

**PROSECUTIONS FOR VIOLATIONS THAT OCCURRED  
UNDER THE OLD SORA BEFORE MARCH 24, 2021  
UNDER THE AMENDED FINAL JUDGMENT**

**This summary has been approved by the Court in *Does II v. Snyder*.**

**A. Registrant – Registrable Sex Offense Occurred Before July 1, 2011**

The old SORA is null and void for registrants whose registrable sex offenses occurred (based on offense date, not conviction date) before July 1, 2011, and thus the old SORA cannot be enforced against these registrants at all for any SORA violation before March 24, 2021. See Amended Final Judgment, ¶¶ 2–3.

**B. Registrant – Registrable Sex Offense Occurred on or After July 1, 2011**

- The old SORA cannot be enforced against any registrant for violations of the old SORA that occurred between February 14, 2020 and March 24, 2021 regarding the old SORA’s registration, verification, school zone, and fee provisions, under the federal district court’s April 6, 2020 interim order. See Amended Final Judgment, ¶ 6.
- The following nine provisions of the old SORA cannot be enforced against any registrant for conduct that occurred before March 24, 2021, because the Court enjoined the enforcement of these provisions as unconstitutional, finding that they are vague or violate the First Amendment under the Amended Final Judgment, ¶ 4:

*Provisions Void for Vagueness:*

- the prohibition on working within a student safety zone, MCL 28.733–734;
- the prohibition on loitering within a student safety zone, MCL 28.733–734;
- the prohibition on residing within a student safety zone, MCL 28.733, 28.735;
- the requirement to report “[a]ll telephone numbers . . . routinely used by the individual,” MCL 28.727(1)(h);
- the requirement to report “[t]he license plate number, registration number, and description of any motor vehicle, aircraft, or vessel . . . regularly operated by the individual,” MCL 28.727(1)(j).

*Provisions Void under the First Amendment:*

- the requirement to “report in person and notify the registering authority . . . immediately after . . . [t]he individual . . . establishes any electronic mail or instant message address, or any other designations used in internet communications or postings,” MCL 28.725(1)(f);
  - the requirement to report “[a]ll telephone numbers . . . routinely used by the individual,” MCL 28.727(1)(h);
  - the requirement to report “[a]ll electronic mail addresses and instant message addresses . . . routinely used by the individual,” MCL 28.727(1)(i);
  - the retroactive incorporation of the lifetime registration’s requirement to report “[a]ll electronic mail addresses and instant message addresses assigned to the individual . . . and all login names or other identifiers used by the individual when using any electronic mail address or instant messaging system,” MCL 28.727(1)(i).
- Under the Due Process Clause of the U.S. Constitution, the Court ruled that SORA must be interpreted as incorporating a knowledge requirement, such that any prosecution must be based on a willful violation. See Amended Final Judgment, ¶ 4.