



The Honorable Pete Ricketts  
Office of the Governor  
P.O. Box 94848  
Lincoln, NE 68509-4848

May 11, 2020

**RE: Safety Measure to Temporarily Suspend the In-Person Reporting Requirement of Neb. Rev. Stat. § 29-4004 in Time of COVID 19 Pandemic**

Dear Governor Ricketts:

In the wake of the COVID -19 Pandemic, the citizens of Nebraska have been relatively fortunate that the death rates in our state have not spiked like those in certain other areas of the county. We thank you and your team for the leadership you have provided in promoting social distancing. Your #TestNebraskaChallenge is on point and much appreciated. In the spirit of protecting citizens from any unnecessary exposure, we are respectfully calling upon you to please temporarily suspend the in-person testing requirement mandated for sex-offenders under Neb. Rev. Stat. § 29-4004 during this pandemic.

The first of your six rules to Keep Nebraska Healthy is to stay home with no non-essential errands. And the other six rules follow suit. Per the Nebraska Sex Offender Registry Official Nebraska Government website, there are over 5,000 people on the registry. Per Neb. Rev. Stat. § 29-4004, many of these citizens are required to register every 90 days. The statute further itemizes each situation in which registrants must in-person appear and update information at their local sheriff's office. We respectfully submit that the in-person requirement causes citizens to travel out of homes, onto public transportation, and unnecessarily expose themselves and others.

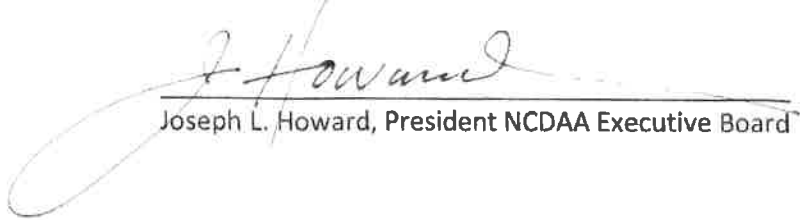
By mandating in person registration during this pandemic, the State forces its citizens to choose between the health and well-being of themselves, their families, and the public at large and compliance with the law. Noncompliance with the in-person registration requirement is punishable as a Class IIIA felony. See Neb. Rev. Stat. § 29-4011. Further, a temporary suspension of the statutory requirement would ensure an additional level of protection to the law enforcement men and women who normally process these in-person registrants.

Other states and cities are using a variety of alternatives in place of in-person reporting. Pennsylvania is relying on a combination of online reporting and paper mail-in forms, Oregon is using phone reporting, and Las Vegas simply suspended sex offender registry reporting during this health crisis.

- Pennsylvania: <https://www.pameganslaw.state.pa.us/TermsandCondition/TermsAccepted>
- Oregon: [https://www.oregon.gov/osp/Docs/SOR\\_Web\\_Announcement.pdf](https://www.oregon.gov/osp/Docs/SOR_Web_Announcement.pdf)
- Las Vegas: <https://www.lvmpd.com/en-us/Press%20Releases/PO%20042%2003-18-20.pdf>

Therefore, we the Nebraska Criminal Defense Attorneys Association and Nebraskans Unafraid respectfully move you for an Executive Order allowing registrants to satisfy their statutory reporting requirements by telephone, electronic, or video conferencing. In the alternative, we ask for a statement from the Attorney General's Office that the executive branch will refrain from prosecuting citizens who register telephonically, electronic means, or by video conferencing.

Dated this 11 day of May, 2020



Joseph L. Howard, President NCDAA Executive Board

Dated this 11 day of May, 2020



Jeanie Mezger, Member of Board of Directors  
Nebraskans Unafraid

Dated this 11 day of May, 2020



LaVon Stennis – Williams, Executive Director  
ReConnect, Inc.