

Sexual offender residency bans are ridiculous, says Ohio RSOL

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[By Tim Botos](#) . . . A sex offender moved into the Avondale neighborhood a few years ago.

“And a lot of residents weren’t happy about it,” said Anthony DeGirolamo, president of the Avondale Community Improvement Association, comprised of the 374 homeowners who live in the upscale area, west of the Pro Football Hall of Fame.

But residents had no recourse.

So, they’ve made sure it can’t happen again.

The association recently added a clause to the neighborhood’s deed restrictions. It prohibits a “sex offender/child-victim offender,” and for whom the county sheriff is required to provide community notification of the offender’s address, from living in Avondale.

That language effectively bans Tier III sex offenders from moving into Avondale in the future. . . .

The end product, a nine-page document, was filed at the Stark County Recorder's Office in February.

Language in the modifications was drafted by Kaman & Cusimano, a Cleveland law firm dedicated to condominium and homeowner association rules and laws. Managing partner Jay Cusimano said sex offender bans are common, especially in new developments. . . .

Bans are ridiculous, said Barbara Wright, a volunteer advocate with [Ohio Rational Sex Offense Laws](#).

She said a number of municipalities have tried, and failed, to keep sex offenders out, because courts overturned the bans, but it gets more cloudy when it comes to homeowner groups.

"Still, it's an hysterical response, not based on facts," she said. . . .

Wright said residency restrictions – whether in state law or in homeowner association regulations – do nothing to make a community safer. She pointed to research that indicates such rules can exacerbate offender instability and risk.

She noted groups such as the American Law Institute, Ohio Criminal Justice Recodification Committee, and Association for the Treatment and Prevention of Sexual Abuse, have frowned on residency restrictions.

[Read the full piece here.](#)