



STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
LANSING

GRETCHEN WHITMER
GOVERNOR

HEIDI E. WASHINGTON
DIRECTOR

DIRECTOR'S OFFICE MEMORANDUM 2021 - 18

EFFECTIVE: January 1, 2021

DATE: December 16, 2020

TO: Executive Policy Team
Administrative Management Team
Wardens

FROM: Heidi E. Washington, Director

SUBJECT: PD 01.06.115 "Sex Offenders Registration Act"

SUPERSEDES DOM 2020 - 21 (effective 01/01/2020)

On August 25, 2016, the United States Sixth Circuit Court of Appeals in *Doe, et al. v Snyder, et al.*, case nos. 15-1536/2346/2486 ruled that the retroactive application of the 2006 and 2011 amendments to the Michigan Sex Offenders Registration Act (SORA) were unconstitutional. Both parties appealed to the United States Supreme Court. The Supreme Court recently denied leave to appeal, which means that the Sixth Circuit Court of Appeals' decision on retroactivity remains in effect.

PD 01.05.115 "Sex Offenders Registration Act" and its implementing procedure are therefore revised to be consistent with the ruling by the Sixth Circuit Court of Appeals. Specifically, this means that the requirements of the 2006 amendment only applies to those registered offenders whose offense occurred on or after January 1, 2006, which is the effective date of the 2006 amendment. Similarly, the requirements of the 2011 amendment only applies to those registered offenders whose offense occurred on or after July 1, 2011, the effective date of the 2011 amendment.

The Deputy Director of Field Operations Administration (FOA) shall issue instructions to Field Agents implementing the Court's ruling and this Director's Office Memorandum.