

COLLATERAL CONSEQUENCES

OF A CRIMINAL CONVICTION

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INTRODUCTION

- A Criminal Conviction is the Negative Defining Moment in most of our Client's Lives;
- Traditionally, We Have Focused on the "Pilot Theory" to Criminal Defense – "Any Landing Our Client Can Walk Away from was a Good Result;"
- *Padilla v Kentucky* Changed That;



SCOPE OF TODAY'S DISCUSSIONS

- *Collateral consequences and pleas;*
- *Immigration 101;*
- *Professional License Issues;*
- *Firearms;*
- *Canada issues (tp).*



PADILLA FACTS

- Lawful permanent resident for 40 years
- Vietnam War veteran
- Charged with marijuana possession and trafficking for having marijuana in his commercial truck
- Pled guilty (plea agreement) for marijuana trafficking after defense attorney told him he did not have to worry about deportation because he had lived in US for so long

PADILLA HOLDING

- Sixth Amendment requires defense counsel to provide affirmative, competent advice to a noncitizen defendant regarding the immigration consequences of a guilty plea
- Absent such advice, a noncitizen may raise a claim of ineffective assistance of counsel.
- Non-advice (silence) is insufficient(ineffective).
Affirmative advice is required.

PADILLA REMARKS

- Court could have adopted an intermediate approach, but didn't do so. Padilla was given *erroneous* advice. The Court could have said that erroneous advice was different than no advice;
- Different sovereigns didn't matter. It was a Kentucky conviction, but a federal collateral consequence;
- Burden is actually on the counsel (it is an IAC case) but as a practical matter it is on the system as well;
- Date of the Decision is March 30, 2010. *Padilla v Kentucky*, 559 US 356; 130 S Ct 1473; 176 L Ed 2d 284 (2010).

***PADILLA* IS A DIRECT REPUDIATION OF PRIOR MICHIGAN DECISION**

- *People v Davidovich*, 463 Mich 446; 618 NW2d 579 (2000) held virtually the opposite of *Padilla*. In fact, the Supreme Court cited to *Davidovich* as one of many cases for the proposition that "30 state courts ruled to the contrary;
- *People v Gomez*, 295 Mich App 411; 820 NW2d 217 (2012), app den 494 Mich 865 (2013) ruled that *Padilla* was not retroactive;
- *Chaidez* was on super-collateral review (writ of coram nobis). There is a potential argument that a 2255 petition would be different. I don't see the Michigan Supreme Court buying it;

IMMIGRATION CONSEQUENCES "ISN'T ROCKET SCIENCE"

- Questioning during *Padilla* Orals;
- *Cf* Definition of Crime Involving Moral Turpitude: "Moral turpitude is a nebulous concept, which refers generally to conduct that shocks the public conscience." *Matter of Short*, 20 I. & N. Dec. 136, 139(BIA 1989);
- Seek an expert opinion.



PADILLA TIGHT ROPE

- An order granting a new trial will not be recognized by the feds if it is to stop deportation; *but,*
- It will be recognized if it is to correct a *Padilla* error

PEOPLE V FONVILLE

- Extended *Padilla* to Sex Offender Registration Consequences;
- *Fonville* is a 6.500 petition case and his underlying conviction is from September of 2006;
- Prosecutor's have challenged *Fonville* in a case currently before the Appellate Courts;
- Court of Appeals in an unpublished ruling said that *Fonville* isn't retroactive.

***FONVILLE* MAY BE LIMITED**

Rather, the relevant inquiry is whether *Fonville*, which relied on *Padilla*, should be applied retroactively. As noted above, we have limited *Padilla* so that it applies only prospectively, *Gomez, supra*, and have clarified that we are not applying *Padilla* retroactively in the context of the sex offense registry, *Fonville, supra*.

Therefore, we agree with the prosecution that the trial court erred² in applying the rule articulated in *Padilla* and *Fonville* retroactively.

People v Greene, No. 314323, 2014 WL 2553309 (Mich Ct App June 5, 2014). See also *People v Freeze*, 489 Mich 986; 800 NW2d 62 (2011) (Young with three justices concurring questioned *Fonville* in dicta).

MALPRACTICE/IAC TRAP: *FONVILLE AND SORA RECAPTURE*

- A Defendant previously convicted of a listed offense for which he or she was not required to register, but who is convicted of any other felony on or after July 1, 2011, must now register under the new recapture provision of MCL 28.724(5).
- This includes individuals assigned to youthful trainee status prior to October 1, 2004, if the person is convicted of any other felony on or after July 1, 2011.

MCL 28.722(b)(ii)(b).



FIREARM ISSUES

- State law and federal law aren't the same;
- You can't get a state court restoration if you aren't allowed to federally possess a firearm;
 - Exception: Antique firearms and black powder weapons;
- High court misdemeanors aren't felony convictions under federal law;



PROBLEMS WITH A FEDERAL RESTORATION ARGUMENT

- Jury trial right isn't normally restored;
- *Caron v United States*, 524 US 308; 118 S Ct 2007; 141 L Ed 2d 303 (1998), partial restoration of right to own gun not good enough (long gun only in Mass. for former offenders);
 - Michigan doesn't allow former felons to regain right to sit on a jury;
- Sixth Circuit overruled favorable rulings. *United States v Flores*, 118 Fed Appx 49 (CA 6 2004), overruled by *United States v Sanford*, 707 F3d 594 (CA 6, 2012)



DRIVER'S LICENSES

- Many offenses carry driver's licenses sanctions which are imposed by the SOS;
- Suspension (definite/indefinite);
 - Sample definite: From Oct. 10, 2014 through Oct. 10, 2015. Pay reinstatement fee at SOS and good to go;
 - Indefinite. Until certain conditions fulfilled;
- Revocation (5 years);
- Denial. A denial happens at branch (e.g. can't pass road test, health problems etc.).

Not a collateral consequence.



COMMON CRIMES REQUIRING SUSPENSION

- Impaired/Under the Influence;
- Joyriding (90 days -1st offense within 7years/1 year if more);
- UDAA (1 year);
- Leaving the scene of an injury accident (90 days);
- Felony in which motor vehicle was used;
- Fleeing and Eluding;
- Fraudulent use of ID under 21 (90 days);
- Theft of gasoline (180 days/1 year);
- False bomb threat (90 days);
- Source Page 18 of DLAD Handbook

COMMON DRIVER'S LICENSE REVOCAATION

- 2 Reckless Driving within last 7 years;
- Neg Homicides, Manslaughter, Murder With Motor Vehicle within the last 7 years;
- 3 OUI* within the last 10 years;
- Source: Page 18 of DLAD Handbook

PEOPLE V COLE

- Lifetime electronic monitoring is part of a criminal defendant's sentence and he must be informed of it. *People v Cole*, 491 Mich 325; 817 NW2d 497 (2012);
- But ordinary fines and costs are not. *People v Earl*, 495 Mich 33, 39; 845 NW2d 721, 726 (2014) (ex post facto)

COMMON (SIMPLE) QUESTIONS

- Former offenders don't lose the right to vote in Michigan;
- Former offenders can have passports. *The United States doesn't restrict foreign travel by convicted felons but the other country might;*
- Former felony offenders *cannot* sit on a jury absent set aside;
- Former felony offenders cannot have CPL permits absent restoration;
- Former felony offenders cannot be police officers absent a pardon. (Expungment is not good enough per AG Op)

THE IMMIGRATION AND NATIONALITY ACT

- Aggravated felonies;
- Crimes Involving Moral Turpitude;
- Drug Trafficking;
- Limitations on Waivers;
- Domestic Violence;

DON'T ACCEPT A CLIENT'S ASSERTION OF CITIZENSHIP

- Ask where they were born;
- Get a copy of their citizenship papers if they were born outside the United States;
- Many clients believe that a green card make them a citizen.



PROOF OF CITIZENSHIP

- Naturalization papers;
- Consular Registration papers;
- US Passport;
- Not voter's registration card!!!

US-CPB AND US-CIS ARE VERY SLOW ON FOIA REQUESTS

- People are reporting 24 month delays in some cases getting documents from them.



WHAT IS A CONVICTION?

- A conviction includes any judicial proceeding where a disposition is imposed on an *adult* defendant either admits guilt or there is a judicial finding (which can be implicit) of guilt.

DEFINITION OF WHAT CONSTITUTES A CONVICTION NEEDS TO BE REEXAMINED IN MOST CONTEXTS

- "Pregnancy test" doesn't work;
- Example: Expungement statute tells a defendant that they can answer no in a variety of contexts, but an expunged conviction is a conviction for purposes of being a police officer, lawyer, or any other profession licensed by judiciary;
- Answering the question incorrectly is evidence of bad moral character
- Recommendation: never tell a client that a sheltered adjudication "doesn't exist."

EXAMPLES OF SOME COUNTER-INTUITIVE "CONVICTIONS" UNDER INA

- No contests pleas;
- HYTA, 769.4A;
- Most Diversion Programs;
- Expungments;
- Orders Granting New Trial Based on Rehabilitation or to Avoid Deportation

ELEMENTS OF A IMMIGRANT FRIENDLY DIVERSION PROGRAM

- No admission or finding of guilt;
- A conviction does not automatically flow if the Defendant violates the terms of it;
- Best Handled in the Prosecutor's Office.

A WORD ON PARDONS

- A governor or the president's pardon undoes a "conviction" if it doesn't expressly exclude deportation consequences;
- If it ain't from the Governor or POTUS, it doesn't count. *Widersperg v. INS*, 896 F.2d 1179 (9th Cir. 1990);
- Debate about whether a *presidential* pardon can remove inadmissibility beyond the statute <http://www.usdoj.gov/olc/pardon3.19.htm>. Argument wouldn't apply to a Michigan pardon; and,
- Foreign pardons don't count under the INA.

AGGRAVATED FELONIES

- A noncitizen is deportable if convicted of an aggravated felony any time after admission. INA § 237(a)(2)(A)(iii),;
- "Aggravated felony" is an immigration law term that includes an expanding list of offenses defined in INA § 101(a)(43), 8 U.S.C. § 1101(a)(43);
- Term is a euphemism. Offense doesn't have to be aggravated or even a felony. Some misdemeanors are "felonies;"
- Suspended sentences count where there is a one year threshold.

OTHER IMMIGRATION CONSEQUENCES FROM CONVICTION

- Inability to return to the U.S.
- “Good moral character” bar to naturalization (INA §101(f)) Denial of LPR status
- Bar to asylum/withholding of removal
- Inability to renew green card or travel
- Mandatory detention

AGGRAVATED FELONIES REGARDLESS OF SENTENCE

- Murder/Rape/Extortion/Drug Trafficking;
- Sexual abuse of a minor/Child Pornography;
- Drug trafficking
- Firearm trafficking;
- Sex Trafficking
- Offenses involving slavery or involuntary servitude
- National security offenses
- Alien smuggling offenses, with an exception for spouse, parents, and children
- Illegal reentry (after deportation);
- Miscellaneous fed. offenses (RICO and certain gambling offenses) Offenses relating to failure to appear for service of sentence if the underlying offense is punishable by five years or more imprisonment
- Some bond jumping offenses.

AGGRAVATED FELONIES IF ONE OR MORE YEARS IS IMPOSED

- Crimes of violence;
- Theft or burglary offenses (including possession or receiving of stolen property);
- Passport or document fraud offenses
- Offenses related to counterfeiting
- Offenses related to forgery
- Offenses related to commercial bribery
- Offenses related to trafficking in vehicles with altered identification numbers
- Offenses related to obstruction of justice
- Offenses related to perjury or subornation of perjury
- Offenses related to bribery of a witness

MORE ON CRIMES OF VIOLENCE

An offense requiring only proof of accidental or negligent conduct, even when involving serious physical injury or death, is not an aggravated felony "crime of violence," as defined in 18 U.S.C. § 16.

Source: *Leocal v. Ashcroft*, 543 U.S. 1 (2004) (DWI and causing serious bodily injury, which does not have a mens rea component or requires only a showing of negligence in the operation of a vehicle, is not crime of violence under 18 U.S.C. § 16)

\$10,000 THRESHOLD

- Aggravated Felonies Triggered by More than a \$10,000 Loss
- Offenses involving fraud or deceit with a loss to the victim of more than \$10,000 • Money laundering offenses involving more than \$10,000
- Tax evasion with a loss to the government of more than \$10,000

CMTS ARE DIFFICULT TO DEFINE

- Defined vaguely by the courts. If it is "inherently base, vile, or depraved, and contrary to the accepted rules of morality and the duties owed between persons or to society in general." *Matter of Olquin*, 23 I&N Dec. 896 (BIA 2006). ;
- Can change over time;
- Intent almost always required;

EXAMPLES OF CMTS

- offenses in which either an intent to steal or defraud is an element (such as theft and forgery offenses)
- many aggravated assaults (depending on whether infliction of bodily injury is an element)
- most sex offenses

CONSEQUENCES OF A CMT

- A noncitizen is deportable if convicted of one CMT committed within five years of admission to the U.S. *and* punishable by at least one year in prison. INA § 237(a)(2)(A)(i);
 - US Attorney's office takes the position that any reentry into the US resets this clock.

http://www.justice.gov/usao/eousa/foia_reading_room/usam/title9/crm01934.htm

- One decision says you can aggregate penalties to get to the one year threshold. See *U.S. v. Harp*, 406 F.3d 242 (4th Cir. 2005);
- A noncitizen is also deportable if convicted of two or more CMTs, *not arising out of a single scheme of criminal misconduct*, committed at any time after admission and regardless of the actual or potential sentence. See INA § 237(a)(2)(A)(ii), 8 U.S.C. § 1227(a)(2)(A)(ii).

OTHER CONDUCT BASED REMOVALS

- Is or has been a drug addict or abuser (often not pursued);
- Has engaged in the business of prostitution;
- Has committed certain crimes that involve immigration status such as alien smuggling, false documents, or making a false claim to U.S. citizenship; or
- Has been found by a court to violate a protection orders relating to domestic violence.
- Drug Trafficking (see next slide).

DRUG TRAFFICKING

- *Reason to Believe* Drug Trafficking. A person is inadmissible if government has "reason to believe" that she is or has been a drug trafficker;
- While legally a juvenile is not "capable" of committing a crime, the government will argue that the drug trafficking in the statute refers to activity and not "crime".
- *Juvenile* warning. Pleading guilty to sale or possession for sale offenses in juvenile court causes far greater risk to an immigrant youth than pleading guilty to simple possession, which in most cases has no effect

A WORD ON ASSAULTS

- Old cases say that a general assault is not a CMT;
- New cases are finding an assault to be a CMT may be a CMT if there is an intent to injure element;
- The BIA has held, however, that an assault or battery may be a CMT where the crime "necessarily involves some aggravating factor that indicates the perpetrator's moral depravity, such as the use of a deadly weapon or the infliction of serious injury on a person whom society views as deserving of special protection, such as children, domestic partners, or peace officers." *Matter of Ahortalejo-Guzman*, 25 I&N Dec. 465, 466 (BIA 2011).



CONGRATULATIONS

YOU JUST BOUGHT
A LEGAL
ARGUMENT



MONCRIEFFE V. HOLDER: THE MODIFIED CATEGORICAL APPROACH

- A Jamaican citizen/LPR was charged with possessing 1.3 grams of marijuana. Pled guilty to possession of marijuana with intent to distribute. Gov't placed him in removal for being convicted of an aggravated felony;
- Georgia's intent to distribute law was broad enough to include conduct would fall within an exception for small amounts of marijuana. In addition to the under 30 grams exception in the INA, the Federal Controlled Substance Act had an exception for possession of marijuana without a remunerative purpose;
- Court held that where a state law can be violated in a way which makes the offense an aggravated felony or not an aggravated felony and the statute isn't divisible, the Immigration Court cannot hold a mini-trial to determine which fact pattern applies to turn the case into a categorical offense;

MODIFIED CATEGORICAL AND UNDER 30 GRAMS EXCEPTION.

- 8 U.S.C. § 1227(a)(2)(B)(i) (2012) has a second exception to deportation – a person can be waived from deportation consequences for possessing under 30 grams of marijuana for personal use;
- LPR was convicted in 2013 of possessing more than 1 ounce of marijuana under generic Nevada law. DHS started removal proceedings.
- DHS tried to prove the case involved more than 30 grams. ILJ dismissed based on *Moncrieffe*. Categorical approach barred this. BIA reversed;
- BIA said *Moncrieffe* didn't overrule *In the Matter of Davey* which called for a circumstances specific holding and reversed.
- Matter of *Dominguez-Rodriguez*, 26 I&N Dec. 408 (BIA 2014)

DRUG OFFENSES

- Most drug offense is subject to mandatory deportation;
- Minor marijuana offenses not involving sale are the exception (discussed infra);
- Drug trafficker trap. Conviction is not required:
 - *Example.* Defendant makes a detailed admission to the police of drug trafficking, is offered a plea to a safe offense, but US-CIS learns of the statement.

DRUG OFFENSE EXCEPTIONS

- Alcohol is not a drug for purposes of the INA; and,
- Under 30 grams of marijuana for personal possession (single offense). INA §237(a)(2)(B)(i): "a single offense involving possession for one's own use of 30 grams or less of marijuana." In such a case, a waiver is permitted (but not required) ;

PROHIBITION ON 212(H) WAIVERS ONLY APPLY TO PERSON'S LAWFULLY ADMITTED AS PERMANENT RESIDENTS

- Examples:
- "Dudley Do Wrong" (a Canadian resident) gets caught with a rock of crack cocaine at a Detroit concert. He is eligible for a 212(h) waiver. (Also needs to show that he is not a drug addict);
- Hector comes to the US H1B (special skills non-immigrant visa) and adjusts to LPR and then commits a felony. Five circuits say he can revert to an H1B and apply for a waiver.

Stanovsek v. Holder, ___ F3d ___ (6th Cir. No.13-3279; Sept. 24, 2014).

UNLAWFULLY PRESENT ISN'T ALWAYS THE KISS OF DEATH

- I-601A; TPS ("Temporary Protected Status"), Deferred Action ("Dreamers"), etc.
- Unlawful presence is waivable in many circumstances, but waivers will not be granted if USCIS determines that there is reason to believe that the alien may be inadmissible to the United States at the time of his or her immigrant visa interview based on another ground of inadmissibility other than unlawful presence, USCIS will deny the request for the provisional unlawful presence waiver."

REMOVABILITY V. ADMISSIBILITY

- Different standards from what keeps you out at the border v. what gets you deported;
- INA exemptions for LPRs don't apply, but broader waivers are permitted (particularly for defendants who take a voluntary departure);
- Due process rights don't apply anywhere near as much at a POE or at deferred processing (paroled in subject to further hearings).



A DEFENDANT WITH CERTAIN CRIMINAL CONVICTIONS CAN BE NON-REMOVABLE/ AND INADMISSIBLE AT THE SAME TIME

- Different standards for removal and admission means offender may avoid deportation but be denied readmission following foreign travel;
- *Solution: Advanced Parole (Advanced Permission to Travel Abroad);*
- Most common case – Prosecutorial Discretion.



VOLUNTARY DEPARTURE V. DEPORTATION

- Deportation is a term of art and applies only when the US Government physically sends the defendant home.
- A non-citizen who has been ordered removed is not admissible to the United States for five, ten, or 20 years, or even permanently. As a last ditch measure, most immigration lawyers will encourage a client to take voluntary departure even when all else fails;
- In most cases, if there is a new basis for a visa, the individual can seek a 212(h) waiver to come back to the US if they take a voluntary departure;
- Applies primarily to clients who were lawfully in the US when they committed offense.

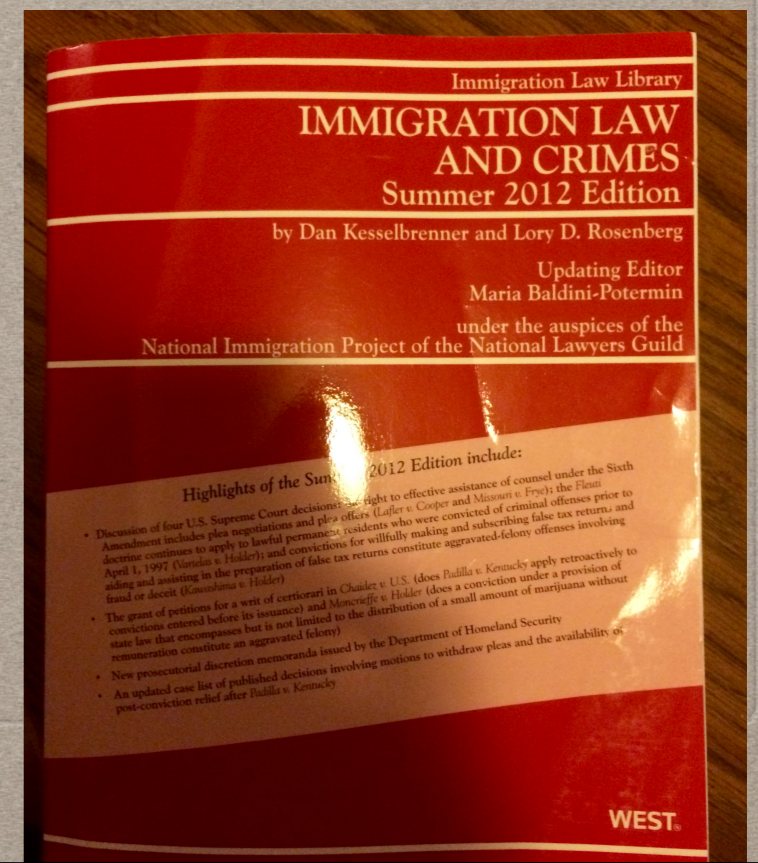
SOME MAY WANT DEPORTATION

Effective March 31, 2011, inmates with a final removal order may be paroled after serving one-half of the sentence, although this provision is not available to those serving sentences for first- or second-degree murder, first-, second- or third-degree CSC and those sentenced as an habitual offender.

Source: MCL 791.234b.

HELPFUL RESOURCES

- Kesselbrenner and Rosenberg, Immigration Law and Crimes (West)
- North Carolina Indigent Criminal Defense System (<http://www.ncids.org>);
- Norton Tooby (nortontooby.com)
- US Attorney's Manual - Chapter 9; (http://www.justice.gov/usao/eousa/foia_reading_room/usam/title9/title9.htm)



PROFESSIONAL LICENSES



PROFESSIONAL LICENSURE ISSUES

- Summary. The law with respect to professional licenses is a complete mess.
- Organic document is the Occupational Licensing for Former Offenders Act of 1974;
- Provides definition of good moral character and turpitude;
- Some acts specifically exclude criminal convictions. Such a bar is not read in conjunction with OLFA

ELIGIBILITY FOR A LICENSE???

- Eligibility in the abstract doesn't mean licensure;
- Schools may not admit you to grad program despite eligibility. E.g. Thomas Cooley won't take former offenders;
- Can still face bonding problems

Eligible	Not Eligible	Ten Year Gap	Nexus
Attorney	Insurance Salesperson (But Can Keep With a Suspension)	Notary	Teachers
Doctor	Nurse	Caregiver	
EMT			Eligible, but have completely

REPORTING DUTIES

- 14 Days for Lawyers;
- 30 Days for Healthcare Professionals;
- Conviction is means found or pled guilty, not sentencing;
- No contest pleas don't apply to licensing sanctions (e.g. they still treat it as a "conviction")

TEACHER'S WITH FELONY RECORDS

- Eligible for reinstatement, but public hearing has to be held by District hiring teacher;
- Some of absolute disqualifies:
 - CSC;
 - Drug trafficking involving minors;
 - Some child abuse offenses.

CANADA ISSUES



US CONVICTION CAN BAR ADMISSION TO CANADA

- *Criminality.* A person is inadmissible into Canada if convicted of a US offense which would carry more than one year if prosecuted under its Canadian counterpart statute;
- Examples:
 - Drunk driving;
 - Simple assault
- Doesn't apply to Canadian citizen

Source: IRPA Sec. 36(2)

SERIOUS CRIMINALITY

- *Serious Criminality*. If the offense would carry ten years or more under Canadian law, the individual is guilty of "serious criminality" and subject to greater scrutiny.
 - Note: Different definition for serious criminality applied if the offense was actually committed in Canada;
- Supervisor approval at POE;
 - CA\$1,000 (v. CA\$200) for Certificate of Rehabilitation
- Not eligible for automatic rehabilitation.

Source: IRPA Sec. 36(1)

CBSA SEES US CRIMINAL RECORDS

- Information sharing agreement gives US and Canadian Border Services Agencies provide full access to each other's criminal records;
- 06 Millisecond access;
- They see newer expunged convictions



WAIVER IS POSSIBLE

- Application for “Rehabilitation” to Canadian Consulate in New York;
- 5 years from date of discharge from supervision;
- Temporary Residence Permit (“TRP) can be granted before that time at the POE or through Canadian Consulate before that time period on a showing that the applicant isn’t a danger and a compelling reason to visit Canada.

Canadian Embassy, Washington , DC



"DEEMED REHABILITATED"

- Inadmissibility sunsets for some individuals;
 - Ordinary criminality;
 - Single offense (multiple offenses arising out of the same transaction are deemed one offense);
 - 10 years from the date of discharge from sentence.

PILOT PROJECT FOR DRUNK DRIVING OFFENDERS

- CBSA normally charges CA\$200 fee for TRP;
- Fee will be waived for individuals with one drunk driving on their first application;
- TRP applicants will still have to demonstrate they have a significant reason for entering Canada and that they do not pose a threat to Canadian society.

CANADA HONORS US SET-ASIDES

- Foreign set asides honored from similar legal systems if it doesn't violate Canadian puke test. *Minister of Citizenship and Immigration) v. Saini* (C.A.), 2001 FCA 311, [2002] 1 F.C. 20;
- Michigan set asides are honored routinely;
- Diversionary sentences which do not result in a conviction are analogous to Canadian "conditional discharges" and should not bar admission;
- Need a pardon for NEXUS. (Pardon can be from Canada, US President, Governor, or state pardon board. Different definition than under the INA).



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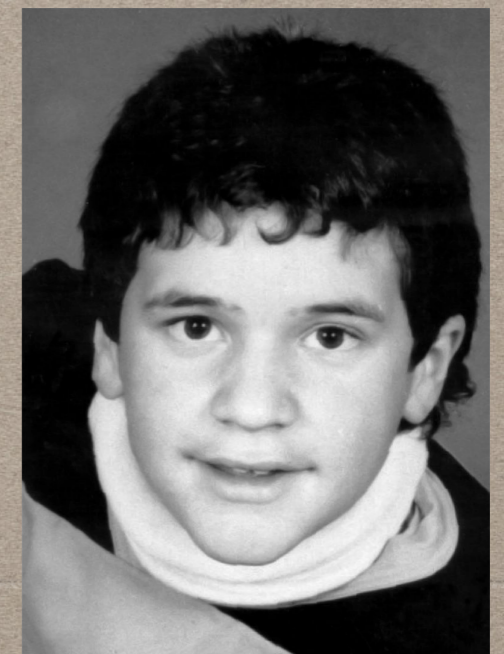
US DRUNK DRIVING WITH CANADIAN DRIVER'S LICENSE

- One year suspension under Canadian law followed by interlock;
- MTO says that Michigan OWIs are not eligible to participate in reduced suspension programs ("Stream As" and "Stream Bs");
- We think they are wrong, but this is their position.
- Basis on our belief: Mich/Ontario agreement says that Michigan convictions will be converted to Ontario penalties per schedule. Provision Ministry relies on only applies catch-call offenses.

CANADA'S SEX OFFENDER REGISTRY

- Currently private. US offenses listed;
- Tougher Penalties for Sexual Predator Act of 2014 (sponsored by Harper Administration) will change this. (Bill C-26);

[Photo is of Christopher Stephenson –
Canada's "Adam Walsh"]



RELEVANT FACTS OF BILL C-26 FOR MICH. PRACTITIONERS

- Requiring registered sex offenders to provide more information regarding travel abroad;
- Enabling information-sharing on certain registered sex offenders between officials responsible for the National Sex Offender Registry and at the Canada Border Services Agency (CBSA); and
- Establishing a publicly accessible database of high-risk child sex offenders who have been the subject of a public notification in a provincial/territorial jurisdiction to assist in ensuring the safety of our communities. (Department of Justice News Release, February 26, 2014)

Source: <http://www.lawlibrary.ab.ca/staycurrent/2014/03/bill-c-26-tougher-penalties-child-predators-act-introduced-february-26-2014/>



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