

Chairperson Filler and House Judiciary Committee Members,

I am not able to be present for the committee hearing on HB 5679 scheduled for May 6, 2020. I am sending my reflections and personal testimony regarding this proposed bill and I respectfully ask that this bill not be approved by the committee.

As the spouse of a registered sex offender, I am directly affected by the Sex Offender Registry Act. Over four years ago, the courts ruled that many provisions of the current Sex Offender Registry Act are unconstitutional due to aspects that are deemed as punishment and also for their retroactive components. The proposed bill, HB 5679, does NOT correct the deficiencies and concerns that were noted by the courts and it does nothing to help the public. Instead the proposed bill makes an already overly complex, complicated act even more complicated than it was previously and does not resolve the issues of retroactive punishment and other unconstitutional aspects determined by the courts.

My husband's crime was committed in 1993 prior to the first enactment of SORA and he was released from incarceration in 1997 which was at a time when the registry was not public and was strictly a resource for law enforcement and when the maximum time for registration was 25 years with no reporting requirements. Through the years SORA has been expanded to a point where it has lost its original purpose of assisting law enforcement. The registry is bloated with individuals who no longer pose any dangers to society.

In the case of my husband, he has been back in society for over 22 years with zero incidents of reoccurrence and no incidents with law enforcement of any kind. He is a law abiding, tax-paying citizen who is simply trying to better his life after foolish decisions made over 25 years ago. It is degrading to him to have to report to the State Police every quarter to register and is extremely stressful on him to constantly be reminded of his poor decisions from what seems like a lifetime ago. It's even worse to think that he would possibly have to continue doing this for the rest of his life as the current proposed bill indicates.

I indicated that this personally affects me as well. We have been married for over 20 years so I've seen the stress that the increased data collection and reporting requirements have had on my husband. My vehicle has to be listed on his registry report in case he occasionally drives it. I'm often the one who has to respond to the annual visit from law enforcement to our home to make sure that he actually still lives here. Honestly the first visit was a little frightening. We never go on a vacation for longer than a few days for fear of having to notify law enforcement that we've gone somewhere.

The greatest frustration is that the law seems to continually change and add more burdens to our lives with restrictions for increased time of reporting (from 25 years to life), more info gathered that often is

intrusive on both our lives, etc. We were thrilled to hear that the courts recognized how egregious the existing law was and were encouraged by the progress that we thought had been made by collaborative efforts with many parties to come up with a more just system. However, after learning of HB 5679, we were very quickly deflated and felt trampled on because of the blatant disregard of the court's findings and the proposal of a worse law than the one that is currently in place by in essence creating two separate registries which will be very confusing for registrants to follow and keeping the unconstitutional, retroactive components in that are so harmful and in many cases unnecessary to protect the community.

So, as I began this note, I respectfully ask that you do not approve this proposed bill and that it does not leave your committee to be presented to the Michigan House of Representatives for consideration.

Sincerely,

Dena DeVormer

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