

Thank You for the opportunity to speak before this committee.

Our purpose in addressing the Judiciary Committee is to ask that you take specific action to amend the Michigan Sex Registry and remove without exception all of those on the registry who are HYTA recipients. If this is not done, and the Michigan registry has to comply with the pending Federal standards of the Adam Walsh Act it will add an additional layer of hardship to those young people who currently are required to register, yet have no conviction.

Let me explain further. The Homes Youth Training Act was established for the purpose of allowing the judicial system the opportunity to sentence young offenders in such a way that they could earn the right for a second chance. In fact, by meeting the requirements outlined by the Act, known as HYTA anyone sentenced, who completed their probation successfully, would never have a conviction on their record.

Our son was accused of sexual assault in 1996. I won't bore this committee with the details, but suffice it to say he was at that time, a teenager who made a wrong decision. Social drugs and drinking lead to the accusation of sexual assault, and under the advice of legal counsel, we encourage him to accept a plea bargain, that at the time seemed like an appropriate alternative to a jury trial. He was sentenced under the provision of HYTA, which was something that all parties to the process; the Judge, the Prosecutor and the family of the girl who brought this accusation had to agree upon. The Sex Registry was something new at that time and we were of the impression that, upon completing his probation under the provision of HYTA he would be able to move ahead with his life.

That has not been the case. Our son completed his probation under HYTA. He has no criminal record, yet since 1997 he has been required to register. The Michigan Sex Offender Registration Act at that time made information only available to law enforcement agencies and exempt from Freedom of Information requests, although names on the registry were available to the public via local law enforcement agencies.

That is certainly not the case in today's world and the results of the decision we made thirteen years ago have had an ongoing negative impact on our son and our family. There is an old saying that as parents, you are as happy as your most unhappy child. To this day our son regrets that he did not take the risk of being tried before a jury. He has

struggled with this injustice. He has lost jobs, been made fun of, harassed by police and suffered, if not from depression, a tremendous loss of self esteem.

Our son is a great young man but he continues to live with a cloud over his head. He regularly buys a magazine named Busted. Its not that he likes the magazine; it is because the last couple of pages have the picture, name and address of registered sex offenders who live in the area and he is forever fearful of finding his own listed there.

Let me be clear. We are not advocating that Michigan not have a Registry of Sex Offenders. We are asking that you take the steps to clean it up and specifically address this issue that has long been overlooked by the current registry requirement.. Our son is not a pedophile, convicted rapists or know felony that should be targeted. He is a young man who made a stupid decision when he was a kid and has paid a terrible price for it.

Now, as you review what is required by the Adam Walsh Act, please know that this is a death sentence for people like our son. We realize that there are few political advantages in taking a position with anything that has to do with the Sex Registry, but since 1996 this whole thing just keeps adding layers of punishment that far exceed what was intended or expected. Without some initiative by this committee, our son, under the Adam Walsh Act, will now be burdened with an additional requirement of having to register for the rest of his life.

We specifically ask that you allow our son, and all others, without exception, who are HYTA recipients to be placed on the first tier level. That would allow them to petition to be removed from the registry and in fact, meet the objective that the Holmes Youth Training Act was intended to accomplish. This step would allow Michigan to comply with the requirements of the Adam Walsh Act and move forward with making the Michigan Sex Registry a more meaningful Act.

Our son has no record, he is not a threat to society, yet he continues to wear the same label that is associated with convicted felons and dangerous people.

You have an opportunity to make a difference in his life and the lives of those who suffer the same plight. We hope you have the conviction to do the right thing.

Thank you,

Doug