

July 22, 2016

POSITION OF THE MICHIGAN COLLABORATIVE TO END MASS INCARCERATION
ON SENATE BILL 1027

The Michigan Collaborative to End Mass Incarceration (MI-CEMI) finds Senate Bill 1027 to be the type of overly-broad, legislator-feel-good bill that is bad for Michigan. We urge that it be defeated.

SB 1027 makes it a crime for anyone on the sex offender registry to "work or volunteer in direct contact with individuals who are less than 18 years of age" or "work at or volunteer for an organization that serves victims of sexual assault." This bill was drafted in response to the disclosure that three people on the sex offender registry were volunteering at an organization with a crisis hotline for sexual assault survivors in Lansing. No crime was committed. While everyone is sympathetic to people who have been sexually assaulted, this bill goes way beyond addressing needs of sexual assault survivors. Prohibiting Registrants from having direct contact at work with those under 18 would make most jobs off-limits, because 22% of Michigan's population is less than 18 years old (U.S. Census Bureau estimate for 2015). As for working with sexual assault victims, registrants may be sexual assault victims and vice versa. Let the organizations and the victims decide who to work with rather than further criminalizing Registrants.

MI-CEMI is a non-partisan collaboration of over 40 organizations representing advocacy, faith-based, grassroots, and service organizations united to end mass incarceration in Michigan. One of its objectives is to support formerly incarcerated people when they return to their communities, to help them reintegrate and be successful, contributing members of society. This bill does the opposite.

Michigan has one of the country's largest sex offender registries, the 4th highest state for percentage of its population on a Registry. Over 75% of Michigan registrants are on lifetime registration. It is so overly-inclusive that there are people on it whose crimes were not sexual and whose crimes have been expunged. The recidivism rate for people convicted of sex offenses is one of the lowest for all types of crime. Michigan's registry is not based on risk to reoffend, but on the original crime that was committed. It has been shown that if a sex offender does not reoffend after 11 years, he or she is at no more risk to commit a sex offense than any other felon. Therefore, any law restricting the activities of people on Michigan's registry will include more people than is reasonable.

For all these reasons SB 1027 as written should not be passed into law. MI-CEMI does however support the commonsense position that agencies should not allow people who have disclosed that they have experienced sexual assault to be counseled by a person on the sex offender registry without their knowledge and consent. Further, M-CEMI is willing to work with the Legislature to draft a substitute bill.