



Why HB194 Exists

Until 2019, someone classified as a Sexually Dangerous Predator by the Sexual Offender Registration Review Board (SORRB) was required to wear an ankle monitor for life.

In 2003 Joseph Park was convicted of child molestation and nine counts of sexual exploitation of a minor. He was sentenced to 12 years in prison with 8 to serve. Upon his release from custody in 2011, SORRB classified Park as a Sexually Dangerous Predator which required him to wear an ankle monitor for life. Park sought a judicial review of this classification, but the decision was upheld.

In 2016, after Park had completed his sentence, he was arrested and indicted for tampering with his ankle monitor. He argued that he could not be prosecuted for this because the statute violated his 4th Amendment rights.

In 2019, the Georgia Supreme Court agreed with Park and ruled that requiring electronic monitoring of someone after the completion of their sentence was unconstitutional.

www.restoregeorgia.org
@WeAreRestoreGA

1



What is SORRB?

The Sexual Offender Registration Review Board is made up of psychological evaluators that carefully examine each person convicted of a sexual offense. The evaluators score the individual on nationally recognized standardized tests like the STATIC-99 and STATIC-02. They also consider prior criminal history, psychosexual evaluations, and a variety of other factors. **None of these factors include the type of crime committed.** After evaluating the individual, they assign a risk classification.

Those classifications are:

Level 1 – Low risk of reoffending

Level 2 – Moderate risk of reoffending

Sexually Dangerous Predator – High risk of reoffending

Each month the Board (made up of treatment providers, Sheriffs, and others) to review the evaluators recommendations and vote to adopt them.

www.restoregeorgia.org
@WeAreRestoreGA

2



What HB 194 would do

Create a 2-strike penalty on 13 sexual offenses, requiring Judges to choose between life in prison or lifetime probation with ankle monitoring after the 2nd offense in someone’s lifetime.

Increase the caseload and expense of the Department of Community Supervision by 7% with no additional funding

Require the supervised individual to pay \$1,128 per year for their freedom. Revocation for failure to pay.

Remove judicial discretion at sentencing. Judges would be allowed to revisit the sentence after 10 years.

Require a prosecutor to stack charges in computer pornography cases. Each image is a new charge with a mandatory 5 year, maximum 20-year sentence. If someone viewed between 5 and 20 images, they could serve 100 years.

www.restoregeorgia.org
@WeAreRestoreGA

3



Offenses HB 194 Targets



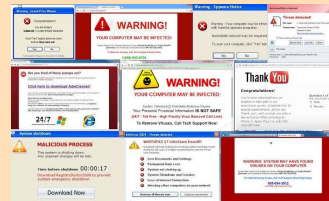
Statutory Rape

It is possible that someone could misrepresent their age and even use a fake ID.



Enticing a Child for Indecent Purposes

Police Stings
These target emotionally and behaviorally undeveloped men in need of treatment.

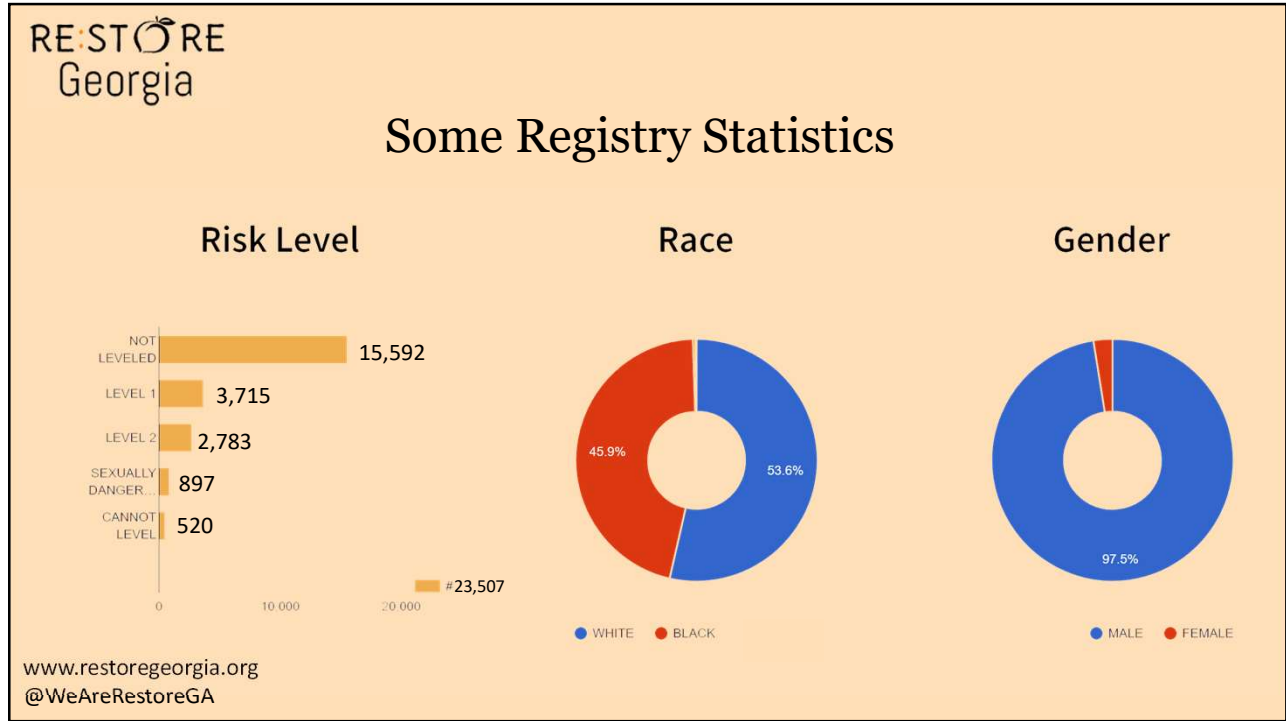


Sexual Exploitation of Children

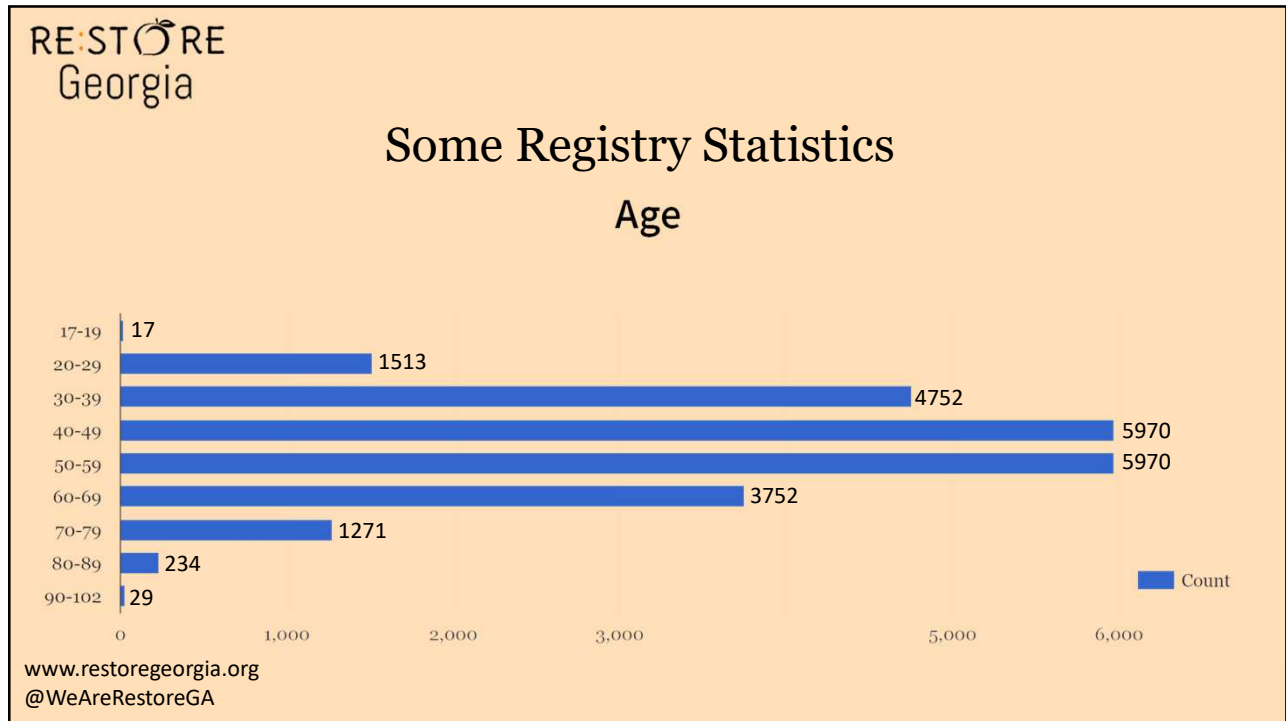
The mere possession of images is enough to convict even if you did not knowingly possess them.

www.restoregeorgia.org
@WeAreRestoreGA

4



5



6



How to Protect Georgians against Sexually Dangerous Predators

In 2019 the Senate held a Study Committee to answer this question. Testimony was given by DCS, GDC, GBI, SORRB, GACDL, and Restore Georgia. The recommendation of the committee was:

legislative action to give judges discretion to include lifetime GPS ankle monitoring in a sexual offender's actual sentence by having the levelling information from the SORRB available at the time of sentencing.

Change SHALL to MAY and give judges a SAY

Allow a judge to determine if a life sentence is the appropriate punishment for the crime. The current bill does not allow a judge to consider the circumstances surrounding the offense or even the risk classification by SORRB.

A life sentence is something that should not be taken lightly. Much consideration and deliberation is needed.

www.restoregeorgia.org
@WeAreRestoreGA

7



HB194 Call to Action

Visit RestoreGeorgia.org and click on Legislation to view hearings and get more familiar with this bill

Contact a member of the Senate Judiciary Committee asking them to change SHALL to MAY to give Judges a SAY
Sen. Kirkpatrick was a member of the Study Committee

Contact your Senator and warn them that this bill may come up for a vote and that you oppose it in its current form

www.restoregeorgia.org
@WeAreRestoreGA

8