

**TO: House Judiciary Committee Members**

**FROM: Darrel R. Hoffman, BA in MUS, CUM LAUDE, CAA**

**PURPOSE: Testimony in regards to HR 5679**

**DATE: May 6, 2020**

Honorable Members of This Committee:

My name is Darrel Hoffman and I offer this testimony against HR 5679, because it is ill-conceived and does nothing to protect our people. Instead, it continues to enslave thousands of our citizens and relegates them to continued harassment, homelessness, and poverty. This bill will continue the hysterical and draconian measures that prevent former sex offenders from re-entering society to resume normal lives and continue to put them in jeopardy of vigilante acts, discrimination in employment, denial of educational opportunities, and in practicing their faith in houses of worship. With over 45,000 registered sex offenders, enough people to populate the City of Saginaw, this Honorable Committee needs to reconsider this bill and the ramifications it will have on a population this size.

I have experienced firsthand the statements I just mentioned. I did 12 ½ years in our prison for a II degree CSC involving a minor under 13. Although I don't wish to re-argue my case here, I do wish to tell this Committee how these laws have affected my return to society. I was discharged, not paroled, which is normal for a sex offender in our prison system. I received 6 continuances from the Parole Board in spite of an excellent prison record, family support, and a good psychological report. When I prepared for my discharge, I began to apply for re-admission to Michigan State University where I began studying for a music degree years ago. I had only one year left to graduate, but the University refused to re-admit me citing my crime in spite of me sending the re-entry panel every document they requested to show I wasn't a threat. I was forced to enroll into Wayne State University where I finished my degree work and earned a BA in music, graduating with honors. However, it cost me an extra 1 ½ years because of old credits from MSU and new requirements WSU had towards degree, needless to say the extra monetary expenses in student loans, which I owe to this day. This is a degree that I cannot use because of laws prohibiting me from teaching at any level be it elementary or university even though my crime is 25 years old.

After graduation, I had to seek employment. Even with using the State's job search sites, I could not find proper employment. The only place that would take me was a small electronics factory in Wixom, Mi., which paid by the piece produced with no benefits, retirement, or security. If one did not manufacture the equivalent of the minimum wage, the employee was fired.

I only got this job because they did not do background checks like most companies do these days. I worked there five years with only one break. That break was a one-year stint with the law firm of Williams and Acosta, which hired me based on my resume. But, they found out I was a registered sex offender and fired me because of that fact. So, I returned to Key Electronics for another year before the City of Detroit hired me into the Office of the Chief Financial Officer department working in our now defunct income tax branch and now in the new Detroit Taxpayer Service Center (DTSC) inside the Call Center. But, this road has not been easy there, either. Part of the hiring process with the City did require me to reveal my conviction, which is understandable considering this is a public place and government, but the City had no problem with my conviction until it hired the present treasurer, Christa McClellan. Since then, there have been unreasonable complaints from women who found out about my conviction, claiming they are “uncomfortable” working with me and complaints against me through our CRIO department. I have been disciplined on a false complaint by my new unit manager, which is now under review by the Union. If it hadn’t been for the intervention of our Union, the chances are excellent that I would have been fired by now. This is the best job I have had in my life and only have 6 more years until retirement, but because of the prejudice and bigotry of some, that now is in jeopardy.

When I first came home in 2008, I was greeted by signs calling me a pedophile stuck on telephone poles throughout my area. I took them down. They have done the same thing to my roommate. We have had neighbors who have threatened us and went door to door to spread the information. I’ve had my profile downloaded onto Facebook to where I can’t have an account because of threats and hatred written into the comments. Happily, our neighborhood has changed and although they know of my registration, they don’t harass me or my roommate. In fact, they actually defend us from outsiders who do try once in a while to harass, but our situation isn’t the norm for most registrants.

When it comes to church, I am now attending my fourth one. Although a degreed musician and talented organist, I have been asked to leave three other churches since my re-entry into society, because they were “uncomfortable” with my presence. When people found out I was a registrant, they complained to the pastor or left the church. Churches feared possible accusations and lawsuits, so I was asked to leave. It made no difference whether or not I told the church from the start or kept it secret. Someone inevitably would look me up on the registry and then I would be asked to leave. My present church at this time does not know of my registration and it is my desire to keep it that way since there are no children there. At this church, I serve as their organist and sing with its trio.

My incidents are mirrored a hundred times over by others who have experienced the same kinds of harassment and some even worse. Exposing people based on the nature of their crimes is not a logical or constitutional answer for dealing with the issues of sexual offenses.

These types of laws have not protected our citizens nor have they stopped someone from committing a crime if they so desired. However, there has to be a balance between the needs of society and those are affected by these laws. If there has to be a registration, there needs to be a means for those who are on it to be free from its requirements after a certain amount of time after incarceration. If one has stayed offense-free for at least 10 years from incarceration or release from parole or probation, there should be a way for the registrant to be released from the registry's requirements. There needs to be a means for registrants to be protected from discrimination based on their crime, harassment from vigilantes and those who abuse the registry for their own hateful reasons. No one here is trying to diminish the evil and horror of sexual crimes. However, there needs to be a sense of justice tempered with mercy in dealing with this issue. There are those in the Legislature and even on this Committee that believes sex offenders deserve everything that happens to them because of their crime. Yet, even our Lord Jesus Who was unjustly executed, forgave those who abused Him in this fashion showing mercy rather than judgment. Judgment has to be tempered with mercy, which means this present statute needs to be fashioned where the public will feel safe, but does not expose registrants to harm and gives those who have proven their behavior a means of discharge from the registry after a set time. To not include those provisions will continue to make this law an unconstitutional punishment after the fact.

Thank you for your attention to this matter and I am willing to publically testify to these statements.

Respectfully submitted,

*Darrel R. Hoffman*

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