

On April 26, 2006 my son turned 17 years old. Days later around May 5th, he engaged in what used to be called “heavy petting” with a 13-year-old girl who had been pursuing him. There was no penetration or force of any kind. Unfortunately, this girl changed her story and it became a “he said/she said” as to the events. He was charged as an adult with CSC 4 and because of her age, there was no defense. He pled to Attempted 4th degree CSC, served no jail time, successfully completed probation and was discharged after 1 year instead of 5 years, and paid his fines/costs. He was placed on the SOR for 25 years.

We lived in a small community in Northern Michigan and as you can imagine, the gossip was like wildfire. He went to school where his peers called him a child rapist. He fought suicidal thoughts. His self-worth plummeted. His future goals crumbled. This vibrant young man who had never been in legal trouble, who was well liked by peers, a Varsity wrestler, a good student, active in his youth group, who helped build a community skatepark suddenly felt like a LEPER. He persevered. He finished High School. He got married and had a child. He remained living in the same small community. He maintained employment. He got divorced. He won SOLE custody of his son. He remarried, had a daughter and divorced again. Issues of relational trust with women were difficult. He learned how to survive while wearing the proverbial Scarlet letter.

Surviving for him has been like swimming upstream every step of the way and sometimes coming up for air when others try to drown you. These years of his life after age 17 are considered important developmental times; the adolescent brain is still developing, finding identity and industry as a young adult, forming family and community ties. ALL these steps were severely hampered in his life. Finding employment, going to college or trade school, participating in church or social events were all hampered by his status on the SOR long after his probation ended.

In 2011, 5 years post-conviction, he petitioned the court to have his record expunged and was successful. However, it did not relieve him of the burden to have to continue his SOR reporting, paying the annual fee and remaining on the public registry. It certainly didn't relieve him of the stigma and public shaming and continued punishment long after having his record expunged. It is now 2020 and he is still an upstanding citizen with no criminal record. Unless the law is changed, he will remain on the registry until 2031 and continue to wear the Scarlet letter.