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To Whom This May Concern:

Hi. My name is Richard Morgan, currently an inmate at James T. Vaughn Correctional Center in Delaware. I have lived around all kinds of criminals for the past 10 years and still have time left on my sentence (even with this being my first offence). I can tell you for a fact that there are some serious rapists in here, if they are released, they will re-offend, which is why I believe the sex offender registry is needed. However, I believe (whole-heartedly) it is being implemented incorrectly. I believe the registry was designed to inform the public of the most dangerous type of sex offender. But it's being abused by the justice system as a means to classify every individual (male and female) no matter the offense as a sex offender, when this is an injustice on the system's part. Think about it, is it fair, or right to punish a young man (26 years old) for the rest of his life for having a sexual relationship with a willing 14, 15, 16, 17 year-old girl? Yes, he broke the law by engaging in a sexual relationship with a minor (13-17 years of age), which is considered sexually offensive to the public (as such) be punished for it, but to ruin his life over a dim-witted mistake is just not right, and is unconstitutional.

The system needs to be reformed; here are my thoughts on how. The registry should be used for the most dangerous and possible re-offender. Not an individual that got caught having sex in public with his girl, or urinating in public, or having an inappropriate relationship with a willing minor. These offenders should be given the opportunity to earn their way off the registry.

Those individuals that complete their registered period of time or have completed their conditions for Relief would have a second chance at being productive members of society instead of having their lives ruined forever. This one is a fine line—continue reading and I'll explain. I've come up with a basis for a format to implement the registry according to the type of offense. Note, this is not a finished work-up, my resources are limited. I do not have access to case law; therefore, I'm unsure of the classifications of crimes in Delaware's Title 11 and Statutory Codes.

A rapist is someone that has violated an unwilling individual in a most traumatizing way. Those are the most dangerous types of offenders. I classify these individuals and types of offenses as Category 1 Offenders (Rapists). These most dangerous offenders include: rapist murderers, serial rapists, sexual assaulters, child (12 years old or younger) rapists, forcible minor (13 years to 17 years of age) rapists, and etc.

This system also has a Tier level system in order to gauge the seriousness of the Category Offense (Tier 3 down to Tier 1). Tier 3 Offenders are the most serious and dangerous within their categories, Tier 1 being the least. This is where I believe the registry guidelines should be implemented by each state, at the same time, implementing a Relief Guideline as well.

It is a currently mandated requirement for sex offenders to participate in sex offender programs that do risk assessments. This information is collected for the probation/parole officer. This mandated sex offender program will stay as it currently is, only under Category 1, not Category 2.

Category 1 (Rapist):

Tier 3 Offenders register for life every 3 months and no sentence of Registry Relief is available.

Tier 2 Offenders register for no longer than 25 years every 3 months, no Sentence Relief is available; Registry Relief is available at the discretion of parole or probation officer.

Tier 1 Offenders register for no longer than 15 years every 3 months. Relief is available as long as sentencing conditions are met.

My plan would also have the offenses and sentencing guidelines implied within this, but this is not a bill, this is an incomplete idea.

Category 2:

Now we have a second category, classified as Category 2 Offenders (sex offenders). These individuals have committed a sex-related crime that is deemed sexually offensive to the public, hence the name. Offenses include: engaging in an inappropriate sexual relationship with a willing minor (ages 13-17), urinating in public, indecent exposure, engaging in a sex act in public, and etc.

Under my idea with the Category 2, the sexual offender programs are not required unless the court deems them necessary and/or appropriate to the offense.

This follows the same Tier system I mentioned earlier. See below for Category layout:

Tier 3 offenders register for no longer than 10 years every 3 months. Relief is available as long as sentence conditions are met.

Tier 2 offenders register for no longer than 5 years every 3 months. Relief is available as long as sentence conditions are met.

Tier 1 offenders register for no longer than 2 years every 3 months. Relief is available as long as sentence conditions are met.

Now with the idea of the system shown, you need to understand the Tier system has a second function (Re-offending Guideline):

This is how it works: if an individual has previously been convicted of a Category 2, Tier 3 offense, later commits a Category 2, Tier 1 offense, then their higher classification level increases to the next Tier level. In this case, the offender will be sentenced under a Category 1, Tier 1 offense even if the new charge is a Category 2, Tier 1 offense. This is because this individual has shown to be a danger to society. With this re-offense, the Registry Time Period will stack according to the previous offense level with the new offense level which will be ten years plus fifteen years for a total of 25 years.

And if the individual has committed a Category 2, Tier 1 offense before, then later commits a category 1, Tier 1 offense, well that individual would be sentenced under a Category 1, Tier 2 offense because they have shown (again) they are a danger to society.

Note, these descriptions are second-time offenders. The more times an individual commits offenses—the worse the classified offense.

Once individuals have completed their registered periods of time and/or completed their conditions for Relief, they will be removed from the registry completely, and be allowed to be a productive individual of society, instead of ruining their lives forever.

My suggestions would allow those individuals that made dim-witted mistakes second chances to be productive individuals of society, unlike the current system. Also, if the individual is a repeat offender or rapist, my system would punish these individuals more severely than under the current system. During my time in jail (Yes, I'm currently in jail for 17 years due to having an inappropriate relationship with a minor (teenage girl) 10 years ago, I've seen child rapists (12 and under) come in and out these doors more than 3 times and get less time (altogether) than I have in jail currently. I only made a dim-witted mistake. They knowingly continue to molest kids, and come and go in and out of jail with no cumulative punishment compared to me. A young man (age 26 at time of offense) made a dim-witted mistake and now his life is ruined because of it, and does more time for his first offense than a repeat sex offender. My idea will still monitor, but also free it up, by giving people a second chance.

With the benefit of reducing registry time based upon the severity of the offense, this plan will free-up costs for data collection, number of required man-hours, operation expenses, etc. All of which are great cost-saving features.

I hope people will consider my suggestions. If you have any questions about my ideas, feel free to write me.