

With local families out of work and struggling to pay their own bills, Lucy McBath prioritized Nancy Pelosi's socialist wish list in response to the Coronavirus crisis, that could allow the release of prisoners, including murderers and rapists, while imposing a burden for the government to prove they present a risk of harm to Americans upon release.

Georgia experienced a surge in unemployment claims due to the Coronavirus, with more than a million new claims in April alone. "With more than a million new claims in April, Georgia's official unemployment rate now stands at nearly 12%, according to the most recent data released Thursday morning by the state Department of Labor." (Jonathan Raymond, "With more than 1 million claims in April, Georgia unemployment surges to nearly 12%," [11 Alive](#), 5/21/20)

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On May 15, 2020, McBath voted for the HEROES Act. (HR. 6800, The HEROES Act, [Roll Call 109](#), Passed 208-199 with McBath voting Yea, 5/15/20)

The HEROES Act would release prisoners who are juveniles, over 50 years old, have less than one year left on their sentences, or have a serious health condition. "In a 44-page section called the "Pandemic Justice Response Act," the bill would require the release of prisoners and those in the custody of U.S. Marshals Service who are within a year of being released, or those who are juveniles, over 50 years old or have a health condition such as diabetes, heart disease, HIV, cancer or are pregnant." (Todd Ruger, "House pitches justice system changes in new COVID-19 relief bill," [Roll Call](#), 5/12/20)

The HEROES Act would allocate \$250 million to reintroduce these prisoners back into society. "The bill would also spend an additional \$250 million on Second Chance Act grants, which help ease the transition of prisoners back into society and to prevent them from committing another crime and returning to the criminal justice system." (Todd Ruger, "House pitches justice system changes in new COVID-19 relief bill," [Roll Call](#), 5/12/20)

Editor's Note: The vague language of H.R. 6800 does not rule out the release of violent prisoners such as murderers or rapists.

Per the bill text, an individual who younger than 18, older than 50, is pregnant, has HIV, diabetes, or cancer, or who has certain heart or lung diseases, would be considered "covered."

(1) COVERED HEALTH CONDITION.—The term “covered health condition” with respect to an individual, means the individual—

- (A) is pregnant;
- (B) has chronic lung disease or asthma;
- (C) has congestive heart failure or coronary artery disease;
- (D) has diabetes;
- (E) has a neurological condition that weakens the ability to cough or breathe;
- (F) has HIV;
- (G) has sickle cell anemia;
- (H) has cancer; or
- (I) has a weakened immune system.

(2) COVERED INDIVIDUAL.—The term “covered individual”—

- (A) means an individual who—
 - (i) is a juvenile (as defined in section 5031 of title 18, United States Code);
 - (ii) is 50 years of age or older;
 - (iii) has a covered health condition; or
 - (iv) is within 12 months of release from incarceration; and
- (B) includes an individual described in subparagraph (A) who is serving a term of imprisonment for an offense committed before November 1, 1987, or who is serving a term of imprisonment in the custody of the Bureau of Prisons for a sentence imposed pursuant to a conviction for a criminal offense under the laws of the District of Columbia.

[\(HR 6800\)](#), Passed 208-199, 5/15/20)

Per the bill text, any “covered” individual should be released from prison in the case of a national emergency related to a communicable disease.

(c) PLACEMENT OF CERTAIN INDIVIDUALS IN COMMUNITY SUPERVISION.—

(1) AUTHORITY.—Except as provided in paragraph (2), beginning on the date on which a national emergency relating to a communicable disease is declared and ending on the date that is 60 days after such national emergency expires or is terminated—

(A) notwithstanding any other provision of law, the Director of the Bureau of Prisons shall place in community supervision all covered individuals who are in the custody of the Bureau of Prisons; and

(B) the district court of the United States for each judicial district shall place in community supervision all covered individuals who are in the custody and care of the United States Marshals Service.

[\(HR 6800\)](#), Passed 208-199, 5/15/20)

Per the bill text, for the Bureau of Prisons to be granted an exception to a prisoner release, they must be able to clearly show the prisoner poses a “specific and substantial” risk of causing injury or using force against the person of another.

(2) EXCEPTIONS.—

(A) BUREAU OF PRISONS.—In carrying out paragraph (1)(A), the Director—

(i) may not place in community supervision any individual determined, by clear and convincing evidence, to be likely to pose a specific and substantial risk of causing bodily injury to or using violent force against the person of another;

[\(HR 6800\)](#), Passed 208-199, 5/15/20)