

Melissa Sweet

From: Ian MacGregor <macwellman@provide.net>
Sent: Monday, May 18, 2020 4:43 PM
To: Melissa Sweet
Subject: HB 5679

I am opposed to bill HB 5679

-It does not address the concerns of the court.

-it makes MI less safe.

-it is not evidence based reform.

Please listen to the concerned citizens of MI who vote!

Thank you,

Vickie Wellman

7343954702

Melissa Sweet

From: Frank Bertram <fjbertram800@gmail.com>
Sent: Monday, May 18, 2020 4:36 PM
To: Melissa Sweet
Subject: HB5679

Dear Ms. Sweet,

I oppose HB5679 because of the harm the SOR has done to me by being public. I only give out my cell phone number in the daily course of events, never my home phone number. I have received 2 phone calls on my home phone from people masturbating while talking. I am proud of my 9 years of abstinence from any kind of pornography or acting out. These calls were made by finding me and my home number on the SOR.

The other incident was a scam call to my home phone by someone impersonating a sheriff's deputy saying there was a warrant issued for my arrest. That played out with assistance from Washtenaw County deputies. They informed me that such a scam was common at that time, and indeed that it was the second one they had that day. Again, these scammers were working the SOR for their victims.

This path to harm for those of us building better lives must stop!

Respectfully submitted,
Frank Bertram

Melissa Sweet

From: Carolyn Madden <cgmadden@gmail.com>
Sent: Monday, May 18, 2020 3:47 PM
To: Melissa Sweet
Subject: Opposition to House bill 5679

I write as a member of Friends of Restorative Justice of Washtenaw County and as a Member of the Michigan Coalition to end Mass Incarceration and as a member of the Unitarian Universalist Congregation of Ann Arbor,
I oppose HB 5679 for it's lack of any evidence and most of all for not addressing the vagueness issues of the Court.

It does not offer safety and is a waste of our police staff. It is also inhumane to put over 44,000 citizens on a sex offender registry that prevents people from gaining employment, housing and a viable life after they have satisfied their punishment in prison or jail. Please do not put this bill forward.

[Redacted signature block]

Carolyn G. Madden
JD/Wayne State Law School

An awe so quiet I don't know when it began
Denise Levertov

Melissa Sweet

From: Terry and Carolyn Madden <terence.madden@gmail.com>
Sent: Monday, May 18, 2020 3:43 PM
To: Melissa Sweet
Subject: HB5679 - Oppose

To Melissa Sweet, House Judiciary Commission Clerk

As a supporter of Friends of Restorative Justice and a member of the First Unitarian Universalist Congregation of Ann Arbor, I oppose HB 5679 because it makes Michigan unsafe for everyone forced to register.

Sincerely,

Terence Madden

Melissa Sweet

From: Sophie Ordway <sordway@umich.edu>
Sent: Monday, May 18, 2020 2:48 PM
To: Melissa Sweet
Subject: HB 5679 Should NOT be Voted On

Dear House Judiciary Committee Clerk Melissa Sweet,

Please see and pass along my concerns below regarding HB5679 to the House Judiciary Committee. Thank you.

1. HB 5679 MAKES MICHIGAN LESS SAFE

- Public registration has been shown by research to increase recidivism.
- Public registration creates a false sense of security. The vast majority of sexual offenses are committed by first time offenders and by friends or family members, not by people on the registry.
- Enforcement of onerous registration requirements wastes law enforcement resources and prevents them from working to solve crimes.
- Registration makes Michigan unsafe for everyone forced to register.

2. HB 5679 DOES NOT ADDRESS THE CONCERNS OF THE COURTS

- Multiple legal experts testified that this bill does not resolve the constitutional concerns which caused much of our current registry to be ruled unconstitutional.

3. HB 5679 IS NOT EVIDENCE-BASED REFORM

- The registry was created in 1994. At the time it was a simple law enforcement database with minimal regulations. It was mostly used to assist in investigations. After 26 years, there is still no peer-reviewed evidence proving it makes us safer and at the same time there is a growing mountain of evidence that registries don't work and make Michiganders less safe.

If Michigan is going to constrain the liberty of over 44,000 citizens, it should be for evidence-based reasons.

--

Sophie Ordway
she/her/hers ([what's this?](#))
MSW Candidate, Social Policy and Evaluation
School of Social Work, University of Michigan
Research Assistant, Documenting Criminalization & Confinement
Global Activities Scholar
616-916-6362

Land Acknowledgment

"As we live and learn on these territories, we must keep in mind the community struggles for self-determination and colonial legacies of scholarly practices."

Melissa Sweet

From: savagecoyote@comcast.net
Sent: Thursday, May 14, 2020 11:24 AM
To: Melissa Sweet
Subject: Hb 5679 testimony

Hi my name is cody jaimie i was put on the registry in 2005 for csc of the 3rd degree i was in a concentual relationship with the victim for a year and when i turned 18 i got procecuted my sentance was a year of probabtion and some counselling the consular did one oon one with me because he didnt feel i should be put in the same group with some of the other sex offenders in his group i have been on the registry for 15 years now which was my original sentance but because of the amendmets in 2011 i have to serve another 10 years on the registry another 10 years of having a hard time finding housing and living with family. I have 4 children that i love very much but being on the registry really makes it hard. I am opposed to the HB 5679 and really think that anyone that falls under the romeo and juliet act should be removed automatically not everyone has the money to be able to potition the court on it sounds like even then you still have to register even if you get it expunged the law really needs to be completely revised. Tthank you so much for your time

Powered by Cricket Wireless

Melissa Sweet

From: brian woodman <brian61473@yahoo.com>
Sent: Thursday, May 14, 2020 5:05 PM
To: Melissa Sweet
Subject: Written testimony

My name is Brian and I'm on the registry for 25 years since 2006 with no real victim and no physical or sexual contact happened in my case at all. It was an internet sting which involved an undercover officer. I was charged with MCL 750.145 a accosting a minor for immoral purposes which use to be a misdemeanor but not no more. If the registry works so well to keep people from wanting to commit a crime to be on it, then why do people keep getting added on it? Obviously the registry isn't working or else u wouldn't have new people added on it every day. It costs way too much money to have and if your gonna keep it then find a state with the lowest amount of people registered and find out how they do it then do what they do with their registry. If no real victim or sexual contact was involved then they should be removed from the registry and not be put on one. The definition of sex is intercourse between 2 people so if that didn't happen or attempted to happen then those people shouldn't be put on the registry then. Thank you for your time.

Sent from Yahoo Mail for iPhone

Melissa Sweet

From: brian woodman <brian61473@yahoo.com>
Sent: Friday, May 15, 2020 11:57 PM
To: Melissa Sweet
Subject: Written Testimony

I am sending a written testimony because of the stay at home order I can't physically be there. My name is Brian Woodman and I'm opposing House Bill 5679 because I have been on the sex offender registry since August 2006 and I was convicted of MCL 750.145 a accosting a minor for immoral purposes which it use to be a misdemeanor until it was changed to a felony. I went to prison for 10 years and I'm considered as a low level offender. I didn't receive a minor or major ticket in prison for 9 years straight. I got out in 2016 and never even got a parking ticket since then. In my crime unlike crimes similar to mine, I didn't have a real victim, or sexual contact, or even physical contact. My crime was an internet sting that started with me legally emailing 2 questions to a legally age of consent 16 year old female on MySpace who then told a police officer at Harper Creek High School who was an officer for Emmett Township Police Department named Seth Graves. He then initiated contact with me on Yahoo Messenger every day online for 8 days, which is why I got 8 charges of using a computer to commit a crime, and he admitted it in court. He did this while posing as a decoy as a 14 year old female and it's in my court transcripts. See case number 06-1200-FH in Calhoun County. He checked my computer back then and my apartment for child pornography and he admitted in court there was NO child pornography anywhere unlike similar crimes like mine. He asked me to meet him at an abandoned car dealership and I said no but instead in a park next to an adult nursing care facility in Kimball Pines Park in broad daylight so people could see. I went there to find out who was messing with me on the other end of the computer and I even had my wedding ring on before, during, and after my arrest so if I had any intentions on doing anything I could have taken my wedding ring off before I left to go there or hid it in the glove compartment. I even had my wife's purse in the car that I moved to the backseat so if any sexual contact was gonna happen in the back seat then how would I explain my wedding ring and my wife's purse in the back seat since they thought that sexual contact would happen in the back seat where a bed sheet was on the back seat? He said the bed sheet on the back seat of my car was being checked for seman and I told him good luck because that bed sheet was bought for my daughter spilling stuff on the seat and my wife at the time told him that because she bought it for that reason and he said he was gonna keep our car for evidence which he later found out there was NO seman on the bed sheet. My point of this is that no one should be on the sex offender registry who either never had forcible sex with someone, or attempted to have forcible sex with someone, or never had a REAL victim in their crime. The definition of sex is intercourse between two people and that never happened in my case and I never came into contact with anyone except the adult police officer. This is why I am opposing House Bill 5679. If you decide to keep the registry, which I know some of u might want to, then at least have it to where if registrant stays crime free for a year then 3 years come off of their years to be on the registry similar to how points automatically come off of a drivers license automatically. There should be automatic removal instead of filing a petition to be removed making more work for judges. Thank you for your time reading this email as my written testimony.

Sent from Yahoo Mail for iPhone

Melissa Sweet

From: brian woodman <brian61473@yahoo.com>
Sent: Saturday, May 16, 2020 9:57 PM
To: Melissa Sweet
Subject: Testimony

I'm opposing House Bill 5679 for the following reason which should be good enough. How can every man or woman on the sex offender registry know exactly how far is 1,000 feet from a school really is if some people don't even know how to use or read a measuring tape to know the correct distance? Do u think that all of them really carry a tape measure with them everytime they are near a school? I highly doubt it.

Sent from Yahoo Mail for iPhone

Melissa Sweet

From: Tim <legalizefreedom333@gmail.com>
Sent: Friday, May 15, 2020 2:24 PM
To: Melissa Sweet
Subject: SORA Fraud

Dear State Officials,

1000's are unlawfully on SOR. Mike Cox and co-conspirators routinely violated clear legislation in regards to HB 5449 of 2001 , he severely altered mcl's to maliciously prosecute and utilized the Fraud on the Court to imprison 250 just through his unauthorized task force.

For details : www.SpeakAgainstTheCharges.com

Heinous fraud was committed as his actions intentionally caused decades of illegal attacks on not guilty predominantly white males.

Thank you for monitoring and interceding in this Constitutional matter.

Mist Cordially,
Timothy Brown

Melissa Sweet

From: Mr Tanthos <tanthos666@gmail.com>
Sent: Friday, May 15, 2020 5:59 PM
To: Melissa Sweet

I want this submitted to the Committee hearing regarding the sex offender's act please. My name is David Reischauer and I'm a year 1. Because of the restrictive part's of the law I'm living in a tent as I can't live around places we all know if. I receive SSDI and can't afford to move into a home I can afford and in a area I can live in. My conviction was in 2001 and I served 13 year's in prison and 2 year's on parole. The law as written places more punishment on me than the Judge gave me. I should not be punished 2 times and that is what is happening in my opinion. I'm of parole now since 2013 and I'm still suffering with the restrictive part's of the law.

Melissa Sweet

From: Kolean England <england2311@yahoo.com>
Sent: Friday, May 15, 2020 10:50 PM
To: Melissa Sweet
Subject: Written Testimony

I am not able to give my testimony in person but I will give u this written testimony. My name is Kolean (Coal- Leen) England and I am opposing House Bill 5679 for the following reasons: If this sex offender registry works, then why is there people added to it every day? It doesn't deter people from being on it if that was the purpose to scare people to not want to end up on it. If it did then no one would end up on the sex offender registry. So what does the registry accomplish? If someone wants to sexually abuse someone after they are already on the sex offender registry, the registry won't stop them if they want to do it bad enough. By the time the police get there the damage would have already been done. This is no different than a personal protection order put on someone. After they are served the PPO, they still can go physically abuse someone. That piece of paper is the last thing on their mind. Just ask women who had their abuser served the PPO and still get physically abused by their abuser. Some end up dead. By the time the police get there it's too late. So I am opposing the sex offender registry because it doesn't stop or deter someone from sexually abusing someone. There is no need for it and it wastes taxpayers money.

Sent from Yahoo Mail for iPhone

Melissa Sweet

From: Kolean England <england2311@yahoo.com>
Sent: Saturday, May 16, 2020 9:45 PM
To: Melissa Sweet
Subject: Written Testimony

My name is Kolean (Coal -Leen) England and I'm opposing House Bill 5679 for the following reason which should be good enough. How can every man or woman on the sex offender registry know exactly how far is 1,000 feet from a school really is if some people don't even know how to use or read a measuring tape to know the correct distance? Do u think that all of them really carry a tape measure with them everytime they are near a school? I highly doubt it.

Sent from Yahoo Mail for iPhone

Melissa Sweet

From: wad up <wazupdetroitthere@yahoo.com>
Sent: Sunday, May 17, 2020 3:06 PM
To: Melissa Sweet
Subject: HOUSE BILL 5679 Unconstitutional Testimony Of A Concerned Michigan Voter !

Unconstitutional House Bill 5679 Testimony A Concerned Michigan Voter

Dear Michigan House Members

I know I have already email all of you on this issue, though i find this issue is a very important one too me , my family and thousands of others in this state that are effected by these law, I want you law makers to understand the damage this bill and the previous law on file today has caused , unusual and unconstitutional punishment too many citizens of this state who in most cases have already served their sentences they were given via a judge. It is unconstitutional too continue too punish citizens with these types of laws, Our community's and citizens deserve the right too be determined too be a danger too their community, not just ex post facto with out due prosses year after year punished more and more in most cases years after they have served their time for their crime, Please shoot this bill down and give the young men of this state the equal opportunity too live a normal life after they have paid their debt to this state, No One Deserves a life on the Registry , I am not in any way shape or form trying too prevent justice for victims ,or minimizing responsibility for actions, but only asking for fairness and the right too a second chance with out this it will only cause our state too have thousands of men who can not provide for their families, not hold a job , becoming unstable with everyday that passes and the pain is inflicted on not only those of the registries but their entire families for years and years after they have paid their debt to society. I hope you will consider these factors. A public registry has never prevented crime or hate its wrong and the studies support these facts. As a voter and citizen I ask you stop this bill and any that resemble this type of a life of punishment. A shorter term on the registry is proven it will work. Life on it is unacceptable when most people were added after a conviction by a judge too these type of punishment .

Life on a registry for in most cases crimes that take less proof of burden of a conviction with out a day or time or in many cases not a spec of evidence you need more proof to convict someone these days of stealing a candy bar then being convicted of a sex crime in this state , Not fair ! Please consider what the federal judge said . Many citizens are watching this and will protest and fight this law in the courts if passed.

Have A Blessed Day!!

Michigan State Citizen and Very Concerned Voter !

Melissa Sweet

From: Sandra Girard <slbgirard@gmail.com>
Sent: Monday, May 18, 2020 10:03 AM
To: Melissa Sweet
Subject: HB 5679

I strongly oppose this bill in its current form. We must start being smart about criminal law.

Sandra Girard
Attorney

Melissa Sweet

From: Julian Jones <ernestjones1021@gmail.com>
Sent: Monday, May 18, 2020 10:19 AM
To: Melissa Sweet

I oppose HB 5679. In March I was told by MSP I didn't have to register anymore due to my conviction being in 2005, my heart dropped. I told my family it finally was over, only to hear that there saying its not valid anymore. I was convicted when I was 17 years old for CSC 3rd she was 14years old. I did 6 years in prison, 2years on aps tether. I've never been to jail. my life is Ruined. I have epilepsy in just going to register makes me have seizures, many times I break down, It puts a strain on not just me but with my family as well.I've paid my dues. I believe in second chances but with this registry it doesn't It keeps you on there for not giving you anyway of moving forward and for those reasons I oppose HB5679.

Ernest Earlee Jones

Melissa Sweet

From: Lawrence Root <lroot@umich.edu>
Sent: Monday, May 18, 2020 10:22 AM
To: Melissa Sweet
Subject: I oppose HB 5679

As a Michigan resident and someone who has worked in and researched issues related to the criminal justice system, I oppose HB5679.

Larry Root

Lawrence S. Root, Professor Emeritus lroot@umich.edu
4652 School of Social Work 734-717-3800
University of Michigan
Ann Arbor, Michigan 48109-1106

Melissa Sweet

From: Jay Cummings <jhcummings109@gmail.com>
Sent: Monday, May 18, 2020 10:32 AM
To: Melissa Sweet
Subject: HB 5679

I am writing to oppose HB 5679. I urge you to remove it from the legislative agenda. Several legal experts testified that this bill does not resolve the constitutional concerns which caused much of our current registry to be ruled unconstitutional. The registry was created in 1994. At the time it was a simple law enforcement database with minimal regulations. It was mostly used to assist in investigations. After 26 years, there is still no peer-reviewed evidence proving it makes us safer and at the same time there is a growing mountain of evidence that registries don't work and make Michiganders less safe.

We believe if Michigan is going to constrain the liberty of over 44,000 citizens, it should be for evidence-based reasons.

We are aware of too many people who were wrongly placed on the registry and removed at a tremendous expense. We also recognize that this bill will make it more difficult to correct mistakes and/or recognize the distinction of youth offenders..

Jay Cummings, Chair

Outreach & Social Action Committee
Woodside Church
503 Garland Street
Flint, MI 48503

Melissa Sweet

From: Lynn Drickamer <ldlynn@umich.edu>
Sent: Monday, May 18, 2020 10:45 AM
To: Melissa Sweet
Subject: HB 5679

Dear Representative Sweet,

I am writing to express my strong opposition to this bill amending the state sex offender registry in ways I feel our counterproductive to both public safety and good legal experience. The registry is a badly flawed disservice to Michiganders and these modifications do not improve it, nor do they correct the issues raised by the courts as being unconstitutional.

Please help work toward a meaningful rethinking of this issue in order to truly serve all of us.

Thank you.

Sincerely,

Lynn Drickamer
1515 Golden Ave
Ann Arbor, MI

(a member of the Justice Action Group of Ann Arbor Friends Meeting)

Melissa Sweet

From: Zoe Gerstle <zgerstle@umich.edu>
Sent: Monday, May 18, 2020 12:35 PM
To: Melissa Sweet
Subject: I oppose HB 5679

Hello,

My name is Zoe Gerstle, and I am a resident of Washtenaw County. I strongly oppose HB 5679 because I believe all the evidence that shows sex registry lists make communities LESS safe. I strongly urge the House Judiciary Committee to not send this bill on.

Thank you,
Zoe Gerstle

Melissa Sweet

From: billsj20122014@gmail.com
Sent: Monday, May 18, 2020 4:57 PM
To: Melissa Sweet
Subject: Testimony

Dear Chairman Filler and members of the senate committee,

I want thank you for the chance to have a voice on Senate Bill 5679, as a person on the registry I'd like to give testimony on how my life has been since October 23, 2009 when I was sentenced and charged with 750.520G1/criminal sexual conduct assault with intent to commit sexual penetration..

I served six month in county did five years' probation and did a re-entry program as well to evaluate what if any of a risk that I was to anyone, I did the program and was able to be done sooner than most of the others required to be attending classes, I was told I was not considered a threat and was not considered to be an at risk re-offend either... In January 2012 I was accepted into a trade school ran by the state Michigan Career and Technical institute in order to attend though I had to be tested to make sure that I was not a threat due to students there were either physically or mentally disabled I was yet again assessed As not a threat and was aloud to go. But just before going in 2011 I went from low risk to a tier 3 with no warning or no explanation either since then my life my family's life have been flipped inside out not to mention I now have a daughter I'm not aloud to see because her mother said that she would claim I touch her son if I try to fight to see my little girl!!!! I have done everything I've had to. I have never re-offend and I'm just starting with in the last year to have a normal life, prior I was homeless for close to 7 years I had people loosen lug nuts on my cars, cut brake lines and go out of their way to make my life hell, I was refused jobs, I had to leave jobs due to unbelievable harassment, I had to turn down several jobs due to threats on my life... The young woman in question did not file a complaint as she lied to me about her age telling me she was 17 when she was 15, and admitted that she did lie about her age. I was just short of falling into the Romeo and Juliet law... we were a few months from the 4 month age criteria. I have never hurt nor forced anyone to do anything.

Now that I'm trying to get my life in order you law makers want to half way fix these laws and push something thru the system but this doesn't help anyone on this list in anyway at all in fact it will continue to allow people to target us, and make it so we can't hold a decent job to provide for ourselves or our families, my daughter as long as I'm on this list will never know her dad or my parents who are both older and not in the best of health!!!! My family has been targeted by people due to my tier status. They have also been denied visitation with my daughter.

I ask that you take the time to look at what really can be done to fix this bill and make it better and to make this help people not hurt them and to look at a case by case to see who really should or should not be on this list.

My sisters husband is on the list for sleeping with her when she was under age and they are now married and have four beautiful little girls and a fifth one on the way and he as well was homeless so again I ask that you re-think and over haul this bill before passing it thru the system.

Sincerely,
James Bills

Sent from my iPhone

Melissa Sweet

From: Daniel Leason <danielleasonii1985@gmail.com>
Sent: Monday, May 18, 2020 5:19 PM
To: Melissa Sweet

Hello my name daniel Leason im a offender. We had to be uprooted from home. It all started last year I attended my 2 boys field day at Michigamme elementary school which takes place outside in front of all the parents. An hour later 3 sheriff's approached me saying I have to leave which was embarrassing to me and my kids and courtney. the police said leave I left with no problem at all leaving courtney to walk home. About a month later I got a letter in the mail saying I have to go to court for 2 student safety zones violation, which is loitering on school property and living to close to a school. When I went to court they dropped the one charge of living to close to school, i almost lost my job which i have almost 7 years of employment they were goin to give me a year in county jail but like I said I got living to close to a school dropped and now I'm on probation for 2 years for something that's unconstitutional.

I have to work at that time

Melissa Sweet

From: shantzrn@comcast.net
Sent: Monday, May 18, 2020 7:21 PM
To: Melissa Sweet
Subject: House Bill 5679

Hello,

My email is to register my opposition to House Bill 5679, mainly because it is not based on actual data.

I am a member of Friends of Restorative Justice of Washtenaw County.

Ruth E Shantz
1304 Brooks St
Ann Arbor, MI 48103

Melissa Sweet

From: justice4sos@gmail.com
Sent: Monday, May 18, 2020 8:18 PM
To: Melissa Sweet; Rep. Lee Chatfield (District 107); Rep. Graham Filler (District 93); Rep. Beau LaFave (District 108); Rep. Diana Farrington (District 30); Rep. Gary Howell (District 82); Rep. Steven Johnson (District 72); Rep. Daire Rendon (District 103); Rep. Ryan Berman (District 39); Rep. Douglas Wozniak (District 36); Rep. David LaGrand (District 75); Rep. Vanessa Guerra (District 95); Rep. Brian Elder (District 96); Rep. Tenisha Yancey (District 1); Rep. Kyra Harris Bolden (District 35); Nick Capone; jamelower@house.mi.gov
Cc: Rep. Donna Lasinski (District 52); Rep. Yousef Rabhi (District 53); Rep. Christine Greig (District 37); Rep. Triston Cole (District 105); Rep. Julie Alexander (District 64)
Subject: HB 5679

I am sending this in my opposition to HB 5679. At a Michigan Coalition to End Mass Incarceration meeting, former representative Joseph Haveman stated, "We created this problem, we need to fix it." And, it needs to be a bipartisan fix! During a phone conference with Senator Shirkey he commented on the 1000' rule saying that it's not okay for a registrant to live 1000' from a school, but it's okay to live 1001' from a school. Does that really make us safer?

I have questions to ask the bill's sponsor, James Lower. Did he consult with any of the stakeholders (the Governor's Office, the Attorney General's Office, the Prosecutor's Association, the Michigan State Police, the ACLU, various staff members/aides/attorney's for the legislature who had met for many hours and had negotiated and had come to a consensus on many of the issues concerning the court's ruling and what they would like to see with new legislation? Did he even look at Dana Nessel's Brief of Amicus Curiae? Just the table of contents, the eight pages of research listings and skimming through the pages, one could surmise that a complete overhaul would be needed to change Michigan's Registry.

The current proposed HB 5679 is like putting a band-aid on a wound that needs surgery and stitches!

Don C.

Melissa Sweet

From: Frank Dennis <fdennis805@gmail.com>
Sent: Monday, May 18, 2020 8:39 PM
To: Melissa Sweet
Subject: HB 5679

Dear Ms. Sweet:

I wish to express my opposition to this bill, which is expected to be forwarded by the House Judiciary Committee to the House of Representatives for a floor vote.

I have worked as a volunteer counselor with many men who have been paroled after serving prison terms for criminal sexual conduct. None of them has been re-arrested for a criminal offense. However, all have been hindered in obtaining employment because of restrictions imposed by the Sex Offender Registry. Furthermore, there is no good evidence that rewriting it has made it any more effective, but in fact has made it *less* effective.

Therefore this legislation should not be approved.

Frank Dennis, Member
Citizens for Prison Reform
1600 Ridgewood Dr.,
E. Lansing, MI 48823
517-332-5181

Melissa Sweet

From: Brian Withun <brian@brianandkathi.com>
Sent: Monday, May 18, 2020 9:25 PM
To: Melissa Sweet
Subject: HB 5679

Michigan House of Representatives Clerk Melissa Sweet,

Please pass along my comment to the Committee reviewing HB 5679.

I am a registrant. I pled guilty to one count in 2004 in exchange for a deal from the State of Michigan. I have faithfully kept my end of that deal, but Michigan had opted to rewrite their end of the deal. That rewrite was considered unconstitutional and now you're back to work re-crafting it.

As of right now I am on the registry for 15 years longer than I had agreed to in my plea. As of right now I am on the public registry which was not part of my plea deal. I am required to finance the registry through annual payments to the State of Michigan which were not part of my plea.

Please protect me from the after-the-fact (ex post facto) changes that have impacted me and others with cases like mine. Let everyone stick to their original deal. Let Michigan stick to its original deal.

Can you imagine having to "socially distance" yourself for another 15 years? That's akin to what this registration period extension has done to me.

SARS-CoV-2 worries me less that the rewrite you are undertaking.
Please be fair.

Undo the damage the prior language of Michigan's SORA laws have done to me. Protect all original pleas. Write that into your new bill.
Thank you, everyone.

Brian Withun
33134 Perth Street
Livonia, MI 48154
(734) 770-9393

Melissa Sweet

From: ricbarko <ricbarko@gmail.com>
Sent: Tuesday, May 19, 2020 1:08 AM
To: Melissa Sweet
Subject: HB5679

Do not pass this bill. Discrimination is supposed to be against the law. Murders' don't have a vengeful and vicious list and neither should be those who pose the least threat for recidivism. Wake up Michigan! SERIOUSLY, God's Presence. A ministry.

Sent from my MetroPCS 4G LTE Android Device

Melissa Sweet

From: Matthew P <pmatthew482@yahoo.com>
Sent: Tuesday, May 19, 2020 8:54 AM
To: Melissa Sweet; Rep. Vanessa Guerra (District 95); Rep. David LaGrand (District 75); Rep. Beau LaFave (District 108); Rep. Brian Elder (District 96); Rep. Daire Rendon (District 103); Rep. Diana Farrington (District 30); Rep. Douglas Wozniak (District 36); Rep. Gary Howell (District 82); Rep. Graham Filler (District 93); Rep. Kyra Harris Bolden (District 35); Rep. Lee Chatfield (District 107); Rep. Ryan Berman (District 39); Rep. Steven Johnson (District 72); Rep. Tenisha Yancey (District 1); Matthew P
Subject: Fw: House Bill 5679- SEX OFFENDER WITH HYTA - PASSPORT REVOKED!

To: The House Judiciary Committee:

Please consider an amendment removing those who were sentenced under HYTA and for those who had convictions set aside. There is only one other state that has a similar program to HYTA, and does not require registration. Please consider.

Current Bill:

2ELFH04178'19322, and by adding section 2a.THE PEOPLE OF THE STATE OF MICHIGAN
ENACT:123456789101112131415161718192021222324252627Sec. 2. As used in this act:(a) "Aircraft" means that term as defined in section 2 of the aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.2.(a) **"Convicted" means** 1 of the following:(i) Having a judgment of conviction or a probation order entered in any court having jurisdiction over criminal offenses, including, but not limited to, a tribal court or a military court, and including a conviction subsequently set aside under 1965 PA 213, MCL 780.621 to 780.624.(ii) Either of the following:(A) Being assigned to youthful trainee status under sections 11 to 15 of chapter II of the code of criminal procedure, 1927 PA 175, MCL 762.11 to 762.15, before October 1, 2004

Suggested:

2ELFH04178'19322, and by adding section 2a.THE PEOPLE OF THE STATE OF MICHIGAN
ENACT:123456789101112131415161718192021222324252627Sec. 2. As

used in this act: (a) "Aircraft" means that term as defined in section 2 of the aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.2. (a) (b) **"Sex Offender" means the following:** (i) Having a judgment of conviction or a probation order entered in any court having jurisdiction over criminal offenses, including, but not limited to, a tribal court or a military court under 1965 PA 213, MCL 780.621 to 780.624. Note: Any conviction that is set aside pursuant to law or an individual who is adjudicated under the Holmes Youthful Trainee Act is not a conviction for purposes of this article.

This has also met Federal SORNA's requirements:

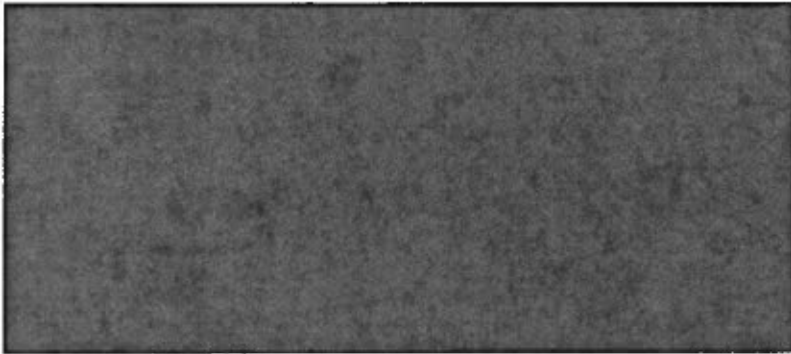
"The Holmes Youthful Trainee Act allows the court to place a youth between 17 and 20 who is alleged to have committed a crime and who has pleaded guilty to that crime to be placed in prison or on probation without a conviction to avoid a criminal record. Excluded from this program are youth who are charged with a felony for which the maximum punishment is life imprisonment, a major controlled substance offense or a traffic offense. This action protects the privacy of the offender while on trainee status. If the youth successfully completes the program, there is no criminal record. Imprisonment or probation cannot exceed three years. Michigan does not require registration for individuals sentenced under the Act for a sex offense unless the individual is convicted of another felony, was previously convicted of or adjudicated for a sex offense, or fails to carry the burden of proving by clear and convincing evidence that he/she is not likely to engage in further sex offenses. Because this statute applies to a narrow class of offenders and requires judicial determination to waive the registration requirement, the SMART Office has determined that this exception does not substantially disserve SORNA requirements."

<https://www.smart.gov/pdfs/sorna/Michigan.pdf>

Other state's registry requirement:

New York-

" An individual who is adjudicated as a Youthful Offender or juvenile delinquent is not convicted of a crime, and his or her records are not available to the public. As a result, he or she is not required to be registered in New York State." New York Sex Offender Registry Frequently Asked Questions



New York Sex Offender Registry Frequently Asked Questions

Frequently asked questions about New York State's registered sex offenders, offender's responsibilities, community...

Thank you for your time.

From: Matthew P <pmatthew482@yahoo.com>

Sent: Tuesday, May 12, 2020 10:28 AM

To: Melissa Sweet <msweet@house.mi.gov>; Rep. Graham Filler (District 93) <GrahamFiller@house.mi.gov>; Rep. Beau LaFave (District 108) <BeauLaFave@house.mi.gov>; Rep. Diana Farrington (District 30) <DianaFarrington@house.mi.gov>; Rep. Gary Howell (District 82) <GaryHowell@house.mi.gov>; Rep. Steven Johnson (District 72) <StevenJohnson@house.mi.gov>; Rep. Daire Rendon (District 103) <DaireRendon@house.mi.gov>; Rep. Ryan Berman (District 39) <RyanBerman@house.mi.gov>; Rep. Douglas Wozniak (District 36) <DouglasWozniak@house.mi.gov>; Rep. David LaGrand (District 75) <DavidLaGrand@house.mi.gov>; Rep. Vanessa Guerra (District 95) <VanessaGuerra@house.mi.gov>; Rep. Brian Elder (District 96) <BrianElder@house.mi.gov>; Rep. Tenisha Yancey (District 1) <TenishaYancey@house.mi.gov>; Rep. Kyra Harris Bolden (District 35) <KyraBolden@house.mi.gov>; Rep. Lee Chatfield (District 107) <LeeChatfield@house.mi.gov>; Rep. James Lower (District 70) <JamesLower@house.mi.gov>

Subject: House Bill 5679- SEX OFFENDER WITH HYTA - PASSPORT REVOKED!

SEX OFFENDER WITH HYTA (Holmes Youthful Training Act) PASSPORT REVOKED!

To: The House Judiciary Committee:

Please remove those sentenced under the Holmes Youthful Trainee Act. I have been on the registry since April 2004. I was advised that I would have no criminal record, my case would be dismissed, and record sealed. What I have realized is that it makes NO difference between being sentenced under HYTA and having a Felony, at least to those on the Sex Offender Registry.

Never did I imagine that:

- My picture would be on the public internet and that eventually I would be searchable by Google.
- I would be listed as a "convicted" sex offender, even though I was never convicted.
- I would be denied multiple jobs due to background check companies conducting an auto scan of the sex offender registry. Most of all employers did not and could not understand how I am not convicted on one hand, but convicted on the other.
- I would be denied entry on both Carnival and Royal Caribbean cruise lines, because they do a sex offender registry check, and registrants are banned (including myself, although I was never convicted). This has a complete embarrassment on both cruise lines! Can you imagine getting a phone call the day before ship sails, advising that you are denied boarding due to being listed on the Sex Offender Registry? This was to celebrate my Master's Degree, and it turned out to be a complete disaster!
- My passport would be revoked because it didn't have "convicted sex offender" reflected (as required per International Meghan's law with anyone who is required to be listed on both a public and non-public registry).

- My passport is required to have the words "convicted sex offender", a passport that I use for identification purposes at banks and stores, not just for travel. Why is my "sealed" record being disclosed?
- I would be denied entry to Mexico, Jamaica, and Japan due to being listed on the registry, and sent back home to the United States almost immediately upon arrival with no refund, and yet another embarrassment! No warning before I went that I would be denied entry....until I got there! Why have I constantly been denied? Because the United States Boarder Patrol/Customs sends "Green Notices" to countries regarding every registrant listed on a public or non-public registry who is traveling to that country. The Green Notices are standard general notices, that don't take into account the offender, whether the record is sealed or anything! Its standard verbiage is that the a registrant is traveling, and "likely to re-offend". If you were the government in another country, and didn't know the circumstances, or that the record was dismissed and no conviction was ever entered, wouldn't you respond with the same fear and send them back to the United States? Who wouldn't?

According to the HYTA Statue, those sentenced under this act "shall suffer no civil disability or loss of right or privilege". When HYTA was first written in the 1960's, the legislature could not have had this intent for those with no criminal record. To even be eligible for HYTA, one has to prove to the judge by "clear and convincing" evidence, they are not a threat.

([http://www.legislature.mi.gov/\(S\(1pllpsft2bfhsigelfbmzmju\)\)/mileq.aspx?page=GetObject&objectname=mcl-762-11](http://www.legislature.mi.gov/(S(1pllpsft2bfhsigelfbmzmju))/mileq.aspx?page=GetObject&objectname=mcl-762-11)).

Today's legislature could not have known that those on the Sex Offender Registry would eventually be required to have their passports stamped with the word "convicted sex offender" (as of July 2016) by the US State Department, solely because they are listed on the Sex Offender Registry. The Customs/Border Patrol and Homeland Security (when sending sex offender green notices to other countries) had no CLUE about my HYTA Status (as they could not see that information), only that I was listed on the public Sex offender Registry as a "Convicted Sex Offender". That is all they knew!

Nonetheless, I am still listed on Michigan's registry, as a Tier 3(the most dangerous) "Convicted" Sex offender. The majority of Sex Offenders are not allowed on school property or around parks, BUT there is an exception for those sentenced under HYTA. Those restrictions do not apply to HYTAs. However, I am listed as a Tier 3, the most dangerous. Does that make sense?

I sincerely ask of you, to **please listen to the snippet below from the Michigan Supreme Court**, in the case of State VS. Temelkoski, where the Michigan Supreme Court removed a defendant sentenced under HYTA. Please LISTEN to the State's reply when the Supreme Court justices asked the State what someone sentenced under HYTA should tell an employer? **This is one of the MAIN ISSUES when applying for a job for those sentenced under HYTA.**

You will be APPALLED at the State's response. PLEASE watch starting at 42:40 to 46:00

Supreme Court Justice: "How does that work when he applies for a job. What is he suppose to say?"

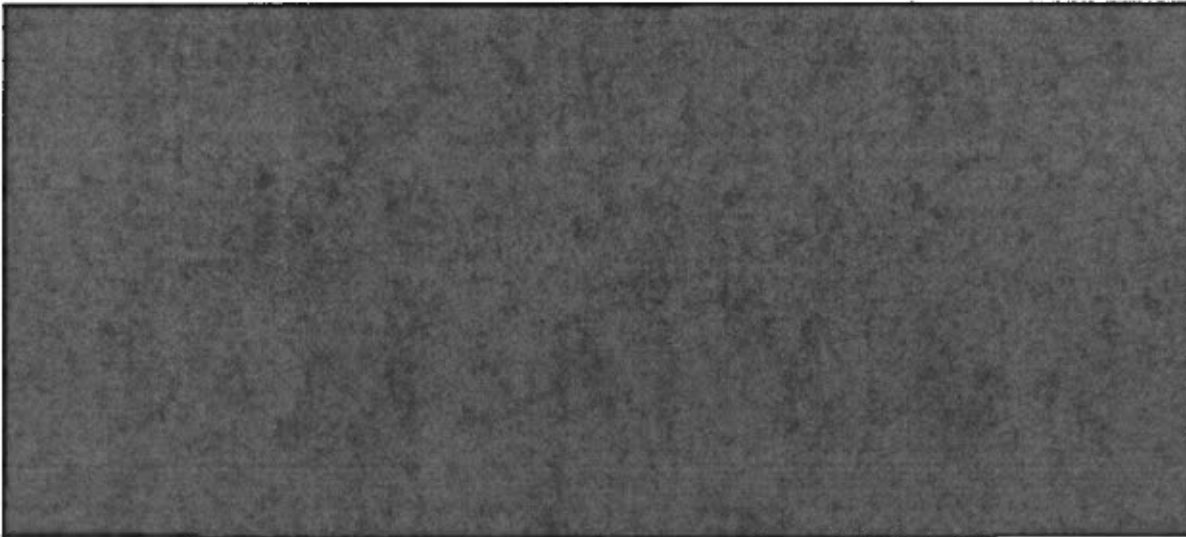
State of Michigan: "He can rightfully say that he has never been convicted of a crime."

Supreme Court Justice:"And when they google his name and it pops up that he's a Convicted Sex Offender, whats his response?"

State of Michigan: "He could say that he received a special consideration due to his Youthful Offender status"

If that is the case, WHAT IS THE PURPOSE HYTA?

150643 People vs Boban Temelkoski



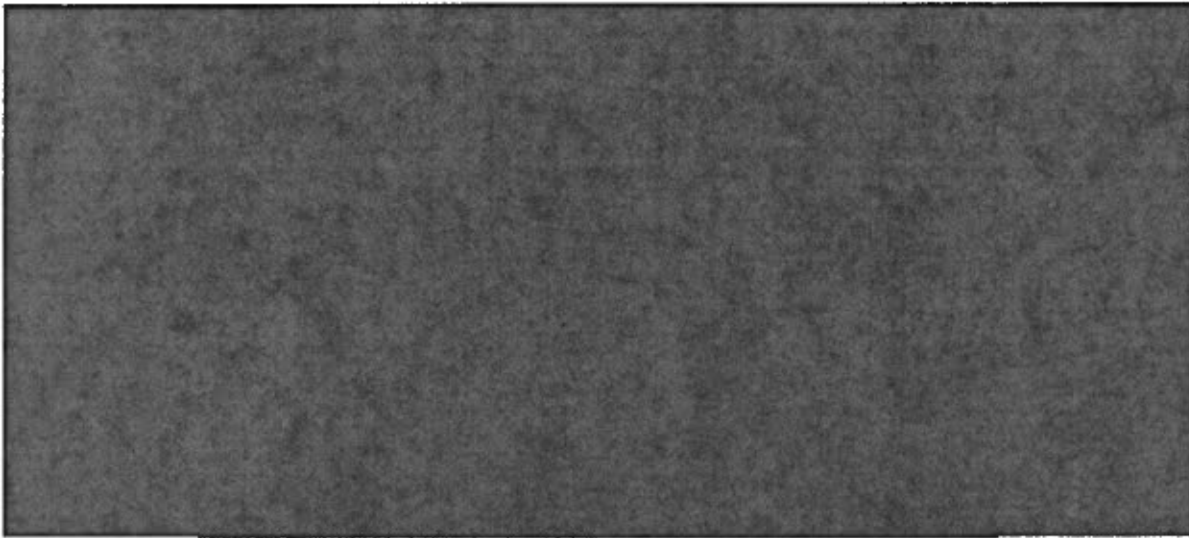
150643 People vs Boban Temelkoski

Case background:

<http://courts.mi.gov/Courts/MichiganSupremeCourt/oral-arguments/2016-2017/Pages/150643.aspx>

In conclusion, I ask that you please remove all those sentenced under HYTA since we do not have a criminal record, the case was dismissed, sealed, and no judgment of conviction was ever entered. It is estimated that out of 44,000 sex offenders in Michigan, only 200 have been sentenced under HYTA. Please remove HYTAs, Set-Asides, and even juveniles.

We're Putting Sex Offender Stamps on Passports. Here's Why It Won't Curb Sex Tourism & Trafficking.



**We're Putting Sex Offender Stamps on Passports.
Here's Why It Won't Curb...**

Melissa Sweet

From: rploveless@gmail.com
Sent: Tuesday, May 19, 2020 10:02 AM
To: Melissa Sweet
Subject: House Bill 5679 Testimony

Representative:

I OPPOSE HOUSE BILL 5679 BECAUSE IT FAILS TO ADDRESS THE FOLLOWING CRITERIA AS ORDERED BY THE COURT. AND, WHEREBY PASSAGE OF A NON-COMPLIANT BILL WILL RESULT IN FURTHER LITIGATION UNTIL A BILL IS DRAFTED WHICH COMPLIES WITH THE COURT'S ORDER.

1. **EX POST FACTO** – 34 years ago I was convicted of a sex offense. SORA **retroactively** placed me on lifetime parole under the guise of “civil registration.” I must report to law Enforcement in person 4 times a year; reporting where I live, where I work, what vehicles I drive, my phone number, and email address. **Failure to do so is punishable by imprisonment.** My choices of where I work, live, travel, vacation, and even worship, are unconstitutionally limited by HB 5679. The Court has ruled this “Harsh Punishment” and a violation of the Ex Post Facto clause of the Constitution. HB 5679 still attempts to add harsh punishment under the guise of “civil registration.” Please note Michigan has no other “civil registrations” as restrictive or punitive as SORA.
2. **FREEDOM AND EQUAL PROTECTION** - The public has a right to feel safe, **and so do I.** My offense was 34 years ago... I completed the punishment for my offense and was released decades ago. Am I not now an equal citizen of the State of Michigan? Am I not equally entitled to the same freedoms, liberties, and protections ascribed to all citizens of this State? HB 5679 creates a legal subclass of citizenship and helps identify and target sex offenders from fair & equal housing, employment, insurance, financial loans, and exposes them and their families to public vigilantism. I know because I and my family have been victimized in each of these areas.
1. **INDIVIDUAL RISK ASSESSMENT** – HB 5679 assigns a Risk level (Tier) based solely upon the nature of the committed crime. The Court has found this system to be faulty and inaccurate. I have been assigned a Tier III Risk Level, and yet I have been living within the community for decades. I have earned (3) college degrees, owned my own business, received letters of commendation from the MDOC for volunteer work in the prisons (after my release), I am a husband, father of 4 children, Grandfather, member of my community, and a registered voter. How can you legitimately say I am a risk to my community based solely upon a 34 year old conviction? Each Offender should be Individually Assessed based on qualifying and quantifying factors such as: Post conviction sex offender treatment, rehabilitative program completion, educational accomplishments, institutional conduct, and Post Release factors – Completion of parole, Post release therapy, Community interaction, Employment, length of post release offense free status. HB 5679 Assigns Inaccurate Risk Level (Tier) Classifications for Registered Offenders.
2. **In Closing I would like to point out that I am NOT a “Sex Offender”.** I was convicted of a sex offense 34 years ago. I am an Ex-convict and an Ex-Sex Offender. The “EX” meaning I no longer associate nor participate in either of these classifications. My Sentence was completed, my Punishment fulfilled and my Debt to society paid. My only request is to be allowed to live the remainder of my life in peace. HB 5679 does not allow for this. **Please vote NO on HB 5679.** I am not saying “no” to SORA, I am only asking you to hear our voices, as well as the Court’s Rulings and allow the drafting of a more Court adherent version of this House Bill. A Bill that will protect everyone: victims, offenders, families, and communities. A Bill that will provide safety and allow healing.

Thank You

Richard Loveless