

HISTORY OF LITIGATION ON MICHIGAN'S REGISTRY

March 2012	<i>Does I</i> filed
March 2015	<i>Does I</i> district court opinion holding that SORA is unconstitutionally vague, violates the First Amendment, and impermissibly imposes strict liability
Sept. 2015	<i>Does I</i> district court opinion holding that retroactive extension of certain reporting requirements violates the First Amendment
Aug. 2016	<i>Does I</i> Sixth Circuit decision holding that SORA violates the Ex Post Facto Clause
Aug. 2016	<i>Does II</i> filed (stayed pending cert petition in <i>Does I</i>)
Oct. 2017	Supreme Court denies certiorari in <i>Does I</i>
June 2018	<i>Does II</i> Amended Complaint filed
Sept. 2018	<i>Does II</i> Stipulated Class Certification Order
May 2019	<i>Does II</i> Declaratory Judgment holding that SORA violates the Ex Post Facto Clause
Feb. 2020	<i>Does II</i> Decision holding that SORA is void for pre-2011 registrants, that the exclusion zones and certain reporting requirements are unconstitutional for all registrants, and that SORA's strict liability provisions are impermissible. Court provides a window of approximately 90 days for legislative action and preparation of notices to registrants.
April 2020	<i>Does II</i> Interim Order recognizing that as a result of the pandemic, the legislature needs more time to pass SORA legislation. Court defers entry of judgment until

after the end of the pandemic. SORA enforcement is suspended given the difficulty registrants face complying with the law during the pandemic (e.g. inability to do in-person reporting).

Dec. 2020

The legislature passes a new SORA to go into effect March 24, 2021. The new SORA eliminates “school exclusion zones,” requires that the prosecution prove “willful” violations of SORA registration provisions, and removes from the registry those who have had their convictions expunged/set aside, or who successfully completed supervision under the Holmes Youthful Trainee Act.

March 2021

The new SORA goes into effect and the Michigan State Police sends out notices to non-incarcerated registrants about the new law.