

Joshua & Jami Shea
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May 10, 2020

RE: HB-5679

House Representative and Judiciary Committee Member:

We are writing to you to discuss HB-5679. Joshua is at work and cannot testify via zoom before 3:30p because he is an essential worker during Covid-19, as well as, every workday.

Joshua was convicted in 2008, MCL 750.520E, and was put on the SOR for 25 years. He received a set-aside conviction in 2014 after a court hearing where he had to have approximately 10 or more criteria to receive the set-aside conviction. Set Asides are not given to just anyone. Though he met the criteria, he is still actively placed on the public registry. We were told at the set-aside hearing that it is an 'unintended consequence' that no one realized when creating laws regarding this instance. It is very concerning to for us to know and live a life where a person can be falsely accused of a crime and still be treated as a criminal. We were grateful to even learn that a set-aside was an option for Joshua yet discouraged that he still appears as a danger to society! Please keep in mind he did not commit the crime he was charged for in the first place! Michigan lawyers scare their clients into believing things that cause fear in their client that they are going to prison for life, and they are desperate and will agree to anything. That was Joshua's experience anyhow. How many others have been down this road? We do not know, but people must have a way to prove themselves because we have learned Anyone can claim Anything even if it can't be proven they still pay an unfair and extremely costly price! We would like to see that option made available again. We believe that was recently done away with. That should not be since we have learned unintended consequences can and DO happen to people and those who get convicted of this need an out if they are accused falsely by someone!! **We would like to see a set-aside option for those who qualify by meeting specific criteria as once existed.**

This brings up the issue of Joshua not even being a high risk to harm anyone. We want to see some experts deem those who are a true danger to society to make the strict laws for them because obviously they need it. We do not like people harming other people any more than you would. It is important to protect the public, yet experts in the sexual predator arena should be utilized to assess these types of people and rules be placed on true offenders. We do not understand sexual predator thinking any more than you would so let's have some experts involved in this process. I do remember one retired FBI agent who did do some assessing with Joshua KNEW and TOLD him that he got 'railroaded.' This should not be. **We would like to see risk assessments and restrictions placed on people who experts understand indications a NEED to do so. This also means prevention programs that are also cost effective because they work.**

One thing that is a major anxiety for us is driving through the school-safety zones. They are a complete nightmare because we cannot possibly find property lines. That is unrealistic and unnecessary. We cannot attend the church of our choice because it is located next door to a school. That impacts our lives. School safety zones might work for people who are a high risk to re-offend, but driving down a road is not protecting anyone once they leave that small zone! Public safety can be reached through 911, therefore already a protection in place. **We would like to see safety school zones eliminated so people can live without fear of someone calling the police because they are within so many feet of a school yet committing no crimes.**

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That is costly for everyone involved and if someone in the community knows you are on a registry they can 'cry wolf' also using valuable police time when, again, there is no crime being committed. Let me add reputations are everything. If either of our employers find this information out, we will be penalized in more ways than one. I (Jami) am also currently studying in the nursing program and do not need to be scrutinized as I was let go while working in the Human Service internship I once tried to accomplish!

Which brings us to the next point. We cannot integrate into our community because who wants to give someone the time of day that is on the SORA? Pretty much nobody. That reputation sets you and your children's lives up to be socially unaccepted (keeping in mind...Joshua was falsely accused and did not even hurt anyone!). Being on the SORA makes people judge our character before they even get to know us or our story...unless, of course, like I (Jami) have done and let my neighbors know we are not criminals. It is constantly hard to decide if you come out and tell people to earn their respect or if you let them find out for themselves if they happen to do a search on the SORA. Honestly, if statistics are showing that registries do not make safer communities; then should not the police be the ones who access information like this? We would like to see the MSP have record of people that are not high risk but Definitely put the high risk offenders for public eyes to view so they really know a specific address has someone who really is dangerous residing there. **We would like to see the MSP and County and City Police Departments knowing these laws and having full access to any high risk or even low risk offenders and Not be publicly displayed if it does not produce a safer environment, rather than keeping someone from being able to prove themselves as a safe member of society.**

Lastly, the time Joshua is on the registry...25 years. He has served 12 currently. He has 14 more years to go. There are a lot of missed opportunities in 25 years. Joshua has not been in trouble with the law BEFORE or AFTER this conviction. The 25 years impacted Joshua. He could not keep a job for the first 5 years while on probation. He ended up starting his own business and was successful while raising his two children but still relied on welfare in poverty. Those two children are now both dropouts from high school and we know the social unacceptance of this played a large role. There is much stress when you are labeled a danger in a community. That will lead us to the next point.

It is hard for kids to make friends and hang out when they know your parent in on a dangerous registry. They were made fun of, basically bullied, and ignored in their schools. I (Jami) was not taken serious as a parent. We are currently no longer on welfare and Joshua has been at the same employer for almost 6 years now only because he received the set-aside. If Joshua had not received the set-aside, I honestly do not know how we would be off state assistance. He would not have been able to get a job. This means Michigan tax dollars SUPPORT people on the registry because they cannot make any money on their own. With the set-aside conviction he can pass a background check! This is good news!! Joshua also would not have had housing if we were not married or had he not received the set-aside. He would then be placed in jail if he did not have an address...again, more tax dollars housing people in jail who could be living and working if the restrictions were not so oppressive. **We would like to see a shorter duration of time to remain on the registry IF experts believe low-risk offenders should even be placed on it publicly.** Once a probationary period is over...

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it seems a person has had that opportunity to prove something during that time frame. They would be able to focus more on getting back to living life rather than being in constant anxiety of breaking laws that are difficult to manage while being ridiculed by those in public from being on a public registry.

A person on a registry is in constant jail and daily reminding from it in their mind. Again, we would prefer the MSP to have the registry available to them only for low-risk offenders. And if anyone re-offends, they need to be on a registry for life and many more consequences. We are big believers that those who are a danger to society DO need to be managed. If they cannot control themselves then they do need more monitoring and management.

Anxiety does not make people productive members of a society. Joshua deals with anxiety when it comes to being around people. Since this happened once, how do you know it may not happen again??? Telling someone you are no longer convicted but displaying them as a public criminal also brings much anxiety and frustration. It is also known it is very unconstitutional. We really are trusting each of you to put forth the time and effort into making correct laws to protect innocent people from harm, including the innocent who are convicted falsely. The courts failed because the laws were not clear and specific. The point is we need your help in these matters. There are experts in this arena, and they need to collaborate with you to come up with the best solutions. Our lives are not of so little value that quick, insignificant changes should be revised without much effort and time and understanding with expert insight. If this happened to you or one of your family members, we know you would not turn a blind eye. These are not all the impacts we have been through. We try to move forward each day and focus on current issues that we can change and not focus on things we cannot get back.

Thank you so very much for your time in reading this and we are so grateful for such a time as this! You will never understand what it means to us. We apologize this was lengthy, but we know its importance for you to collaborate with others, understand and use common sense while you do such life impacting work. Thank you for your public service.

Sincere with Hopeful Hearts,

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