



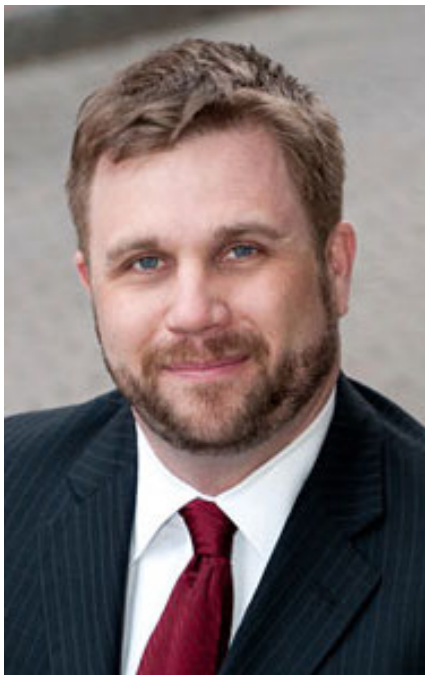
GACDL Speaker Bios
Senate Study Committee on
Protection from Sexual Predators (SR371)
October 30, 2019



Jason Sheffield is a criminal defense trial and appellate attorney who represents men and women accused of crimes in both state and federal courts. He is a partner at Peters, Rubin, Sheffield, & Hodges, P.A. in Decatur, Georgia.

Jason specializes in defending people accused of sexual assault and those who must register as sexual offenders, if convicted.

Jason is also an Adjunct Professor at Emory College of Law on the subject of expert testimony and he teaches trial advocacy techniques to lawyers across the country and internationally including with the U.S. State Department in the Republic of Georgia through the Rule of Law Initiative.



Mark Yurachek has been a bar licensed attorney in Georgia and Virginia since 2000. For the last 15 years, he has been the Managing General Partner of Mark Allen Yurachek & Associates, LLC, of Atlanta, Georgia and Falls Church, Virginia.

Mark's work focuses on criminal defense with specialization in post-conviction and appellate matters. He practices all over the country and particularly the Southeast.

Mark recently argued and won *Park v. State*, a case which held that Georgia's GPS monitoring program for sexual offenders was unconstitutional. He continues to consult and advocate for sexual offenders, among other clients, all over the country.



Sex Offender Registry Review Board (SORRB)

Purpose of the SORRB¹: [To protect] Georgia's children and communities at large by identifying convicted sexual offenders that present the greatest risk of sexually re-offending. It is the Board's responsibility to determine the likelihood that a sexual offender will engage in another crime against a victim who is a minor or a dangerous sexual offense. Assessments will be used by the SORRB to determine the risk level of the offenders. Offenders will be classified as a **Level I**, **Level II**, or **Sexually Dangerous Predator**.

SORRB Membership²

- Board Chair:** Gerard W. Armorer (Law Enforcement Representative)
Field Training & Sr. Parole Officer, State Board of Pardons & Parole, South Metro Parole Center
- Vice Chair:** Jenitha Gouch (Victim Advocate Representative)
Victim Assistance Supervisor, Clayton County Solicitor General's Office
- Member:** Donna E. Andrews (Law Enforcement Representative)
Senior U.S. probation officer for the Northern District of Georgia
- Member:** Representative Mandi Ballinger (Public Member Representative)
Georgia House of Representatives, 23rd District
Former Victim Advocate, Cherokee County District Attorney's Office
- Member:** Matthew B. Connelly, M.S., LPC (Clinical Representative)
Director of A Better Tomorrow Counseling Services, Director
- Member:** Shannon Dunlap, Ph.D. (Clinical Representative)
Psychologist, Counseling Services, Inc.
- Member:** Paul Freeman, M.S., LPC (Public Member Representative)
Victim Specialist (retired), Federal Bureau of Investigation, Atlanta Field Office
- Member:** Raymond Frank Mullis, Jr., LPC (Clinical Representative)
Licensed Professional Counselor, State of Georgia
Former Sex Offender Counselor, STOP, Inc.
- Member:** Lori K. Rozier (Public Member Representative)
Manager, Sex Offender Administration Unit, Georgia Department of Community Supervision
- Member:** Douglas Silvia (Public Member Representative)
Sex Offender Officer (retired), Georgia Department of Corrections
- Member:** Chris Steverson (Public Member Representative)
Sheriff, Telfair County
- Member:** Jason Swindle, Sr., Esq. (Public Member Representative)
Senior Partner, Swindle Law Group, P.C.
- Member:** Richard Vandever, Esq. (Public Member Representative)
Deputy Chief Assistant District Attorney, Gwinnett County District Attorney's Office

¹ See, <https://www.sorrb.org/home> (last visited October 28, 2019)

² See, <https://www.sorrb.org/board-members> (last visited October 28, 2019) and O.C.G.A § 42.1.13(a)



Classification Definitions

Level I risk assessment classification means the sexual offender is a low sex offense risk and low recidivism risk for future sexual offenses. (O.C.G.A. § 42-1-12(a)(12))

Level II risk assessment classification means the sexual offender is an intermediate sex offense risk and intermediate recidivism risk for future sexual offenses and includes all sexual offenders who do not meet the criteria for classification either as a sexually dangerous predator or for Level I risk assessment. (O.C.G.A. § 42-1-12(a)(13))

Sexually Dangerous Predator means a sexual offender:

- (A) Who was designated as a sexually violent predator between July 1, 1996, and June 30, 2006; or
- (B) Who is determined by the Sexual Offender Registration Review Board to be at risk of perpetrating any future dangerous sexual offense. (O.C.G.A. § 42-1-12(a)(21)(A)-(B))

Sexual Offender means any individual:

- (A) Who has been convicted of a criminal offense against a victim who is a minor or any dangerous sexual offense;
- (B) Who has been convicted under the laws of another state or territory, under the laws of the United States, under the Uniform Code of Military Justice, or in a tribal court of a criminal offense against a victim who is a minor or a dangerous sexual offense; or
- (C) Who is required to register pursuant to subsection (e) of this Code section. (O.C.G.A. § 42-1-12(a)(20)(A)-(C))

Who Must Register?

- Any individual who on or after July 1, 1996 is convicted of a criminal offense against a victim who is a minor or a dangerous sexual offense.
- Any individual who has previously been convicted of a criminal offense against a victim who is a minor, a sexually violent offense, or dangerous sexual offense and may be released from prison or placed on parole, supervised release, or probation on or after July 1, 1996.
- Any individual convicted in another state, federally, under the Uniform Code of Military Justice, or in a tribal court of a sexually violent offense, a criminal offense against a victim who is a minor on or after July 1, 1999, or a dangerous sexual offense on or after July 1, 1996 who is a resident and intends to reside in Georgia.
- A nonresident who changes residence from another state or territory of the United States or any other place to Georgia who is required to register as a sexual offender under federal law, military law, tribal law, or the laws of another state or territory or who has been convicted in this state of a criminal offense against a victim who is a minor or any dangerous sexual offense.
- A nonresident sexual offender who enters this state for the purpose of employment or any other reason for a period exceeding 14 consecutive days or for an aggregate period of time exceeding 30 days during any calendar year regardless of whether such sexual offender is required to register under federal law, military law, tribal law, or the laws of another state or territory; or
- A nonresident sexual offender who enters this state for the purpose of attending school as a full-time or part-time student regardless of whether such sexual offender is required to register under federal law, military law, tribal law, or the laws of another state or territory.



Dangerous Sexual Offenses³ (as of July 1, 2019) [O.C.G.A. § 42-1-12(a)(10)(B.3)]

Any conduct which, by its nature, is a sexual offense against a victim who is a minor or an attempt to commit a sexual offense against a victim who is a minor as well as:

Dangerous Sexual Offenses Which Carry a Possible Life Sentence

Offense	Punishment Available (years)
Kidnapping involving a victim who is less than 14yo (except by a parent)	25y to Life
Trafficking an individual for sexual servitude	10y to 20y If victim is under 18yo, then 25y to Life
Rape	25y to Life
Aggravated Sodomy	25y to Life
Aggravated Child Molestation	25y to Life
Aggravated Sexual Battery	25y to Life

Dangerous Sexual Offenses Which Do Not Carry a Possible Life Sentence

Offense	Punishment Available (years)
Aggravated assault with Intent to Rape	1y to 20 y If victim is under 14yo, then 25y to 50y
Sodomy	1y to 20y
Statutory Rape, when offender is 21y or older	10y to 20y
Child Molestation	5y to 20y 2 nd offense: 10y to 30y
Enticing a Child for Indecent Purposes	10y to 30y
Improper sexual contact by employee or agent in the first or second degree (e.g., employee/teacher/supervisor)	1y to 25y, unless victim is under 16yo, then 25y to 50y (1 st deg) victim is under 16yo, then 5y to 25y (2 nd deg) 2 nd or subsequent 2 nd degree, then 1y to 5y
Incest	10y to 30y Unless victim is under 16yo, then 25y to 50y
2 nd or Subsequent Sexual Battery	1y to 5y
Sexual Exploitation of Children	5y to 20y
Electronically Furnishing Obscene Material to Minors	Misdemeanor: should not be included among Sexually Dangerous Offenses ⁴
Computer Pornography and Child Exploitation	Depending upon the offense alleged: 1y to 20y or 1y to 10y
2 nd or Subsequent Obscene Telephone Call	1y to 5y

³ See, O.C.G.A. § 42-12-1(a)(10)(A)-(B.2) for offenses classified as Dangerous Sexual Offenses occurring prior to July 1, 2019

⁴ O.C.G.A. § 16-12-1(a)(10)(C): For purposes of this paragraph, a conviction for a misdemeanor shall not be considered a dangerous sexual offense, and conduct which is adjudicated in juvenile court shall not be considered a dangerous sexual offense.