

# VOTE NO

## HOUSE BILL 347

### About HB347

Currently in Georgia there is a pathway for someone on the State's Sex Offender Registry to petition a court for removal from either the registry or relief from 1,000 foot living and working restrictions provided that:

**Ten years have elapsed since the individual completed all prison and supervised release**

**OR**

**The individual has been classified by the board as a Level I (low) risk assessment**

### Why this bill is bad for Georgia

This bill further punishes individuals who are classified by clinical investigators as the lowest risk (Level 1) of recidivism by changing the **OR** to an **AND**, requiring a 10-year waiting period to petition a court for relief for no other reason than uneducated fear. No other classification of crime is subject to an in-depth analysis of their individual risk to reoffend. Research indicates that approximately **5%** of adult sex offenders commit new sexual offenses over time\* as compared to the national recidivism of 43%.

\*Source: <https://tinyurl.com/soreoffend>

#### **Statement:**

Level 1 Registrants have committed some horrible crimes and need to remain on "the list."

#### **Fact:**

The registry is a **RISK** based tool that the State of Georgia uses to determine the likelihood of someone committing a sexual offense against a child. There are 25 offenses that qualify someone to be placed on the state's Sex Offender Registry.

The Sexual Offender Registration Review Board (SORRB) assigns each person on the registry to an investigator that is tasked with evaluating a variety of aspects about the individual **NOT JUST** the crime that they were convicted of. In making a classification determination, the investigator looks at past criminal history, psychosexual evaluations, and other mental health screening tools. The investigator makes a recommendation to the SORRB board as to how likely they feel this individual is to commit a future sexual offense against a child.

#### **Statement:**

Some Judges believe that if an individual qualifies to be removed, they should be removed.

#### **Fact:**

Once someone is eligible for removal from the registry (by completing their sentence and having been classified as a Level 1 Risk) they must petition the Court for removal. A Court hearing is required unless the District Attorney consents without requiring one. During the Court hearing, the registered citizen must carry the burden of proof that they deserve to be removed from the registry. The District Attorney can call witnesses and present evidence as to why the registered citizen should not be removed. Only if the registered citizen is able to convince the Judge that they should no longer be on the register are they removed.