



Florida Action Committee, Inc.
6615 W Boynton Beach Blvd #414
Boynton Beach, FL 33437
www.floridaactioncommittee.org

June 10, 2026

The Honorable Justices of the Ohio Supreme Court
Supreme Court of Ohio
65 South Front Street
Columbus, OH 43215-3431

**RE: PUBLIC INTEREST LETTER
SEX OFFENDER REGISTRATION LAWS**

Dear Justices:

The Florida Action Committee (FAC) is a nonprofit organization that advocates for reform of sex offense registration laws and policies. Earlier this week, we had the opportunity to watch oral argument in *State v. Smith* (2025-1215). To be clear; we write today not as amici, not on behalf of any party, and not to offer legal arguments. We leave the law to the capable attorneys and the Court. Instead, we write to share the practical realities of registration compliance as experienced by registrants throughout the country.

Quite frankly, we were both sickened and frightened by portions of the State's argument.

The issue presented in *Smith* concerns a man who worked for a cleaning company that dispatched him to various client locations. The State contends that each of those locations constituted a "place of employment" that requires in person reporting to the Sheriff's Office. While that argument may seem straightforward in the abstract, it bears little resemblance to the realities faced by people attempting to comply with registration laws while maintaining employment.

Employment opportunities for registrants are extraordinarily limited. Many employers refuse to hire anyone on the registry, regardless of the nature of the offense, how long ago it occurred, what tasks that person would be performing, or the person's qualifications. As a result, many registrants are left with labor-intensive jobs that involve traveling to different worksites. Cleaning services, construction crews, landscaping companies, road flagging operations, maintenance work, and similar jobs often represent some of the few employment opportunities available.

Consider a landscaper employed by a lawn service. He does not mow the same grass every day. Instead, his employer services dozens of locations along a route. If every property where he cuts grass constitutes a reportable place of employment, he would be required to provide law enforcement with an ever-changing list of private and commercial properties. Each property that is serviced repeatedly throughout the year would become a new reportable place of employment.

The practical result would be that the addresses of countless private citizens and businesses would become associated as a “sex offender place of employment”, despite the fact that none of those individuals actually employ him nor want their addresses on the sex offender registry.

The same problem exists for construction workers, painters, roofers, maintenance personnel, and countless others whose jobs require them to travel wherever their employer sends them. Their actual employer is the company that hired them, pays them, supervises them, and controls their work. The work sites change constantly. New clients are added continuously. Projects are eventually completed. The burden of continuously reporting each address, in person, is impossible.

We were particularly troubled by the suggestion during oral argument that Mr. Smith could simply board a work bus, learn where he was being sent, and then have the bus transport him to the sheriff's office so that he could report the location before beginning work. Respectfully, that suggestion bears little resemblance to the real world.

Employers are not going to stop their operations and lose productive work hours so that an employee can repeatedly be shuttled to a sheriff's office whenever a new worksite is assigned. These businesses operate on schedules, deadlines, and customer demands. Work assignments often change with little notice. Employees are expected to report to work and perform their duties, not redirect company vehicles to government offices multiple times per month.

Most registrants live in constant fear that an honest misunderstanding of an ambiguous reporting requirement will expose them to felony prosecution. The State's position in Smith reinforces that fear. If a registrant's employer sends him to a different building, a different County, or a different customer tomorrow than today, is he expected to predict that change in advance? Must he repeatedly interrupt his workday for hours at a time to make in-person reports? What happens when the assignment changes again the following week?

These are not hypothetical concerns. They are the daily realities faced by tens of thousands of individuals attempting to comply with registration requirements while earning a living.

If the ultimate objective of registration laws is public safety, then that objective is best served by encouraging stable employment, not by placing employment further out of reach. Gainful employment provides structure, accountability, financial stability, and a path toward successful reintegration into society. Policies that make it more difficult for registrants to work, or that expose them to criminal prosecution simply because their employer sends them to a different job site, undermine those goals. Public safety is not enhanced when individuals lose jobs, become unemployable, or are forced to choose between earning a living and risking an arrest. A system that promotes employment promotes stability; a system that turns ordinary work into a compliance minefield does the opposite.

Registration laws should be reasonable and manageable enough that an ordinary person can comply with them. Otherwise, the system ceases to function as a means of regulation and instead becomes a trap for failure.

As registration laws continue to ratchet upwards, requirements become more onerous and restrictions become more burdensome, undoubtedly more of these-type cases will reach this Court. We respectfully ask the Court to consider the practical consequences of these laws. Beyond the legal questions to come before you are human beings attempting to live, support their families and maintain lawful employment under extraordinarily difficult circumstances.

Thank you for your consideration.

Respectfully,

s/

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Florida Action Committee, Inc.

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(833) 273-7325

Cc: Members of the Ohio General Assembly
Ohio Statehouse
1 Capitol Square
Columbus, OH 43215