

Dear Committee Clerk, Committee Chair, & Representatives,

My name is Daniel Wright and I am currently on the sex offender registry list (Sora) in Michigan. My offense occurred in the month of February in 1999. I was 16 years of age at the time of offense whereas my victim was 12. My victim was very close to celebrating a thirteenth (13) birthday. I am 37 years old now and my registration duration at this juncture would be Lifetime. I am in opposition of this bill. I oppose HB- 5679 and it is my hope, and prayer that you will take into consideration as to why I do not support this bill, and why I feel it is imperative to be open to the type of changes or amendments I would like to see to support a better bill.

Request

Please Consider a registry/bill that is an evidence based system focused on individual assessment and reform as oppose to an offense based bill; by doing so, it allows an offender the opportunity to rehabilitate and transition back into society, and have the option of becoming a productive citizen of their community. I also ask that the bill be modeled after the American Law Institute particularly the Juvenile requirements, the length of registration itself, and the limited registrable listed offenses:

1. Sexual Assault by Aggravated Physical force or Restraint
2. Sexual Assault by Physical Force only when committed as a subsequent conviction for a felony sex offense
3. Sexual Assault of an incapacitated person only when committed as a subsequent conviction for a felony sex offense
4. Sexual Assault of a minor under the age of 12 when the offender is a degree older (i.e. more than five years)
5. Sexual Assault of a minor 12 to 16 years of age when the offender is a degree older (i.e. more than five years)
6. Incestuous sexual assault of a minor, and the Juvenile Provisions

length of Registering

- Length of registry requirement shall be 15 years beginning when the offender is released from custody; in the case of no term of incarceration the registration period commences on the sentencing date
- The registrant shall be automatically released from registration obligation at ten years if during the that period:
 - The registrant successfully completes supervised release and o
 - Required sex offender treatment programs and o
 - Is not convicted of any additional sex offense

Background

When I was 11 years old I became a ward of the state due to family issues. With no family support, no stable home, and no desire to value my life. I basically bounced from institution to institution until arriving at harbor oaks hospital roughly five years after being committed. My offense occurred in a

juvenile Facility/ Mental hospital named harbor oaks in Macomb County, and this unfortunately would be where my offense was committed. I understand that it is no way acceptable and I take full responsibility for my actions. I have done voluntary Sex Offender (S/O) therapy outside of the requirements of the law, as well as other countless things that would aid in bettering myself. I have sincerely reformed, rehabilitated and would like situations such as 750.520c(1)(a) to be re-evaluated and seriously consider changing the length of registration, processes of changing tier or classification determination, and/or petition to be placed in a lower class to qualify for removal of registry process.

Initial Impact

Initially I was charged with 4th degree CSC 750.520 (E), but during this time my victim celebrated a 13th birthday, which resulted in the charges being changed to 1st Degree CSC 750.520b. I did not want to gamble with the possibility of a life sentence, and I was actually guilty of something that I sought forgiveness and redemption for, which ultimately drove the desire to plead guilty to a lesser charge in order to start the healing process for all parties involved. Considering, I was already committed to the state at the time, as a juvenile without even addressing the new charge, I would have more than likely stayed committed to the state until my 21st birthday.

The plea consisted of me agreeing to fondling the victim or allowing the victim to fondle me. It would be classified as CSC 2nd degree 750.520c(1)(a) and in return, I wouldn't get life, I would get 2 years, register as a sex offender; for up to 25 years with the possibility of being removed, and that based on my behavior I could be released before my 20th birthday. However; This is not what happened. I was sentenced to 38 months to 180 months (3 years 2 months- 15 years) with 406 days credit and labeled a sexual predator. Though I never offended prior to this victim, my systematic upbringing was used to justify being charged as an adult.

In 2001 the prison system Bellamy creek was created. A level four (4) security facility that elected to segregate all sexual predators by isolating them and sending them to a different prison specifically for violent people such as murderers and sexual predators (ICF) Ionia Maximum Facilities. After reviewing my file the predator status within it was removed and I was placed in General Population for the remainder of my sentence. While incarcerated I never received a ticket for sexual misconduct or expressed any interest in doing anything predatory or sexually related in nature. I underwent sex offender therapy in and out of prison, and upon my release I utilized everything taught to me in therapy and I haven't had any subsequent listed offenses, I got to the root of the issue and dealt with it.

Impact on community, family. Friends etc

- **Victim**

I had the opportunity to apologize to my victim on two separate occasions; In person, and in front of everyone (family, friends, etc.) via court. I had the opportunity of freeing my victim of any guilt or fault internalized by or from the pain I caused. Though an apology doesn't always prove to be suffice, it was sincere. I held myself accountable and plead guilty. My intent was to pay for my poor actions and provide relief for everyone, including any strongholds my victim

may have felt, and at least award my victim with the knowledge of knowing I would get help, I was truly remorseful, and I would never victimize anyone ever again.

- **Friends & Relatives**

Due to the negative effects the registry has put on my immediate family and friends. I have resisted the desire to build additional meaningful relationships with friends and distant relatives to prevent the possibility of those relationships being sabotaged or affecting their lives in a negative way.

- **Self**

I made a mistake as a juvenile and as an adult I had to start my life off late. I was okay with that as long as I knew in my heart I paid my debt to society for wrong doing as a youth. I was twenty-two (22) years old when I was released from prison (2004) and I was twenty-four (24) years old (2006) when I was free of parole and able to attempt to make something of my life. I would like to note: parole is not an easy task to complete; yet, I had no issues, violations or anything. Prior to being released I learned that my registration duration was not what I was informed it would be (It was lifetime not 25 years) and I had been deceived or at the very least misled. I still chose to see the positive in it and took it as a chance to work on self without expectations of anyone else. I moved to Southfield, Mi upon release and immediately learned failure to register was a leading factor in the recidivism rate.

I registered with local law enforcement between 2006-2007 in Oakland county, where I resided. The Michigan state police (MSP) knocked on my door informing me that I would be facing criminal charges for failing to register. I informed them that I had registered and could offer the verification form, but they didn't want to see it. Instead, they proceeded to write me a citation ordering me to appear in court. Upon going to court no representation was provided for me, and the prosecutor recommended jail time without even speaking to me or examining the case.

It wasn't until right before the judgement, I was permitted to speak. I provided the proof of verification and the judge thoroughly examined it as if she wasn't familiar with this procedure, while reciting the law as she read it from her laptop placed on the podium. The case was ultimately dismissed but as I began to leave, I could hear the scrutiny from the people in the courtroom. The whispers and the disgust. I wanted nothing more but to be around the people that knew, loved, and genuinely cared for me. My freedom was at stake even after doing everything asked of me.

- **Family**

In 2006 at twenty-four (24) years old, I met my soon to be wife Kierra. After finding value in self, and desiring to live, she has added meaning and purpose to my existence. We are a united family and I credit her for all the strength I've developed over the years. Kierra birthed my daughter Danielle (2010), who happens to be physically and cognitively impaired and will be 10 years old in June. I have been on the registry for her entire lifespan. Dedicating my time to her and abiding by these rules and regulations has proven to be quite challenging and extremely hard. In 2011 I married Kierra with the desire and hopes of one day living a normal life but several amendments were made, which rendered it relatively impossible to do so, ever.

- **Wife & Kids**

My wife's spirits were crushed when discovering Repeat offenders had the opportunity of removal from the SORA list but offenders such as myself 750.520c(1)(a) was required to register for life. There was no option for offenders who were juveniles with only one sex crime, tried as an adult to be even considered for a removal. There is only one time a person can request removal by filing, but by the way the law is written even that seemed unattainable for people such as myself. The victim and I were not four (4) years or more apart in age, and although I was a juvenile at the time of offense in a juvenile facility, I was not granted the same type of leniency or faith in rehabilitating as a juvenile would. In actuality, those hopes and aspirations of righting a wrong and doing something productive or even getting a shot at becoming or doing something respectable was taken away. I developed manic depression and my relationship plummeted because of it. Nothing eased the pain, not even the birth of our son Daniel who is four (4), and I was blessed with at the age of Thirty-four (34).

I couldn't take my son to the park, pick up or drop him off at school/day care. I couldn't take him to certain events, plan children parties for his birthday or bond in the ways that a son and father should. It extends beyond what the mind immediately thinks of, and restricts any bonding mechanism a family with children would need. My children have never been to or seen Disney land, Disney World, Amusement parks, Etc. I am not allowed to go to the school functions or plays to support the fundamental elements of what will determine who they will grow to be.

In many ways I was like an absent father even though I was very much present. These things ultimately took a toll on my family, and the registry costed us our marriage, resulting in a divorce (2018). After tending to my mental health, and well-being we reconciled and decided to remarry (2019). Every single day we pray over the registry, in hopes that one day things may change. You all at this very moment could be the answer to our prayers, each of you have the power to improve this broken system for victims and rehabilitated members of society. It is my prayer that you will.

Rehabilitation

I remember feeling like I was expected to become a bigger statistic, and continue to fail in life. I discovered that the offender has to take the initiative to direct the narrative of his/her life, and seek help utilizing their own personal available resources because no tools outside of the requirements of the law are provided to become successful after committing a registerable offense. Contrarily, every obstacle is provided to assist with succeeding in continuing to fail. The job pool is extremely limited, housing is restricted, families are broken, and homeless offenders are at a greater risk of recidivism.

This is the reality many offenders are forced to face, but it is also the only available options provided to them. In many ways being incarcerated appears to be a better alternative than lifetime registry. Jail is designed to fit the crime, and the requirements to rehabilitate in essence does indeed make sense, but the registry provides punishment long after rehabilitation has taken place which makes actual freedom feel as if it is an illusion. Being free under these type of conditions in most cases is actually harder than being incarcerated.

Rehabilitation starts with the heart and mind and reveals itself through its actions, so I ask;

- What is the purpose of being free and being a contributor to society if nothing is in place for you to ever make amends or make something of yourself?

- Why does one offense committed as a youth prevent you from being able to get your life together, be the type of role model your off springs need to see or for you to be, and
- why can't your change have a positive impact on society instead of a negative one.

It's weird being seen as a hero for whom my children know me to be but forever a monster in the public's eye.

Conclusion

Please Consider a registry/bill that is an evidence based system which focuses on individual assessment and reform as oppose to an offense based bill. I also ask that the bill be modeled after the American Law Institute particularly the Juvenile requirements, the length of registration, and the limited registrable listed offenses. **People such as myself and the margin of restraints I represent deserves a second chance also.** I understand that many of you share diverse opinions but I would hope that in those cases, research can be the basis for final decision making.

This registry includes too many people and as Representative David LaGrand stated "Any registry with a bunch of false positives becomes a bad tool" I agree with that notion wholeheartedly. Some people are, but most offender's are not who their past offense(s) makes them out to be, some have changed, as I have.

In regards to the "frequent and scary vs infrequent and scary" dilemma Rep. LaGrand presented. Perhaps a more severe punishment should be enforced for individuals who commit a subsequent listed offense (ie. Incarceration extending past the guidelines of the offense much like the rules that apply to certain general habitual offenders) but they should not be subjected to lifetime registration for making a one time mistake, poor decision making skills, or not understanding the law.

I love the fact that this topic is being discussed among you all, and light is being shed on this topic at a time where changes can be submitted. I look forward to seeing the improvements that are being made to ensure adequate and measurable public safety. For the reasons listed above I oppose HB-5679

Respectfully,

Daniel Wright