

Sheriff All Out Bans Sex Offenders From Local Churches

A sheriff in one of North Carolina's smallest counties told registered sex offenders they can't go to church, citing a state law meant to keep them from day-care centers and schools.

Graham County Sheriff Danny Millsaps told sex offenders about his decision Feb. 17, according to a letter the *Asheville* (North Carolina) *Citizen-Times* obtained Friday (March 6). About 9,000 people live in Graham County, which abuts Great Smoky Mountains National Park on the Tennessee line in western North Carolina.

"This is an effort to protect the citizens and children of the community of Graham (County)," he wrote. "I cannot let one sex offender go to church and not let all registered sex offenders go to church."

He invited them to attend services at the county jail.

In an interview Friday, Millsaps said he may have made a mistake when he wrote that offenders "are not permitted to attend church services."

He said he understands the Constitution gives everyone the right to religious freedom. But he said he's standing by his take on North Carolina law blocking offenders from places where children are present.

"I understand I can't keep them from going to church," he said. "That may have been misunderstood. I'll be the first one to say I might have made mistakes in the wording of that letter."

Millsaps has no immediate plans to arrest a sex offender

should one of the 20 in his county attend church Sunday, he said.

Graham County Manager Greg Cable said the county attorney is looking into the matter and any legal mistakes would be corrected.

At the *Citizen-Times*' request, the American Civil Liberties Union in Raleigh is reviewing Millsaps' letter. The newspaper also sent a copy to the North Carolina Department of Justice for an opinion on the law.

Neither responded immediately.

Other North Carolina counties have dealt with the same issue:

- In Chatham County, deputies in 2009 arrested a sex offender for attending church, citing the same law. A state Superior Court judge eventually ruled the law as applied to churches was unconstitutional.
- In Buncombe County, sex offenders are permitted in church as long as pastors know and are in agreement, Sheriff Van Duncan said. That's similar to the county's policy for allowing sex offenders at school events like ball games. They are allowed as long as school administrators have warning, and the offenders are monitored to some extent, the sheriff said.

The law allows schools to do this, a factor the judge noted in 2009 in the Chatham County case.

If a sex offender threatens a child at a church or school event, Duncan said the law can be enforced and used to ban the offender.

Church leaders in Buncombe County, where Asheville is located, generally want to minister to sex offenders, he said.

The law applies to public, private and church schools that have weekday classes. Sex offenders generally are banned from

school property.