

**IN THE COURT OF APPEALS OF OHIO
THIRD APPELLATE DISTRICT
ALLEN COUNTY**

STATE OF OHIO,

CASE NO. 1-25-31

PLAINTIFF-APPELLEE,

v.

WILLIAM H. PURDY,

**OPINION AND
JUDGMENT ENTRY**

DEFENDANT-APPELLANT.

**Appeal from Allen County Common Pleas Court
Trial Court No. CR 2012 0249**

Judgment Affirmed

Date of Decision: August 17, 2026

APPEARANCES:

William T. Cramer for Appellant

John R. Willamowski, Jr. for Appellee

ZIMMERMAN, P.J.

{¶1} Defendant-appellant, William H. Purdy (“Purdy”), appeals the June 24, 2025 judgment entry of the Allen County Court of Common Pleas reclassifying him as a sexual predator under Megan’s Law. For the reasons that follow, we affirm.

{¶2} In October 2012, following a bench trial, Purdy was convicted of four counts of rape and two counts of complicity to commit rape in violation of R.C. 2907.02(A)(1)(b), all first-degree felonies carrying specifications that the victim was under ten years of age. The underlying conduct occurred between 2003 and 2005, a period during which Megan’s Law was the governing statutory scheme for sex offender classification. (*See* Doc. Nos. 1, 44). On November 14, 2012, the trial court sentenced Purdy to an aggregate sentence of three consecutive life terms with parole eligibility after 30 years and classified him as a Tier III sex offender under the Adam Walsh Act (“AWA”). Purdy directly appealed the trial court’s judgment entry of sentence.¹

{¶3} In his direct appeal, this court affirmed Purdy’s convictions but remanded the matter for the limited purpose of properly imposing a mandatory five-year term of post-release control. The trial court properly resentenced Purdy on November 1, 2013.

¹ In Purdy’s direct appeal from his convictions and sentence, this court recited much of the factual and procedural background of this case, and we will not duplicate those efforts here. *See State v. Purdy*, 2013-Ohio-4105 (3d Dist.).

{¶4} On January 10, 2025, Purdy, pro se, filed a motion to reclassify him under Megan’s Law. On January 13, 2025, the trial court determined that Purdy was improperly classified under the AWA since he committed the rape offenses prior to the enactment of the AWA. Following a hearing on June 24, 2025, the trial court reclassified Purdy as a sexual predator under Megan’s Law.

{¶5} Purdy filed his notice of appeal on June 24, 2025. He raises one assignment of error for our review.

Assignment of Error

The trial court’s finding that appellant is likely to reoffend is not supported by the weight of the evidence.

{¶6} In his sole assignment of error, Purdy argues that the trial court’s classification of him as a sexual predator is against the manifest weight of the evidence. Specifically, he contends the trial court’s determination that he is likely to reoffend is not supported by some competent, credible evidence.

Standard of Review

{¶7} Under Megan’s Law, sex-offender-classification proceedings are civil in nature. *State v. Simon*, 2020-Ohio-3841, ¶ 8 (3d Dist.). Accordingly, this court reviews a trial court’s sexual-predator designation under the civil manifest-weight-of-the-evidence standard, and we will not disturb the trial court’s determination if its findings are supported by some competent, credible evidence. *Id.*

Analysis

{¶8} In this case, Purdy was convicted of rape offenses that occurred between 2003 and 2005. “For offenses committed during that time, sexually oriented offenders were subject to the classification and registration requirements of Megan’s Law, as codified in former R.C. 2950.01 et seq.” *State v. Todd*, 2025-Ohio-5483, ¶ 13 (10th Dist.). “Megan’s Law ‘established a comprehensive system of sex-offender classification and registration that expressly applies retroactively regardless of when the offender committed the underlying sex offense’” *Id.*, quoting *State ex rel. Grant v. Collins*, 2018-Ohio-4281, ¶ 6. Under former R.C. 2950.09, this statutory scheme “created three distinct classifications for sexual offenders: sexually oriented offender, habitual sex offender, and sexual predator.” *Id.*

{¶9} As relevant here, “[t]he term ‘sexual predator’ is defined as a person who has ‘been convicted of committing a sexually oriented offense that is not a registration-exempt sexually oriented offense and is likely to engage in the future in one or more sexually oriented offenses.’” *State v. Johnson*, 2013-Ohio-4113, ¶ 11 (3d Dist.), quoting former R.C. 2950.01(E)(1). Under the version of the statute in effect at the time Purdy committed the offenses in this case, rape constituted a sexually oriented offense. *See* former R.C. 2950.01(D)(1).

{¶10} To classify an offender as a sexual predator, the trial court must review all the evidence, consider the relevant statutory factors, and “‘determine by clear and convincing evidence whether the offender is a sexual predator.’” *Todd* at ¶ 13,

quoting *State v. Blake-Taylor*, 2014-Ohio-3495, ¶ 4 (8th Dist.), citing former R.C. 2950.09(B)(4). ““Clear and convincing evidence is that measure or degree of proof which will produce in the mind of the trier of facts a firm belief or conviction as to the allegations sought to be established.”” *Johnson* at ¶ 12, quoting *Cross v. Ledford*, 161 Ohio St. 469, 477 (1954). Clear and convincing evidence ““is intermediate, being more than a mere preponderance, but not to the extent of such certainty as is required beyond a reasonable doubt as in criminal cases. It does not mean clear and unequivocal.”” *Id.*, quoting *Cross* at 477.

{¶11} When making a sexual predator determination, the statute required the trial court to “consider all relevant factors,” including:

- (a) The offender’s . . . age;
- (b) The offender’s . . . prior criminal . . . record regarding all offenses, including, but not limited to, all sexual offenses;
- (c) The age of the victim of the sexually oriented offense for which sentence is to be imposed . . . ;
- (d) Whether the sexually oriented offense for which sentence is to be imposed . . . involved multiple victims;
- (e) Whether the offender . . . used drugs or alcohol to impair the victim of the sexually oriented offense or to prevent the victim from resisting;
- (f) If the offender . . . previously has been convicted of or pleaded guilty to . . . a criminal offense, whether the offender . . . completed any sentence . . . imposed for the prior offense or act and, if the prior offense or act was a sex offense or a sexually oriented offense, whether the offender . . . participated in available programs for sexual offenders;

- (g) Any mental illness or mental disability of the offender . . . ;
- (h) The nature of the offender's . . . sexual conduct, sexual contact, or interaction in a sexual context with the victim of the sexually oriented offense and whether the sexual conduct, sexual contact, or interaction in a sexual context was part of a demonstrated pattern of abuse;
- (i) Whether the offender . . . , during the commission of the sexually oriented offense for which sentence is to be imposed . . . , displayed cruelty or made one or more threats of cruelty;
- (j) Any additional behavioral characteristics that contribute to the offender's . . . conduct.

Former R.C. 2950.09(B)(3). “In applying these factors, courts should ‘consider the relevance, application, and persuasiveness of individual circumstances on a case-by-case basis.’” *Johnson* at ¶ 11, quoting *State v. Robertson*, 2002-Ohio-494, ¶ 20 (3d Dist.).

{¶12} In this case, after assessing the relevant statutory factors, the trial court determined by clear and convincing evidence that Purdy is a sexual predator. In reaching this conclusion, the trial court emphasized several specific factors, including Purdy's age, the young age of his victim, Prudy's prior criminal history, and the historical circumstances detailed in the report and testimony of Dr. Carla Dreyer (“Dr. Dreyer”). The trial court also noted that it considered Purdy's “sexual attitude” and his diagnosis of antisocial personality disorder. (June 24, 2025 Tr. at 53).

{¶13} On appeal, Purdy contends that his sexual predator classification is against the manifest weight of the evidence because there was a lack of competent,

credible evidence demonstrating that he is likely to reoffend. Specifically, Purdy points to the fact that his actuarial risk assessment scores fell within the moderate to low range, particularly when factoring in his advanced age, and argues that his mental health conditions are treatable and his prior criminal history is not overwhelming.

{¶14} Purdy’s argument is without merit. Critically, the legislature drafted the factors outlined in former R.C. 2950.09(B)(3) to assist a trial court in determining an offender’s likelihood of recidivism. *Johnson*, 2013-Ohio-4113, at ¶ 19 (3d Dist.). While Purdy highlights the mitigating evidence in his favor, a classification is not against the manifest weight of the evidence merely because an appellant would have preferred the trial court to weigh the statutory factors differently. *See State v. Humphrey*, 2006-Ohio-5869, ¶ 9 (10th Dist.). “The trial court is given broad discretion in deciding how much weight, if any, to give to each of the factors.” *Johnson* at ¶ 19. Indeed, a trial court “may classify an offender as a sexual predator ‘even if only one or two statutory factors are present,’” provided that the totality of the circumstances clearly and convincingly indicates a likelihood of recidivism. *Id.*, quoting *State v. Randall*, 141 Ohio App.3d 160, 166 (11th Dist. 2001).

{¶15} Here, the trial court’s findings are supported by some competent, credible evidence. Specifically, in addition to the evidence presented at trial in this case, the State presented the expert testimony and written report of Dr. Dreyer, a

clinical forensic psychologist. Dr. Dreyer conducted a comprehensive evaluation of Purdy, which included an interview, a review of numerous records, and the administration of objective personality and risk assessments. Through her testimony and report, Dr. Dreyer thoroughly analyzed the statutory risk factors under former R.C. 2950.09(B)(3).

{¶16} According to Dr. Dreyer's assessment, Purdy has a lengthy history of court contacts dating back to his youth, demonstrating a pattern of violent and criminal behavior even while under court supervision. Relevantly, he was convicted in 1999 of attempted rape involving victims who were 13 and 14 years old. Despite participating in a sex offender program during the prison term imposed for that conviction, Purdy ultimately reoffended by repeatedly raping his own daughter when she was under ten years old and having his girlfriend do the same. He was also convicted of domestic violence in 2005 for physically punishing this same daughter by striking her with a belt.

{¶17} Furthermore, Purdy has incurred numerous prison disciplinary infractions, including engaging in sexually inappropriate behavior toward a female staff psychologist. Compounding these risk factors, Purdy has consistently denied or minimized his prior conduct and substance abuse, and he has failed to engage in any additional sex offender treatment since his current convictions. Finally, Purdy has been diagnosed with antisocial personality disorder, a condition that Dr. Dreyer

testified is linked to a high risk of reoffending and generally does not respond well to treatment.

{¶18} Therefore, based on the evidence available in the record, we conclude that the trial court's determination that Purdy is likely to engage in the future in one or more sexually oriented offenses is supported by some competent, credible evidence. Thus, the trial court's sexual predator classification is not against the manifest weight of the evidence.

{¶19} Purdy's assignment of error is overruled.

{¶20} Having found no error prejudicial to the appellant herein in the particulars assigned and argued, we affirm the judgment of the trial court.

Judgment Affirmed

MILLER and EPLEY, J.J., concur.

JUDGMENT ENTRY

For the reasons stated in the opinion of this Court, the assignment of error is overruled and it is the judgment and order of this Court that the judgment of the trial court is affirmed with costs assessed to Appellant for which judgment is hereby rendered. The cause is hereby remanded to the trial court for execution of the judgment for costs.

It is further ordered that the Clerk of this Court certify a copy of this Court's judgment entry and opinion to the trial court as the mandate prescribed by App.R. 27; and serve a copy of this Court's judgment entry and opinion on each party to the proceedings and note the date of service in the docket. *See* App.R. 30.

William R. Zimmerman, Judge

Mark C. Miller, Judge

Christopher B. Epley, Judge

DATED:
/hls

**** Judge Christopher B. Epley of the Second District Court of Appeals,
sitting by Assignment of the Chief Justice of the Supreme Court of Ohio.**