

The Atlanta Journal-Constitution  
**OUR OPINION**

EDITORIAL: REGISTRY WITHOUT REASON  
SECOND OF A TWO-PART SERIES

# Low-risk, old on list

## Reserve restrictions for the most dangerous

Nobody would nominate Janet Allison for mother of the year. Her 15-year-old daughter ran wild and brought home a parade of older teenage boys, one of whom eventually got her pregnant. In a statement to social workers and police, the girl said her mother was aware of her sexual activity and did not intervene. Allison even allowed the 17-year-old boy who impregnated her daughter to move into their home.

But for those mistakes, Allison, 46, wasn't judged an unfit parent. Instead, White County Superior Court pronounced her a sex offender after she pled guilty in 2002 to being a party to the crimes of statutory rape and child molestation. She received 15 years probation and ordered to undergo sex-offender therapy.

Charges were dropped against the 17-year-old, who later married Allison's daughter. The couple has since separated and their son just turned 7; he has never met his grandmother.

"The only way I have seen any of my grandchildren are in pictures," she says. "I was afraid to have contact with them."

Allison is now one of the 14,572 people on the Georgia sex-offender registry, which prevents her from living or working near places where children are likely to congregate, including churches and schools.



**JANET ALLISON:** Janet Allison didn't prevent her then-15-year-old from having sex with older teenagers. She was pronounced a sex offender after she pled guilty in 2002 to being a party to the crimes of statutory rape and child molestation. "None of the boys who had sex with my daughter are on the registry," she says.

"I could understand if they had charged me with having an unruly house," she says now. "But I didn't think I was a sex offender. I accept some of the responsibility for what happened. I should have paid more attention. But none of the boys who had sex with my daughter are on the registry. I am the only one."

As the state heaps more restrictions on the lives of sex offenders, the repercussions are being felt by even low-risk offenders such as Allison. The married mother of five has had to move twice to comply with registry restrictions and can't return to her restaurant job after the Legislature added limits on places of employment last year.

"I can't go back to work because there is a church across the street," Allison says. "The job is there waiting for me, but I just can't go to it."

Georgia's sex-offender registry has become a registry without reason, subjecting Allison and other low-level offenders to the same restrictions as dangerous pedophiles. Even

Photos provided by the Southern Center for Human Rights

for the truly dangerous, registry restrictions are ineffective in preventing the high-profile sex crimes against children that so alarm the public. Telling offenders that they can't work across the street from a school won't stop them from traveling outside their restricted areas to find victims.

The hard truth is that most child molesters don't have to leave home to victimize children; 80 to 90 percent of sex crimes against children are committed by a relative or family acquaintance.

"It makes no sense to make it so hard for offenders to find a place to live or work that they end up in a camper in the woods, unemployed and disconnected from treatment providers or anyone else who can keep an eye on them," says Lisa Kung, director of the Atlanta-based Southern Center for Human Rights. "People have lost their relationships and their children, and many of the people with more serious convictions have now moved to areas where treatment and support are not available."

The Southern Center for Human Rights filed a class-action suit in U.S. District Court last year challenging the residency and employment restrictions of the state's sex-offender law. Among its complaints: The registry grants no exemption for age or infirmity.

Convicted of statutory rape in 1997, Daniel Anderson is now an 82-year-old advanced Alzheimer's patient who lives with his wife of 62 years in Perry. He no longer recognizes his family and requires 24-hour care.

Anderson is past being a threat. Yet he was ordered to leave his home because it is within 1,000 feet of a church.

While the state may feel Anderson deserves further deprivation for his crime, the order to leave his home punishes his 78-year-old wife, who must find another place for the aging couple to live. A temporary court order has delayed their eviction.

"There's no place for people like Daniel Anderson if he's thrown out of his home," says Southern Center attorney Sarah Geraghty. "The only solution is going to be the county jail, where taxpayers will have to pay thousands of dollars in health care costs for him."



**DANIEL ANDERSON:** Convicted of statutory rape in 1997, Daniel Anderson is now an 82-year-old advanced Alzheimer's patient who lives with his wife in Perry. Anderson is past being a threat. Yet he was ordered to leave his home because it is within 1,000 feet of a church.

Georgia lawmakers admitted that their ultimate goal in piling on restrictions was to run sex offenders out of Georgia. The problem is that some offenders can't run. Or walk. The Southern Center has identified at least 56 people on the Georgia sex-offender registry in nursing homes, hospice or personal-care facilities.

While previous Georgia law barred sex offenders from living or loitering within 1,000 feet of schools, day care centers, parks, rec centers or skating rinks, last year lawmakers added churches, swimming pools and school bus stops to the list. (A court order has temporarily suspended the provision regarding school bus stops.) The new law also outlawed sex offenders from holding jobs near schools, day care centers or churches.

Statewide, deputies fanned out with eviction notices based on the new law. A 100-year-old man was ordered from his home because of a nearby church. Some elderly offenders don't even grasp what is happening to them, putting the onus on nursing home administrators and families to find alternative housing for these sick and dying people.

"Their advanced age and their disabilities make it impossible for them to find other places to live," says Geraghty.

In expanding the restrictions on where sex offenders can live and work, the General Assembly inadvertently undermined

the ability of law enforcement to keep tabs on offenders. Because the law declares so many places off limits, sheriffs fear that sex offenders will stop registering and go underground rather than comply with rigid rules that force them to give up their homes, their jobs and their communities.

"The law is now written so that no one can live in the metro Atlanta area, especially the school bus stop provision," says DeKalb County Sheriff Thomas Brown. "You can't take a man who was born and raised in the Bankhead Court area of Atlanta, lived there all his life and never been anywhere outside the city and think he is going to move to Turner County, Georgia, to comply with the sex offender registry."

Brown says the law should grant law enforcement officers more discretion in deciding who poses a public safety threat. "If you have a guy in a nursing home, we should be in the position to make the call on whether he needs to move. We should be able to apply common sense."

Of course, common sense has never been the Legislature's strength, particularly on this issue. Common sense would lead you to wonder why, under Georgia law, neighbors are alerted when a Janet Allison or Daniel Anderson relocates to the neighborhood, but they're not informed when someone released from jail for murder or identify theft moves into the house next door.

Common sense would also lead you to ask why more than 14,000 people are listed on Georgia sex offender registry, while the state has identified just 38 of those people as predators at risk for committing future violent acts.

Clearly, the state should do all it can within legal bounds to either keep those predators behind bars or safeguard the community from them. But there is a world of difference between them and Janet Allison; common sense says that the Legislature and the law need to recognize that distinction.

— Maureen Downey, for the editorial board (mdowney@ajc.com)