

TESTIMONY OF WILLIAM C. BUHL

To: The House Judiciary Committee

Re: HB 5679

I speak to you from long experience in the criminal justice system – 6 years as Van Buren County Prosecuting Attorney, 14 years as a District Judge and 22 years as a Circuit Judge. I have also served for 10 years as a member, and currently Chairman, of the Professional Advisory Board to the Coalition for a Useful Registry. I strongly oppose HB 5679 in its current form for the following reasons:

1. The current Registry doesn't work. It lacks efficacy. It is constitutionally flawed. I am frustrated that there has not been the legislative will to do the right thing – overhaul it. In failing to do so, society is put at greater risk of harm. HB 5679 does not accomplish this.
2. The Registry presently has been determined to have serious constitutional defects. HB 5679 does not address all those concerns. It would be foolhardy to send the Registry back to Court likely repeating the lengthy litigation over constitutionality.
3. Given the lack of efficacy, at the very least the legislature ought to make every effort to reduce the registry's fiscal cost and societal harm. In other words, if there is no legislative will to rid Michigan of a law that protects nobody, at least stop harming people. For example:
 - A. Remove all juveniles and offenders with no criminal record from the Registry.
 - B. Use risk assessment to determine the necessity for, and length of registration. This would greatly reduce the size and expense of maintaining the Registry, making more funds available to prevent sexual abuse in ways that have more efficacy. Why inconvenience law enforcement policing people who threaten no harm?
 - C. Get rid of the safety zones. They don't work anyway. They do a great deal of harm by crippling registrants who wish to become positive, contributing members of society, in their quest for a residence and meaningful employment.
 - D. Reduce the length of time on the Registry. End lifetime registration.
 - E. Provide an avenue for registrants to get off the registry.

These are just some of the things that HB 5679 does not address. It is not intended to be exhaustive. This is not a time to push this issue through Committee.

Dated: May 3, 2020



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