



April 2, 2020

Executive Director J. Terry Norris
Georgia Sheriffs' Association
3000 Highway 42 N.
McDonough, GA 30253

Dear Executive Director Norris,

We join numerous criminal justice organizations that have issued policy recommendations to prevent the spread of COVID-19 by suspending or eliminating non-essential police and court functions while ensuring that law enforcement resources are used wisely to keep communities safe.

This guidance focuses on policies affecting people listed on sex offense registries. More than 32,000 Georgians are subject to registration and/or housing banishment laws. The nature of these rules and regulations and the enormous number of people who must comply with or enforce them raise urgent concerns about public health and resource allocation in this extraordinary time.

During the registration process, people are required to be photographed and fingerprinted in-person. This hands-on registration process places your officers at risk by forcing them to place hands on potentially dozens of people each day. Additionally, it places the registered person at risk of being within six feet of other registrants and officers that may have been exposed to COVID-19.

The following strategies would reduce COVID-19 exposure among law enforcement officials and those required to register, as well as their families at home and the broader community:

Suspend in-person registration requirements

Registration verification requires in-person visits to police stations or jails, where dozens of people commonly congregate in waiting rooms or bullpens, multiplying the risk of transmission of COVID-19. These verification checks can occur as frequently as weekly for homeless individuals. This process should be modified to follow the lead of Oregon, Virginia, Pennsylvania, and other jurisdictions that are delaying in-person registration until the pandemic has subsided.

Waive or suspend enforcement of housing proximity restrictions

People experiencing homelessness need emergency housing in order to comply with stay-at-home orders or self-quarantine. But many people listed on “homeless registries” have places they could otherwise reside: housing restrictions alone caused their homelessness. Given the fact that there are currently no schools, daycares or churches open to the public, this strategy only makes sense.

Likewise, prisons have backlogs of people incarcerated past their release dates, or who would be released on parole or probation supervision, if so much housing were not barred. Suspending these restrictions will allow cities to house people more efficiently, conserve emergency beds, and give prison officials the flexibility to place people in homes they already have available. This will protect their populations from the heightened risk of contagion created by needless incarceration and homeless encampments when there are safe, available homes for people on the registries.

Waive or suspend arrests and prosecutions for failure-to-comply offenses

“Failure to comply” charges are the result of a missed deadline to re-register or update registration. Akin to technical parole violations, these are often hyper-technicalities that stem from the difficulty of following so many onerous reporting requirements and have no reported correlation to public safety. Despite this, they contribute to jail and prison churn, risking increased transmission of the virus.

Suspend fees for registration

Economists are projecting 14%-20% GDP contraction for this quarter and unemployment in double-digit rates. Many people have already lost their incomes as a result of the shutdowns. People with past convictions are far more likely to be poor, with reduced job prospects. Non-payment of these fees can result in failure-to comply charges; during this crisis, registration fees should be suspended.

Suspend in-person address verifications

Routine police visits to the addresses of people listed on registries, for the sole purpose of an address check, should be suspended. These visits are widespread and number in the tens of thousands. At a time when even 911 calls are under stress, law enforcement should be able to redirect their resources as needed.

State conviction registries were intended to be a tool for law enforcement officials and were limited in scope. In the past quarter century, legislators expanded these public databases and added hundreds of additional reporting requirements and other restrictions, including housing and public space banishment laws and long-term confinement in civil commitment.

Research shows that at least 95% of those arrested for a sexual offense have never had a previous sexual offense conviction, while most people currently required to register are unlikely to be re-arrested for a sexual offense. Rather than improve public safety, these regulations:

- Systematically displace people from housing and employment;
- Weaken the resilience of families and communities coping with crime and mass incarceration;
- Divert critical resources away from crime survivors and proven prevention strategies and expand them on regulating the few people who have already been held accountable and punished.

In contrast, public safety and crime reduction principles emphasize a public-health approach to prevention, involving, among other things, primary prevention, focusing on the warning signs inside familial and social circles, and building early and comprehensive support and intervention for people, families, and communities most impacted by violence.

We urge policymakers to suspend rules and policies that are not essential to public safety or that contribute to the spread of COVID-19. These strategies allow law enforcement, on the frontlines of this catastrophe to dedicate more of their limited resources toward crisis intervention and emergency assistance.

Sincerely,

RE:STORE
Georgia

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cc: Director Vic Reynolds – Georgia Bureau of Investigation
All County Sheriffs