

May 5, 2020

Dear House Judiciary Committee

On behalf of myself and my family, I would like to submit testimony against HB 5679 as it does not address some of the most major flaws of the sex offender registry in Michigan, specifically:

- It needs to eliminate lifetime registration.
- It needs to add a path off the registry (whether by petition or automatic).
- It needs to remove the lower tiers from the public list.
- It needs to provide easier provisions for reporting and clearer guidelines.

My family has experienced the terrible Scarlet Letter of the Sex Offender Registry for several years now. My husband was convicted of possession and receipt of child pornography in 2009. Did my husband have an online pornography problem? Yes, he did, just as a third of the adult male population does. I wasn't naïve to that. But I was sure shocked when the FBI raided our house early in the morning unexpectedly more than ten years ago while I held my two petrified young children (ages 4 and 7 at the time) close, as my husband was frisked and questioned. As neighbors looked on, they went through every inch of our house, taking computers, phones, jump drives, DVDs, videotapes and anything that could potentially hold an image. After all of that, the only thing they found of interest was my husband's computer that had hundreds of pornographic images of adult women downloaded off the internet, but only 17 that were considered "under age". No sex acts were portrayed – only nudity and sexual poses. It was obvious that he was not intentionally looking for photos of underage girls.

After our attorney shared with us what the FBI had found, I felt relieved, thinking this proved my husband was no pedophile. At that point in time, I never in a million years could have imagined all that would come next. Fortunately or unfortunately (depending on how you look at it), we had enough money to fight it and fight hard. My husband would never hurt a child, yet he was being made out to be a pedophile. So we took the case all the way to trial, something that is very rare in these cases. We were determined to prove that my husband was not who they said he was. But we later found out that in these cases, the court views the accused as guilty until proven innocent instead of the other way around, and the prosecution is out to win instead of to find the truth. My husband was found guilty in a jury trial and spent 2 years and 10 months behind bars. There are rapists who have spent less time behind bars. We appealed and were denied, and appealed again and were denied again. The next step would have been the Supreme Court, but we decided to stop wasting our money at that point.

My husband was released from prison in 2016 and has been on the sex offender registration ever since. This after much pain and public humiliation, after losing his career and his reputation, after spending almost three years in prison away from his family, and after throwing away hundreds of thousands of dollars trying to defend himself. As if all of this wasn't enough punishment, now he will spend 25 years on the sex offender registry.

With a daughter and son still in high school, we bought a house out in the country hoping to avoid neighbors and even friends finding out about him being on the registry. We feared not for ourselves but for our kids. We had seen after the initial raid the taunting, the gossip, the isolation and the parents avoiding play dates with our kids as if they had a contagious disease. It was heart breaking, and we wanted to protect our kids from this after he got back at all costs. How ironic that we were trying to protect our kids from the pain of dealing with a law that was supposed to protect kids? We have tried to live a low key life since all of this happened, but our kids still dread to this day friends finding out. And a few of them have along the way, but we have dealt with it and protected our children the best we could. They have turned into incredible kids – our daughter headed to U of M in the fall, and our son a freshman in high school.

What legislators need to know is that these laws are not protecting children and the general public. The laws are making it impossible to know who is a threat and who is not. And in the case of my family, the laws are unjustly hurting our kids in the name of protecting the public when in reality my husband is absolutely no threat to anyone.

This insanity needs to end with a complete reworking on Michigan's sex offender registry laws. As a society, we have allowed our fear to take these laws to a level that is doing far more harm than good. I can't express it any more clearly than it was written in the Betts Amicus Brief submitted to the Michigan State Supreme Court on May 4, 2020: "The public is encouraged to fear and ostracize tens of thousands of people who present little or no risk, instead of being taught to focus on the small number of people who may actually be dangerous." And in the meantime, we are also wasting precious tax payer dollars maintaining a registry that is completely ineffective.

I encourage you to read the entire Betts Amicus briefing as it outlines the issues with Michigan's sex offender laws in great detail backed by proven research. Please read this brief, think of our kids and family, and vote down HB 5679.

Thank you for your consideration. Feel free to contact me if you have any questions.

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