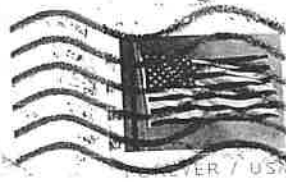


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Regulations Docket Clerk, Ofc. of Legal Policy  
United States Department of Justice  
950 Pennsylvania Avenue, N.W.; Room 423  
Washington, DC 20530

INSPECTED 28

Docket No. OAG-157

20530-



Thursday, September 10, 2020

Regulations Docket Clerk, Ofc. of Legal Policy  
United States Department of Justice  
950 Pennsylvania Avenue, NW ; Room 423  
Washington, DC 20530

Re: Docket No. OAG-157; Comments/  
Objection To The Proposed  
Changes To SORNA

Greetings:

Please accept my comments/objection regarding the proposed changes to the Sex Offender Registration and Notification Act (SORNA) as discussed below.

1. First and foremost, SORNA simply does not work. For every government study lauding the effectiveness of SORNA there are two or three independent studies which support the fact that SORNA is an invasive, counter-productive, punitive, and ineffective failure.
2. As stated above, SORNA is in fact a punitive measure and not an administrative procedure. SORNA must be repealed rather than being enhanced. The fact that the measure is punitive, whether intentional or

Simply a by-product of the Act, is well documented. The changes proposed by the DOJ only serve to further enhance the punitive nature of SORNA.

By its very nature, SORNA effectively extends the sentence of the individual convicted of a crime classified as a sex offense, in many cases turning a conviction into a de facto "life sentence without parole". There is no means by which an offender may complete a Sex Offender Treatment Program or other counseling (which are proven to drastically reduce an already extremely low recidivist rate) to either reduce or eliminate their registration requirements or reduce a term of incarceration. We don't register drug offenders (or other offenders) in this country even while they are among the highest of recidivism rates, and yet we reward drug offenders (which is always a crime of violence) with programs such as RDAP/RSAT which provide the drug offender with a year off their sentence and monetary gain.

It is high time we do likewise for the convicted SO who who completes SOP/SOTP/NR-SOTP or individualized counseling. Sex Offender Treatment Programs are proven to be highly effective in the reduction of recidivism, unlike measures such as SORNA which only promote public fear and mistrust.

Among the great many punitive aspects which SORNA creates — primarily due to being a public-accessible database rather than Law Enforcement only — is that it creates a societal atmosphere of fear and a sense of public threat where no threat actually exist.

Very few SO's are sexually violent predators the likes of Ted Bundy or Jeff Dahmer; yet American society continues to view every SO in such light due to media sensationalism and worthless "feel good laws" such as the Sex Offender Registration and Notification Act.

Due to publically available registration information created by SORNA, the vast majority of registrants are ostracized and denied even the basic necessities of life such as employment and housing (which can become the basis for reincarceration due to registration violation). Such actions are indeed punitive and not administrative.

To enhance SORNA, when it should be dismantled and replaced with rehabilitive treatment programs, serves only to continue the punishment of an American citizen after they have served their term of physical incarceration, while leaving them both mentally and emotionally incarcerated.

This is 2020, not 1720; let us open our eyes that we may see clearly. We need effective rehabilitation, not ineffective registration.

I can personally testify to the punitive effects of the unjust, public-accessible registration information. As a Registrant:

- A. I have lost housing and become homeless.
- B. I have lost employment and been denied employment.
- C. I have lost personal business opportunities.
- D. I have been denied hotel accommodations "in the interest of public safety"; I have been refused service.
- E. I have been harassed, threatened with violence, and had my home vandalized and property stolen on multiple occasions.
- F. I have had long-standing personal relationships destroyed.

All of this because of SORNA making my private, personal information into public information. Because of SORNA, I fear for my own safety and for the safety of my loved ones.

Case in Point: I provided the Federal Government with well documented, confirmed credible information regarding a self-proclaimed domestic terrorist who had posted bomb-making instructions on the Internet and had plans to murder the President, a Senior Federal Judge, a Federal Prosecutor, and a WV State Trooper as well as the Editor of a local newspaper. He had drawn maps of the US Courthouse in Charleston, WV as well as possessing a "shopping" list of items he would need to carry out his plan to include an AR-15 and Body Armor as well as improvised explosive devices which he would build.

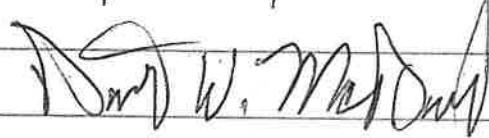
The Government wrongly provide him with documentation naming me as their primary source of information. This person has vowed revenge for my "snitching." He also knows that I must register as a sex offender and that with one click of the mouse he will have all the information he needs to exact his revenge upon me and my family. To further "enhance" SORNA information is for the DOJ to "sign my death warrant." He will be released to Ripley, WV which is only a 30 minute drive to the area which I will return. I'll be "looking over my shoulder" for the rest of my life due to SORNA and won't even be allowed to own a weapon for protection of self or family.

3. The DOJ has no authority to enact law; this is the duty of Congress. Congress alone is to legislate changes to Federal law. Furthermore, the States may enact stricter law as enhancement to Federal law but the Federal Government has zero authority to "toughen" State law. Incidentally, the United States Constitution does not grant the Federal Government liberty to interfere with the sovereignty of the individual States. Moreover, in 2011 US Dist, LEXIS 40815, Case No. 3:10-cv-0147, the Court opined that it "did not have the jurisdiction to compel the State of West Virginia"; as such, neither would the DOJ or any agency of the Federal Government hold jurisdiction to compel any of the United States to be subject to any Federal Rule change, be it a change to enact stricter SORNA measures or any other measure, rule, or act.

In conclusion, SORNA has created a sub-culture of individuals viewed by society as less than human and unworthy of redemption, not unlike what African-Americans faced during the 1960's and 1970's and still largely continues in 2020. This should not be

short of the elimination of the databases and the repeal of the Sex Offender Registration and Notification Act, the only change to SORNA that I could support in good conscience would be to eliminate public access to Sex Offender Registration databases and make them accessible to law enforcement agencies only in the performance of their public safety duties only.

Respectfully submitted,



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