added.)

{¶8} The State alleged that Appellant violated R.C. 2950.05(F)(2) by failing to register Camp Wise with the Geauga County Sheriff as his new place of employment address.

{¶9} On December 19, 2023, Appellant was arraigned, pleaded not guilty, and was appointed counsel.

{¶10} On August 16, 2024, Appellant filed a motion to dismiss the indictment. Appellant contended that the term "place of employment address" in R.C. 2950.05(F)(2)

1. It is unclear from the record whether Appellant's registration identified his employer as the Center, Immaculate Cleaning, or both; however, resolving that issue is not necessary for our disposition.

2. Appellant contends that he was found guilty of violating his parole for being in the presence of children and sentenced to six months in prison; however, that proceeding is not part of the record before us.

is ambiguous. According to Appellant, it is unclear whether the term refers to his employer's business location in Cuyahoga County or to the locations where his employer assigns him to work. On August 29, 2024, the State filed a brief in opposition to Appellant's motion. The State argued that "place of employment address" refers to the location where Appellant's work occurs.

{¶11} On October 4, 2024, the trial court filed a judgment entry denying Appellant's motion to dismiss. The trial court found that Appellant's "place of employment" is "where he spent the majority of his work day on a daily basis." On October 7, 2024, the trial court filed an entry correcting the time period in which Appellant worked at Camp Wise (i.e., several weeks instead of several months). However, the court determined that this factual error did not affect its rationale or ruling.

{¶12} On November 8, 2024, the trial court held a plea hearing. Appellant pleaded no contest. The trial court accepted Appellant's plea and found him guilty.

{¶13} On January 15, 2025, the trial court held a sentencing hearing. The trial court sentenced Appellant to three years of non-residential community control sanctions.

{¶14} On January 21, 2025, the trial court filed Appellant's judgment of conviction. On February 14, 2025, the trial court filed a nunc pro tunc judgment correcting a clerical error unrelated to this appeal.

{¶15} On February 14, 2025, Appellant timely appealed. He raises the following assignment of error: "Defendant-Appellant's due process rights under the vagueness doctrine of the Fifth Amendment and Fourteenth Amendments to the Constitution of the United States and Article I Section 16 of the Ohio Constitution, as applied to the facts of

the Defendant-Appellant's case, were violated by the trial court's denial of his Motion to Dismiss."

Standard of Review

{¶16} In his sole assignment of error, Appellant argues that the trial court erred by denying his motion to dismiss because R.C. 2950.05(F)(2) is unconstitutionally vague under the federal and Ohio Constitutions. The constitutionality of a statute is a question of law that we review de novo. *Cleveland v. State*, 2019-Ohio-3820, ¶ 15.

{¶17} Appellant asserts that R.C. 2950.05(F)(2) is unconstitutional as applied to the facts of his case. "All statutes are entitled to a strong presumption of constitutionality." *State ex rel. Reynolds v. Nix*, 2024-Ohio-4669, ¶ 25. See R.C. 1.47(A) ("In enacting a statute, it is presumed that . . . [c]ompliance with the constitutions of the state and of the United States is intended"). In an as-applied constitutional challenge, "the party making the challenge bears the burden of presenting clear and convincing evidence of a presently existing set of facts that make the statute[] unconstitutional and void when applied to those facts." *Harrold v. Collier*, 2005-Ohio-5334, ¶ 38.

Vagueness

{¶18} "[T]he void-for-vagueness doctrine requires that a penal statute define the criminal offense with sufficient definiteness that ordinary people can understand what conduct is prohibited and in a manner that does not encourage arbitrary and discriminatory enforcement." *State v. Hacker*, 2023-Ohio-2535, ¶ 30, quoting *Kolender v. Lawson*, 461 U.S. 352, 357 (1983). "Thus, the adequacy of notice is evaluated from two perspectives: whether a person subject to the law can understand what is prohibited and whether those prohibitions are clear enough to prevent arbitrary enforcement." *Id.*

To prevail, "the challenging party must show that the statute is vague 'not in the sense that it requires a person to conform his conduct to an imprecise but comprehensible normative standard, but rather in the sense that no standard of conduct is specified at all.'" *State v. Anderson*, 57 Ohio St.3d 168, 171 (1991), quoting *Coates v. Cincinnati*, 402 U.S. 611, 614 (1971).

{¶19} "A statute . . . is not necessarily void for vagueness, however, merely because it could have been more precisely worded." *State v. Dorso*, 4 Ohio St.3d 60, 61 (1983). The Supreme Court of the United States has observed that "[m]any statutes will have some inherent vagueness, for '[i]n most English words and phrases there lurk uncertainties.'" *Rose v. Locke*, 423 U.S. 48, 49-50 (1975), quoting *Robinson v. United States*, 324 U.S. 282, 286 (1945). "Even trained lawyers may find it necessary to consult legal dictionaries, treatises, and judicial opinions before they may say with any certainty what some statutes may compel or forbid." *Id.* at 50.

{¶20} "A court's objective when construing a statute is to give effect to the legislature's intent. We seek legislative intent first in the statutory language. If the statutory language is clear and unambiguous, we apply it as written, giving effect to its plain meaning." (Citations omitted.) *State v. Bryant*, 2020-Ohio-1041, ¶ 12. In addition, "[w]e read words in a statute in the context of the whole statute. 'Our role is to evaluate the statute as a whole and to interpret it in a manner that will give effect to every word and clause, avoiding a construction that will render a provision meaningless or inoperative.'" (Citation omitted.) *Id.* at ¶ 17, quoting *State ex rel. Natl. Lime & Stone Co. v. Marion Cty. Bd. of Commrs.*, 2017-Ohio-8348, ¶ 14.

{¶21} "When a statute defines a criminal offense, we construe the statute strictly against the state and liberally in favor of the accused." *Id.* at ¶ 12; R.C. 2901.04(A). However, "[f]urther interpretation is necessary only when the statutory language is ambiguous and subject to varying interpretations." *Bryant* at ¶ 12.

Analysis

{¶22} Appellant was convicted of violating R.C. 2950.05(F)(2), which provides, in relevant part, that "[n]o person who is required to register a *new . . . place of employment address* with a sheriff . . . pursuant to divisions (B) and (C) of this section shall fail to register with the appropriate sheriff . . . in accordance with those divisions." (Emphasis added.)

{¶23} Appellant argues that the term "place of employment address" is ambiguous because the statute does not define it. According to Appellant, it could refer to his employer's business location or to the locations where he is assigned to work.

{¶24} Appellant is correct that there is no definition of "place of employment address" in R.C. 2950.05 or within R.C. Ch. 2950. However, "[a] legislative body need not define every word it uses in an enactment." *Dorso*, 4 Ohio St.3d at 62. "[A]ny term left undefined by statute is to be accorded its common, everyday meaning." *Id.*; see R.C. 1.42 ("Words and phrases shall be . . . construed according to the rules of grammar and common usage"). "In determining the 'common and ordinary meaning' of words, courts may look to dictionaries." *Athens v. McClain*, 2020-Ohio-5146, ¶ 30.

{¶25} The dictionary defines "place" as a "physical environment." *Merriam-Webster Online*, <https://www.merriam-webster.com/dictionary/place> (accessed July 24, 2025). "Employment" is defined as "activity in which one engages or is employed."

Merriam-Webster Online, <https://www.merriam-webster.com/dictionary/employment> (accessed July 24, 2025). Therefore, "place of employment address" means the address of the physical environment where one engages or is employed in activity, i.e., the location where an offender performs work. This is similar to the legal meaning of "place of employment," which is "[t]he location at which work done in connection with a business is carried out; the place where some process or operation related to the business is conducted." *Black's Law Dictionary* (12th Ed. 2024).

{¶26} This reading is confirmed by the statutory scheme. R.C. 2950.05(B) and (C) reference an offender's initial registration duties under R.C. 2950.04(A)(2). R.C. 2950.04(A)(2)(c) provides, in relevant part, that "[t]he offender shall register personally with the sheriff, or the sheriff's designee, of the county in which the offender is employed if the offender resides or has a temporary domicile in this state and has been employed in that county *for more than three days or for an aggregate period of fourteen or more days in that calendar year.*" (Emphasis added.) Thus, the statutory scheme recognizes that some offenders, like Appellant, may perform short-term work at several different locations.

{¶27} Appellant argues that the "common ordinary person" would believe that the term "place of employment" refers to the name and address of his or her employer. However, Appellant cites no authority in support of his assertion.

{¶28} Since the statutory language is clear and unambiguous, we have no basis upon which to apply the tools of statutory construction in R.C. 1.49 or the rule of lenity in R.C. 2901.04(A). See *Reynolds*, 2024-Ohio-4669, at ¶ 22.

{¶29} In sum, the term "place of employment address" in R.C. 2950.05(F)(2) is not unconstitutionally vague as applied to Appellant. Therefore, the trial court properly denied Appellant's motion to dismiss.

{¶30} Appellant's sole assignment of error is without merit.

{¶31} For the foregoing reasons, the judgment of the Geauga County Court of Common Pleas is affirmed.

EUGENE A. LUCCI, J.,

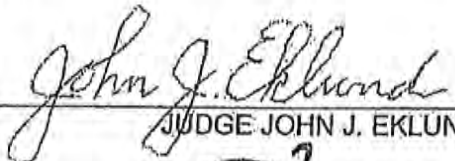
SCOTT LYNCH, J.,

concur.

JUDGMENT ENTRY

For the reasons stated in the opinion of this court, Appellant's assignment of error is without merit. It is the judgment and order of this court that the judgment of the Geauga County Court of Common Pleas is affirmed.

Costs to be taxed against Appellant.



JUDGE JOHN J. EKLUND



JUDGE EUGENE A. LUCCI,
concur



JUDGE SCOTT LYNCH,
concur

THIS DOCUMENT CONSTITUTES A FINAL JUDGMENT ENTRY

A certified copy of this opinion and judgment entry shall constitute the mandate pursuant to Rule 27 of the Ohio Rules of Appellate Procedure.

CONSTITUTION ANNOTATED

Analysis and Interpretation of the U.S. Constitution

Constitution of the United States

Fifth Amendment

Fifth Amendment Explained

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

CONSTITUTION ANNOTATED

Analysis and Interpretation of the U.S. Constitution

Constitution of the United States

Fourteenth Amendment

Fourteenth Amendment Explained

Section 1

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the

proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 3

No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section 4

The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section 5

The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

Article I, Section 16 | Redress for injury; Due process

Ohio Constitution / Article I Bill of Rights

Effective: January 1, 1913

All courts shall be open, and every person, for an injury done him in his land, goods, person, or reputation, shall have remedy by due course of law, and shall have justice administered without denial or delay.

Suits may be brought against the state, in such courts and in such manner, as may be provided by law.

Section 1.42 | Common, technical or particular terms.

Ohio Revised Code / General Provisions / Chapter 1 Definitions; Rules of Construction

Effective: January 3, 1972 Latest Legislation: House Bill 607 - 109th General Assembly

Words and phrases shall be read in context and construed according to the rules of grammar and common usage. Words and phrases that have acquired a technical or particular meaning, whether by legislative definition or otherwise, shall be construed accordingly.

Available Versions of this Section

January 3, 1972 – House Bill 607 - 109th General Assembly

Section 2901.04 | Rules of construction for statutes and rules of procedure.

Ohio Revised Code / Title 29 Crimes-Procedure / Chapter 2901 General Provisions

Effective: September 23, 2004 Latest Legislation: Senate Bill 146 - 125th General Assembly

(A) Except as otherwise provided in division (C) or (D) of this section, sections of the Revised Code defining offenses or penalties shall be strictly construed against the state, and liberally construed in favor of the accused.

(B) Rules of criminal procedure and sections of the Revised Code providing for criminal procedure shall be construed so as to effect the fair, impartial, speedy, and sure administration of justice.

(C) Any provision of a section of the Revised Code that refers to a previous conviction of or plea of guilty to a violation of a section of the Revised Code or of a division of a section of the Revised Code shall be construed to also refer to a previous conviction of or plea of guilty to a substantially equivalent offense under an existing or former law of this state, another state, or the United States or under an existing or former municipal ordinance.

(D) Any provision of the Revised Code that refers to a section, or to a division of a section, of the Revised Code that defines or specifies a criminal offense shall be construed to also refer to an existing or former law of this state, another state, or the United States, to an existing or former municipal ordinance, or to an existing or former division of any such existing or former law or ordinance that defines or specifies, or that defined or specified, a substantially equivalent offense.

Available Versions of this Section

September 23, 2004 – Senate Bill 146 - 125th General Assembly

Section 2950.03 | Notice of duty to register and periodically verify information.

Ohio Revised Code / Title 29 Crimes-Procedure /

Chapter 2950 Sexual Predators, Habitual Sex Offenders, Sexually Oriented Offenders

Effective: January 1, 2008 Latest Legislation: Senate Bill 10 - 127th General Assembly

(A) Each person who has been convicted of, is convicted of, has pleaded guilty to, or pleads guilty to a sexually oriented offense or a child-victim oriented offense and who has a duty to register pursuant to section 2950.04 or 2950.041 of the Revised Code and each person who is adjudicated a delinquent child for committing a sexually oriented offense or a child-victim oriented offense and who is classified a juvenile offender registrant based on that adjudication shall be provided notice in accordance with this section of the offender's or delinquent child's duties imposed under sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code and of the offender's duties to similarly register, provide notice of a change, and verify addresses in another state if the offender resides, is temporarily domiciled, attends a school or institution of higher education, or is employed in a state other than this state. The following official shall provide the notice required under this division to the specified person at the following time:

(1) Regardless of when the person committed the sexually oriented offense or child-victim oriented offense, if the person is an offender who is sentenced to a prison term, a term of imprisonment, or any other type of confinement for any offense, and if on or after January 1, 2008, the offender is serving that term or is under that confinement, subject to division (A) (5) of this section, the official in charge of the jail, workhouse, state correctional institution, or other institution in which the offender serves the prison term, term of imprisonment, or confinement, or a designee of that official, shall provide the notice to the offender before the offender is released pursuant to any type of supervised release or before the offender otherwise is released from the prison term, term of imprisonment, or confinement.

(2) Regardless of when the person committed the sexually oriented offense or child-victim oriented offense, if the person is an offender who is sentenced on or after January 1, 2008 for any offense, and if division (A)(1) of this section does not apply, the judge shall provide the notice to the offender at the time of sentencing.

(3) If the person is a delinquent child who is classified a juvenile offender registrant on or after January 1, 2008, the judge shall provide the notice to the delinquent child at the time specified in division (B) of section 2152.82, division (C) of section 2152.83, division (C) of section 2152.84, or division (E) of section 2152.85 of the Revised Code, whichever is applicable.

(4) If the person is a delinquent child who is classified as both a juvenile offender registrant and a public registry-qualified juvenile offender registrant on or after January 1, 2008, the judge shall provide the notice to the delinquent child at the time specified in division (B) of section 2152.86 of the Revised Code.

(5) If the person is an offender or delinquent child in any of the following categories, the attorney general, department of rehabilitation and correction, or department of youth services shall provide the notice to the offender or delinquent child at the time and in the manner specified in section 2950.031 or division (A) or (B) of section 2950.032 of the Revised Code, whichever is applicable:

(a) An offender or delinquent child who prior to December 1, 2007, has registered a residence, school, institution of higher education, or place of employment address pursuant to section 2950.04, 2950.041, or 2950.05 of the Revised Code;

(b) An offender or delinquent child who registers with a sheriff pursuant to section 2950.04 or 2950.041 of the Revised Code on or after December 1, 2007, previously had not registered under either section with that sheriff or any other sheriff, and was convicted of, pleaded guilty to, or was classified a juvenile offender registrant relative to the sexually oriented

offense or child-victim oriented offense upon which the registration was based prior to December 1, 2007;

(c) An offender who on December 1, 2007, is serving a prison term in a state correctional institution for a sexually oriented offense or child-victim oriented offense or each delinquent child who has been classified a juvenile offender registrant relative to a sexually oriented offense or child-victim oriented offense and who on that date is confined in an institution of the department of youth services for the sexually oriented offense or child-victim oriented offense;

(d) An offender or delinquent child who on or after December 2, 2007, commences a prison term in a state correctional institution or confinement in an institution of the department of youth services for a sexually oriented offense or child-victim oriented offense and who was convicted of, pleaded guilty to, or was classified a juvenile offender registrant relative to the sexually oriented offense or child-victim oriented offense prior to that date.

(6) If the person is an offender or delinquent child who on or after July 1, 2007, and prior to January 1, 2008, is convicted of or pleads guilty to a sexually oriented offense or a child-victim oriented offense and is not sentenced to a prison term for that offense or is classified a juvenile offender registrant relative to a sexually oriented offense or child-victim oriented offense and is not committed to the custody of the department of youth services for that offense, the sentencing court or juvenile court shall provide the notice to the offender or delinquent child at the time and in the manner specified in division (C) of section 2950.032 of the Revised Code.

(7) If the person is an offender or delinquent child who has a duty to register in this state pursuant to division (A)(4) of section 2950.04 or 2950.041 of the Revised Code, the offender or delinquent child is presumed to have knowledge of the law and of the offender's or delinquent child's duties imposed under sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code.

(B)(1) The notice provided under division (A) of this section shall inform the offender or delinquent child of the offender's or delinquent child's duty to register, to provide notice of a change in the offender's or delinquent child's residence address or in the offender's school, institution of higher education, or place of employment address, as applicable, and register the new address, to periodically verify the offender's or delinquent child's residence address or the offender's school, institution of higher education, or place of employment address, as applicable, and, if applicable, to provide notice of the offender's or delinquent child's intent to reside, pursuant to sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code. The notice shall specify that, for an offender, it applies regarding residence addresses or school, institution of higher education, and place of employment addresses and that, for a delinquent child, it applies regarding residence addresses. Additionally, it shall inform the offender of the offender's duties to similarly register, provide notice of a change in, and verify those addresses in states other than this state as described in division (A) of this section. A notice provided under division (A)(1), (2), (3), or (4) of this section shall comport with the following:

(a) If the notice is provided to an offender under division (A)(1) or (2) of this section, the official, official's designee, or judge shall require the offender to read and sign a form stating that the offender's duties to register, to file a notice of intent to reside, if applicable, to register a new residence address or new school, institution of higher education, or place of employment address, and to periodically verify those addresses, and the offender's duties in other states as described in division (A) of this section have been explained to the offender. If the offender is unable to read, the official, official's designee, or judge shall certify on the form that the official, designee, or judge specifically informed the offender of those duties and that the offender indicated an understanding of those duties.

(b) If the notice is provided to a delinquent child under division (A)(3) or (4) of this section, the judge shall require the delinquent child and the delinquent child's parent, guardian, or custodian to read and sign a form stating that the delinquent child's duties to register, to file

a notice of intent to reside, if applicable, to register a new residence address, and to periodically verify that address have been explained to the delinquent child and to the delinquent child's parent, guardian, or custodian. If the delinquent child or the delinquent child's parent, guardian, or custodian is unable to read, the judge shall certify on the form that the judge specifically informed the delinquent child or the delinquent child's parent, guardian, or custodian of those duties and that the delinquent child or the delinquent child's parent, guardian, or custodian indicated an understanding of those duties.

(2) The notice provided under divisions (A)(1) to (4) of this section shall be on a form prescribed by the bureau of criminal identification and investigation and shall contain all of the information specified in division (A) of this section and all of the information required by the bureau. The notice provided under divisions (A)(1) to (4) of this section shall include, but is not limited to, all of the following:

(a) For any notice provided under divisions (A)(1) to (4) of this section, an explanation of the offender's periodic residence address or periodic school, institution of higher education, or place of employment address verification process or of the delinquent child's periodic residence address verification process, an explanation of the frequency with which the offender or delinquent child will be required to verify those addresses under that process, a statement that the offender or delinquent child must verify those addresses at the times specified under that process or face criminal prosecution or a delinquent child proceeding, and an explanation of the offender's duty to similarly register, verify, and reregister those addresses in another state if the offender resides in another state, attends a school or institution of higher education in another state, or is employed in another state.

(b) If the notice is provided under division (A)(3) or (4) of this section, a statement that the delinquent child has been classified by the adjudicating juvenile court judge or the judge's successor in office a juvenile offender registrant and, if applicable, a public-registry qualified juvenile offender registrant and has a duty to comply with sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code;

(c) If the notice is provided under division (A)(3) or (4) of this section, a statement that, if the delinquent child fails to comply with the requirements of sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code, both of the following apply:

(i) If the delinquent child's failure occurs while the child is under eighteen years of age, the child is subject to proceedings under Chapter 2152. of the Revised Code based on the failure, but if the failure occurs while the child is eighteen years of age or older, the child is subject to criminal prosecution based on the failure.

(ii) If the delinquent child's failure occurs while the child is under eighteen years of age, unless the child is emancipated, as defined in section 2919.121 of the Revised Code, the failure of the parent, guardian, or custodian to ensure that the child complies with those requirements is a violation of section 2919.24 of the Revised Code and may result in the prosecution of the parent, guardian, or custodian for that violation.

(3)(a) After an offender described in division (A)(1) or (2) of this section has signed the form described in divisions (B)(1) and (2) of this section or the official, official's designee, or judge has certified on the form that the form has been explained to the offender and that the offender indicated an understanding of the duties indicated on it, the official, official's designee, or judge shall give one copy of the form to the offender, within three days shall send one copy of the form to the bureau of criminal identification and investigation in accordance with the procedures adopted pursuant to section 2950.13 of the Revised Code, shall send one copy of the form to the sheriff of the county in which the offender expects to reside, and shall send one copy of the form to the sheriff of the county in which the offender was convicted or pleaded guilty if the offender has a duty to register pursuant to division (A)(1) of section 2950.04 or 2950.041 of the Revised Code.

(b) After a delinquent child described in division (A)(3) or (4) of this section and the delinquent child's parent, guardian, or custodian have signed the form described in divisions (B)(1) and (2) of this section or the judge has certified on the form that the form has been

explained to the delinquent child or the delinquent child's parent, guardian, or custodian and that the delinquent child or the delinquent child's parent, guardian, or custodian indicated an understanding of the duties and information indicated on the form, the judge shall give a copy of the form to both the delinquent child and to the delinquent child's parent, guardian, or custodian, within three days shall send one copy of the form to the bureau of criminal identification and investigation in accordance with the procedures adopted pursuant to section 2950.13 of the Revised Code, shall send one copy of the form to the sheriff of the county in which the delinquent child expects to reside, and shall send one copy of the form to the sheriff of the county in which the child was adjudicated a delinquent child if the delinquent child has a duty to register pursuant to division (A)(1) of section 2950.04 or 2950.041 of the Revised Code.

(C) The official, official's designee, judge, chief of police, or sheriff who is required to provide notice to an offender or delinquent child under divisions (A)(1) to (4) of this section shall determine the offender's or delinquent child's name, identifying factors, and expected future residence address in this state or any other state, shall obtain the offender's or delinquent child's criminal and delinquency history, and shall obtain a photograph and the fingerprints of the offender or delinquent child. Regarding an offender, the official, designee, or judge also shall obtain from the offender the offender's current or expected future school, institution of higher education, or place of employment address in this state, if any. If the notice is provided by a judge under division (A)(2), (3), or (4) of this section, the sheriff shall provide the offender's or delinquent child's criminal and delinquency history to the judge. The official, official's designee, or judge shall obtain this information and these items prior to giving the notice, except that a judge may give the notice prior to obtaining the offender's or delinquent child's criminal and delinquency history. Within three days after receiving this information and these items, the official, official's designee, or judge shall forward the information and items to the bureau of criminal identification and investigation in accordance with the forwarding procedures adopted pursuant to section 2950.13 of the Revised Code, to the sheriff of the county in which the offender or delinquent child expects

to reside and to the sheriff of the county in which the offender or delinquent child was convicted, pleaded guilty, or adjudicated a delinquent child if the offender or delinquent child has a duty to register pursuant to division (A)(1) of section 2950.04 or 2950.041 of the Revised Code, and, regarding an offender, to the sheriff of the county, if any, in which the offender attends or will attend a school or institution of higher education or is or will be employed. If the notice is provided under division (A)(3) or (4) of this section and if the delinquent child has been committed to the department of youth services or to a secure facility, the judge, in addition to the other information and items described in this division, also shall forward to the bureau and to the sheriff notification that the child has been so committed. If it has not already done so, the bureau of criminal identification and investigation shall forward a copy of the fingerprints and conviction data received under this division to the federal bureau of investigation.

Available Versions of this Section

January 1, 2008 – Senate Bill 10 - 127th General Assembly

Section 2950.04 | Duty to register - form.

Ohio Revised Code / Title 29 Crimes-Procedure /

Chapter 2950 Sexual Predators, Habitual Sex Offenders, Sexually Oriented Offenders

Effective: March 20, 2025 Latest Legislation: House Bill 289 - 135th General Assembly

(A)(1)(a) Immediately after a sentencing hearing is held on or after January 1, 2008, for an offender who is convicted of or pleads guilty to a sexually oriented offense and is sentenced to a prison term, a term of imprisonment, or any other type of confinement and before the offender is transferred to the custody of the department of rehabilitation and correction or to the official in charge of the jail, workhouse, state correctional institution, or other institution where the offender will be confined, the offender shall register personally with the sheriff, or the sheriff's designee, of the county in which the offender was convicted of or pleaded guilty to the sexually oriented offense.

(b) Immediately after a dispositional hearing is held on or after January 1, 2008, for a child who is adjudicated a delinquent child for committing a sexually oriented offense, is classified a juvenile offender registrant based on that adjudication, and is committed to the custody of the department of youth services or to a secure facility that is not operated by the department and before the child is transferred to the custody of the department of youth services or the secure facility to which the delinquent child is committed, the delinquent child shall register personally with the sheriff, or the sheriff's designee, of the county in which the delinquent child was classified a juvenile offender registrant based on that sexually oriented offense.

(c) A law enforcement officer shall be present at the sentencing hearing or dispositional hearing described in division (A)(1)(a) or (b) of this section to immediately transport the offender or delinquent child who is the subject of the hearing to the sheriff, or the sheriff's designee, of the county in which the offender or delinquent child is convicted, pleads guilty, or is adjudicated a delinquent child.

(d) After an offender who has registered pursuant to division (A)(1)(a) of this section is released from a prison term, a term of imprisonment, or any other type of confinement, the offender shall register as provided in division (A)(2) of this section. After a delinquent child who has registered pursuant to division (A)(1)(b) of this section is released from the custody of the department of youth services or from a secure facility that is not operated by the department, the delinquent child shall register as provided in division (A)(3) of this section.

(2) Regardless of when the sexually oriented offense was committed, each offender who is convicted of, pleads guilty to, has been convicted of, or has pleaded guilty to a sexually oriented offense shall comply with the following registration requirements described in divisions (A)(2)(a), (b), (c), (d), and (e) of this section:

(a) The offender shall register personally with the sheriff, or the sheriff's designee, of the county within three days of the offender's coming into a county in which the offender resides or temporarily is domiciled for more than three days.

(b) The offender shall register personally with the sheriff, or the sheriff's designee, of the county immediately upon coming into a county in which the offender attends a school or institution of higher education on a full-time or part-time basis regardless of whether the offender resides or has a temporary domicile in this state or another state.

(c) The offender shall register personally with the sheriff, or the sheriff's designee, of the county in which the offender is employed if the offender resides or has a temporary domicile in this state and has been employed in that county for more than three days or for an aggregate period of fourteen or more days in that calendar year.

(d) The offender shall register personally with the sheriff, or the sheriff's designee, of the county in which the offender then is employed if the offender does not reside or have a temporary domicile in this state and has been employed at any location or locations in this

state more than three days or for an aggregate period of fourteen or more days in that calendar year.

(e) The offender shall register with the sheriff, or the sheriff's designee, or other appropriate person of the other state immediately upon entering into any state other than this state in which the offender attends a school or institution of higher education on a full-time or part-time basis or upon being employed in any state other than this state for more than three days or for an aggregate period of fourteen or more days in that calendar year regardless of whether the offender resides or has a temporary domicile in this state, the other state, or a different state.

(3)(a) Each child who is adjudicated a delinquent child for committing a sexually oriented offense and who is classified a juvenile offender registrant based on that adjudication shall register personally with the sheriff, or the sheriff's designee, of the county within three days of the delinquent child's coming into a county in which the delinquent child resides or temporarily is domiciled for more than three days.

(b) In addition to the registration duty imposed under division (A)(3)(a) of this section, each public registry-qualified juvenile offender registrant shall comply with the following additional registration requirements:

(i) The public registry-qualified juvenile offender registrant shall register personally with the sheriff, or the sheriff's designee, of the county immediately upon coming into a county in which the registrant attends a school or institution of higher education on a full-time or part-time basis regardless of whether the registrant resides or has a temporary domicile in this state or another state.

(ii) The public registry-qualified juvenile offender registrant shall register personally with the sheriff, or the sheriff's designee, of the county in which the registrant is employed if the registrant resides or has a temporary domicile in this state and has been employed in that

county for more than three days or for an aggregate period of fourteen or more days in that calendar year.

(iii) The public registry-qualified juvenile offender registrant shall register personally with the sheriff, or the sheriff's designee, of the county in which the registrant then is employed if the registrant does not reside or have a temporary domicile in this state and has been employed at any location or locations in this state more than three days or for an aggregate period of fourteen or more days in that calendar year.

(iv) The public registry-qualified juvenile offender registrant shall register with the sheriff, or the sheriff's designee, or other appropriate person of the other state immediately upon entering into any state other than this state in which the registrant attends a school or institution of higher education on a full-time or part-time basis or upon being employed in any state other than this state for more than three days or for an aggregate period of fourteen or more days in that calendar year regardless of whether the registrant resides or has a temporary domicile in this state, the other state, or a different state.

(c) If the delinquent child is committed for the sexually oriented offense to the department of youth services or to a secure facility that is not operated by the department, this duty begins when the delinquent child is discharged or released in any manner from custody in a department of youth services secure facility or from the secure facility that is not operated by the department if pursuant to the discharge or release the delinquent child is not committed to any other secure facility of the department or any other secure facility.

(4) Regardless of when the sexually oriented offense was committed, each person who is convicted, pleads guilty, or is adjudicated a delinquent child in a court in another state, in a federal court, military court, or Indian tribal court, or in a court in any nation other than the United States for committing a sexually oriented offense shall comply with the following registration requirements if, at the time the offender or delinquent child moves to and resides in this state or temporarily is domiciled in this state for more than three days, the

offender or public registry-qualified juvenile offender registrant enters this state to attend a school or institution of higher education, or the offender or public registry-qualified juvenile offender registrant is employed in this state for more than the specified period of time, the offender or delinquent child has a duty to register as a sex offender or child-victim offender under the law of that other jurisdiction as a result of the conviction, guilty plea, or adjudication:

(a) Each offender and delinquent child shall register personally with the sheriff, or the sheriff's designee, of the county within three days of the offender's or delinquent child's coming into the county in which the offender or delinquent child resides or temporarily is domiciled for more than three days.

(b) Each offender or public registry-qualified juvenile offender registrant shall register personally with the sheriff, or the sheriff's designee, of the county immediately upon coming into a county in which the offender or public registry-qualified juvenile offender registrant attends a school or institution of higher education on a full-time or part-time basis regardless of whether the offender or public registry-qualified juvenile offender registrant resides or has a temporary domicile in this state or another state.

(c) Each offender or public registry-qualified juvenile offender registrant shall register personally with the sheriff, or the sheriff's designee, of the county in which the offender or public registry-qualified juvenile offender registrant is employed if the offender resides or has a temporary domicile in this state and has been employed in that county for more than three days or for an aggregate period of fourteen days or more in that calendar year.

(d) Each offender or public registry-qualified juvenile offender registrant shall register personally with the sheriff, or the sheriff's designee, of the county in which the offender or public registry-qualified juvenile offender registrant then is employed if the offender or public registry-qualified juvenile offender registrant does not reside or have a temporary domicile in this state and has been employed at any location or locations in this state for

more than three days or for an aggregate period of fourteen or more days in that calendar year.

(5) An offender or a delinquent child who is a public registry-qualified juvenile offender registrant is not required to register under division (A)(2), (3), or (4) of this section if a court issues an order terminating the offender's or delinquent child's duty to comply with sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code pursuant to section 2950.15 of the Revised Code. A delinquent child who is a juvenile offender registrant but is not a public registry-qualified juvenile offender registrant is not required to register under any of those divisions if a juvenile court issues an order declassifying the delinquent child as a juvenile offender registrant pursuant to section 2152.84 or 2152.85 of the Revised Code.

(B) An offender or delinquent child who is required by division (A) of this section to register in this state personally shall obtain from the sheriff or from a designee of the sheriff a registration form that conforms to division (C) of this section, shall complete and sign the form, and shall return the completed form together with the offender's or delinquent child's photograph, copies of travel and immigration documents, and any other required material to the sheriff or the designee. The sheriff or designee shall sign the form and indicate on the form the date on which it is so returned. The registration required under this division is complete when the offender or delinquent child returns the form, containing the requisite information, photograph, other required material, signatures, and date, to the sheriff or designee.

(C) The registration form to be used under divisions (A) and (B) of this section shall include or contain all of the following for the offender or delinquent child who is registering:

(1) The offender's or delinquent child's name and any aliases used by the offender or delinquent child;

- (2) The offender's or delinquent child's social security number and date of birth, including any alternate social security numbers or dates of birth that the offender or delinquent child has used or uses;
- (3) Regarding an offender or delinquent child who is registering under a duty imposed under division (A)(1) of this section, a statement that the offender is serving a prison term, term of imprisonment, or any other type of confinement or a statement that the delinquent child is in the custody of the department of youth services or is confined in a secure facility that is not operated by the department;
- (4) Regarding an offender or delinquent child who is registering under a duty imposed under division (A)(2), (3), or (4) of this section as a result of the offender or delinquent child residing in this state or temporarily being domiciled in this state for more than three days, the following:
- (a) The current fixed residence address of the offender or delinquent child who is registering. If a residence address is not to a fixed residence address, the offender or delinquent child shall include in the registration a detailed description of the place or places at which the offender or delinquent child intends to stay for the following thirty days. Until the offender or delinquent child has a fixed residence address, the offender or delinquent child is subject to the change of address requirements in section 2950.05 of the Revised Code;
- (b) The name and address of the offender's or delinquent child's employer if the offender or delinquent child is employed at the time of registration or if the offender or delinquent child knows at the time of registration that the offender or delinquent child will be commencing employment with that employer subsequent to registration;
- (c) Any other employment information, such as the general area where the offender or delinquent child is employed, if the offender or delinquent child is employed in many

locations;

(d) The name and address of the offender's or public registry-qualified juvenile offender registrant's school or institution of higher education if the offender or public registry-qualified juvenile offender registrant attends one at the time of registration or if the offender or public registry-qualified juvenile offender registrant knows at the time of registration that the offender or public registry-qualified juvenile offender registrant will be commencing attendance at that school or institution subsequent to registration;

(5) Regarding an offender or public registry-qualified juvenile offender registrant who is registering under a duty imposed under division (A)(2), (3), or (4) of this section as a result of the offender or public registry-qualified juvenile offender registrant attending a school or institution of higher education in this state on a full-time or part-time basis or being employed in this state or in a particular county in this state, whichever is applicable, for more than three days or for an aggregate of fourteen or more days in any calendar year, the name and current address of the school, institution of higher education, or place of employment of the offender or public registry-qualified juvenile offender registrant who is registering, including any other employment information, such as the general area where the offender or public registry-qualified juvenile offender registrant is employed, if the offender or public registry-qualified juvenile offender registrant is employed in many locations;

(6) The identification license plate number of each vehicle the offender or delinquent child owns, of each vehicle registered in the offender's or delinquent child's name, of each vehicle the offender or delinquent child operates as a part of employment, and of each other vehicle that is regularly available to be operated by the offender or delinquent child; a description of where each vehicle is habitually parked, stored, docked, or otherwise kept; and, if required by the bureau of criminal identification and investigation, a photograph of each of those vehicles;

(7) If the offender or delinquent child has a driver's or commercial driver's license or permit issued by this state or any other state or a state identification card issued under section 4507.50 or 4507.51 of the Revised Code or a comparable identification card issued by another state, the driver's license number, commercial driver's license number, or state identification card number;

(8) If the offender or delinquent child was convicted of, pleaded guilty to, or was adjudicated a delinquent child for committing the sexually oriented offense resulting in the registration duty in a court in another state, in a federal court, military court, or Indian tribal court, or in a court in any nation other than the United States, a DNA specimen, as defined in section 109.573 of the Revised Code, from the offender or delinquent child, a citation for, and the name of, the sexually oriented offense resulting in the registration duty, and a certified copy of a document that describes the text of that sexually oriented offense;

(9) A description of each professional and occupational license, permit, or registration, including those licenses, permits, and registrations issued under Title XLVII of the Revised Code, held by the offender or delinquent child;

(10) Any email addresses, internet identifiers, or telephone numbers registered to or used by the offender or delinquent child;

(11) Any other information required by the bureau of criminal identification and investigation.

(D) After an offender or delinquent child registers with a sheriff, or the sheriff's designee, pursuant to this section, the sheriff, or the sheriff's designee, shall forward the signed, written registration form, photograph, and other material to the bureau of criminal identification and investigation in accordance with the forwarding procedures adopted pursuant to section 2950.13 of the Revised Code. If an offender registers a school, institution of higher education, or place of employment address, or provides a school or institution of

higher education address under division (C)(4) of this section, the sheriff also shall provide notice to the law enforcement agency with jurisdiction over the premises of the school, institution of higher education, or place of employment of the offender's name and that the offender has registered that address as a place at which the offender attends school or an institution of higher education or at which the offender is employed. The bureau shall include the information and materials forwarded to it under this division in the state registry of sex offenders and child-victim offenders established and maintained under section 2950.13 of the Revised Code.

(E) No person who is required to register pursuant to divisions (A) and (B) of this section, and no person who is required to send a notice of intent to reside pursuant to division (G) of this section, shall fail to register or send the notice of intent as required in accordance with those divisions or that division.

(F) An offender or delinquent child who is required to register pursuant to divisions (A) and (B) of this section shall register pursuant to this section for the period of time specified in section 2950.07 of the Revised Code, with the duty commencing on the date specified in division (A) of that section.

(G) If an offender or delinquent child who is required by division (A) of this section to register is a tier III sex offender/child-victim offender, the offender or delinquent child also shall send the sheriff, or the sheriff's designee, of the county in which the offender or delinquent child intends to reside written notice of the offender's or delinquent child's intent to reside in the county. The offender or delinquent child shall send the notice of intent to reside at least twenty days prior to the date the offender or delinquent child begins to reside in the county. The notice of intent to reside shall contain the following information:

(1) The offender's or delinquent child's name;

(2) The fixed residence address or fixed residence addresses at which the offender or delinquent child intends to reside. If a residence address change is not to a fixed residence address, the offender or delinquent child shall include in the notice a detailed description of the place or places at which the offender or delinquent child intends to stay for the following thirty days. Until the offender or delinquent child has a fixed residence address, the offender or delinquent child is subject to the change of address requirements in in section 2950.05 of the Revised Code;

(3) The sexually oriented offense of which the offender was convicted, to which the offender pleaded guilty, or for which the child was adjudicated a delinquent child.

(H) If, immediately prior to January 1, 2008, an offender or delinquent child who was convicted of, pleaded guilty to, or was adjudicated a delinquent child for committing a sexually oriented offense or a child-victim oriented offense as those terms were defined in section 2950.01 of the Revised Code prior to January 1, 2008, was required by division (A) of this section or section 2950.041 of the Revised Code to register and if, on or after January 1, 2008, that offense is a sexually oriented offense as that term is defined in section 2950.01 of the Revised Code on and after January 1, 2008, the duty to register that is imposed pursuant to this section on and after January 1, 2008, shall be considered, for purposes of section 2950.07 of the Revised Code and for all other purposes, to be a continuation of the duty imposed upon the offender or delinquent child prior to January 1, 2008, under this section or section 2950.041 of the Revised Code.

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Available Versions of this Section

January 1, 2008 – Senate Bill 10 - 127th General Assembly

March 20, 2025 – Amended by House Bill 289 - 135th General Assembly

Section 2950.05 | Notice of residence address change.

Ohio Revised Code / Title 29 Crimes-Procedure /

Chapter 2950 Sexual Predators, Habitual Sex Offenders, Sexually Oriented Offenders

Effective: March 20, 2025 Latest Legislation: House Bill 289 - 135th General Assembly

(A) If an offender or delinquent child is required to register pursuant to division (A)(2), (3), or (4) of section 2950.04 or 2950.041 of the Revised Code, the delinquent child if not a public registry-qualified juvenile offender registrant shall provide written notice of any change of residence address, and the offender and public registry-qualified juvenile offender registrant shall provide notice of any change of residence, school, institution of higher education, or place of employment address, to the sheriff with whom the offender or delinquent child most recently registered the address under division (A)(2), (3), or (4) of section 2950.04 or 2950.041 of the Revised Code or under division (B) of this section. A written notice of a change of school, institution of higher education, or place of employment address also shall include the name of the new school, institution of higher education, or place of employment. Except as otherwise specified in this division, the delinquent child if not a public registry-qualified juvenile offender registrant shall provide the written notice at least twenty days prior to changing the residence address, and the offender and public registry-qualified juvenile offender registrant shall provide the written notice at least twenty days prior to changing the address of the residence, school, or institution of higher education and not later than three days after changing the address of the place of employment. They shall provide the written notices during the period they are required to register. If a residence address change is not to a fixed residence address, the offender or delinquent child shall include in that notice a detailed description of the place or places at which the offender or delinquent child intends to stay for the next thirty days. Until the offender or delinquent child has a fixed residence address, every thirty days the offender or delinquent child shall include in that notice a detailed description of the place or places at which the offender or delinquent child intends to stay for the following thirty days. Not later than the en

first business day immediately following the day on which the person obtains a fixed residence address, the offender or delinquent child shall provide that sheriff written notice of that fixed residence address. If a person whose residence address change is not to a fixed residence address describes in a notice under this division the place or places at which the person intends to stay, for purposes of divisions (C) to (I) of this section, sections 2950.06 to 2950.13 of the Revised Code, and sections 311.171 and 2919.24 of the Revised Code, the place or places so described in the notice shall be considered the person's residence address and registered residence address until the person provides the written notice of a fixed residence address as described in this division.

(B) Except as otherwise provided in this division, if an offender or public registry-qualified juvenile offender registrant is required to provide notice of a residence, school, institution of higher education, or place of employment address change under division (A) of this section, or a delinquent child who is not a public registry-qualified juvenile offender registrant is required to provide notice of a residence address change under that division, the offender or delinquent child, at least twenty days prior to changing the residence, school, or institution of higher education address and not later than three days after changing the place of employment address, as applicable, also shall register the new address in the manner, and using the form, described in divisions (B) and (C) of section 2950.04 or 2950.041 of the Revised Code, whichever is applicable, with the sheriff of the county in which the offender's or delinquent child's new address is located, subject to division (C) of this section. If a residence address change is not to a fixed residence address, the offender or delinquent child shall include in the registration a detailed description of the place or places at which the offender or delinquent child intends to stay for the next thirty days. Until the offender or delinquent child has a fixed residence address, every thirty days the offender or delinquent child shall include in that written notice a detailed description of the place or places at which the offender or delinquent child intends to stay for the following thirty days. Not later than the end of the first business day immediately following the day on which the person obtains a fixed residence address, the offender or delinquent child shall register with that:

sheriff that fixed residence address. If a person whose residence address change is not to a fixed residence address describes in a registration under this division the place or places at which the person intends to stay, for purposes of divisions (C) to (I) of this section, sections 2950.06 to 2950.13 of the Revised Code, and sections 311.171 and 2919.24 of the Revised Code, the place or places so described in the registration shall be considered the person's residence address and registered residence address, until the person registers a fixed residence address as described in this division.

(C) Divisions (A) and (B) of this section apply to a person who is required to register pursuant to division (A)(2), (3), or (4) of section 2950.04 or 2950.041 of the Revised Code regardless of whether the new residence, school, institution of higher education, or place of employment address is in this state or in another state. If the new address is in another state, the person shall register with the appropriate law enforcement officials in that state in the manner required under the law of that state and within the earlier of the period of time required under the law of that state or at least seven days prior to changing the address.

(D) If an offender or delinquent child who is a public registry-qualified juvenile offender registrant is required to register pursuant to division (A)(2), (3), or (4) of section 2950.04 or 2950.041 of the Revised Code, the offender or public registry-qualified juvenile offender registrant shall provide written notice, within three days of the change, of any change in vehicle information, email addresses, internet identifiers, or telephone numbers registered to or used by the offender or registrant to the sheriff with whom the offender or registrant has most recently registered under division (A)(2), (3), or (4) of section 2950.04 or 2950.041 of the Revised Code.

(E)(1) Upon receiving from an offender or delinquent child pursuant to division (A) of this section notice of a change of the offender's or public registry-qualified juvenile offender registrant's residence, school, institution of higher education, or place of employment address or the residence address of a delinquent child who is not a public registry-qualified juvenile offender registrant, a sheriff promptly shall forward the new address to the bureau

of criminal identification and investigation in accordance with the forwarding procedures adopted pursuant to section 2950.13 of the Revised Code if the new address is in another state or, if the new address is located in another county in this state, to the sheriff of that county. Upon receiving from an offender or public registry-qualified juvenile offender registrant notice of vehicle and identifier changes pursuant to division (D) of this section, a sheriff promptly shall forward the new information to the bureau of criminal identification and investigation in accordance with the forwarding procedures adopted pursuant to section 2950.13 of the Revised Code. The bureau shall include all information forwarded to it under this division in the state registry of sex offenders and child-victim offenders established and maintained under section 2950.13 of the Revised Code and shall forward notice of the offender's or delinquent child's new residence, school, institution of higher education, or place of employment address, as applicable, to the appropriate officials in the other state.

(2) When an offender or public registry-qualified juvenile offender registrant registers a new residence, school, institution of higher education, or place of employment address or a delinquent child who is not a public registry-qualified juvenile offender registrant registers a new residence address pursuant to division (B) of this section, the sheriff with whom the offender or delinquent child registers and the bureau of criminal identification and investigation shall comply with division (D) of section 2950.04 or 2950.041 of the Revised Code, whichever is applicable.

(F)(1) No person who is required to notify a sheriff of a change of address pursuant to division (A) of this section or a change in vehicle information or identifiers pursuant to division (D) of this section shall fail to notify the appropriate sheriff in accordance with that division.

(2) No person who is required to register a new residence, school, institution of higher education, or place of employment address with a sheriff or with an official of another state pursuant to divisions (B) and (C) of this section shall fail to register with the appropriate sheriff or official of the other state in accordance with those divisions.

(G)(1) It is an affirmative defense to a charge of a violation of division (F)(1) of this section that it was impossible for the person to provide the written notice to the sheriff as required under division (A) of this section because of a lack of knowledge, on the date specified for the provision of the written notice, of a residence, school, institution of higher education, or place of employment address change, and that the person provided notice of the residence, school, institution of higher education, or place of employment address change to the sheriff specified in division (A) of this section as soon as possible, but not later than the end of the first business day, after learning of the address change by doing either of the following:

(a) The person provided notice of the address change to the sheriff specified in division (A) of this section by telephone immediately upon learning of the address change or, if the person did not have reasonable access to a telephone at that time, as soon as possible, but not later than the end of the first business day, after learning of the address change and having reasonable access to a telephone, and the person, as soon as possible, but not later than the end of the first business day, after providing notice of the address change to the sheriff by telephone, provided written notice of the address change to that sheriff.

(b) The person, as soon as possible, but not later than the end of the first business day, after learning of the address change, provided written notice of the address change to the sheriff specified in division (A) of this section.

(2) It is an affirmative defense to a charge of a violation of division (F)(2) of this section that it was impossible for the person to register the new address with the sheriff or the official of the other state as required under division (B) or (C) of this section because of a lack of knowledge, on the date specified for the registration of the new address, of a residence, school, institution of higher education, or place of employment address change, and that the person registered the new residence, school, institution of higher education, or place of employment address with the sheriff or the official of the other state specified in division (B)

or (C) of this section as soon as possible, but not later than the end of the first business day, after learning of the address change by doing either of the following:

(a) The person provided notice of the new address to the sheriff or official specified in division (B) or (C) of this section by telephone immediately upon learning of the new address or, if the person did not have reasonable access to a telephone at that time, as soon as possible, but not later than the end of the first business day, after learning of the new address and having reasonable access to a telephone, and the person, as soon as possible, but not later than the end of the first business day, after providing notice of the new address to the sheriff or official by telephone, registered the new address with that sheriff or official in accordance with division (B) or (C) of this section.

(b) The person, as soon as possible, but not later than the end of the first business day, after learning of the new address, registered the new address with the sheriff or official specified in division (B) or (C) of this section, in accordance with that division.

(H) An offender or delinquent child who is required to comply with divisions (A), (B), and (C) of this section shall do so for the period of time specified in section 2950.07 of the Revised Code.

(I) As used in this section, and in all other sections of the Revised Code that refer to the duties imposed on an offender or delinquent child under this section relative to a change in the offender's or delinquent child's residence, school, institution of higher education, or place of employment address, "change in address" includes any circumstance in which the old address for the person in question no longer is accurate, regardless of whether the person in question has a new address.

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