



Registry Matters Podcast

Episode 146

Recorded 9-26-20

Andy 00:00

Registry Matters is an independent production. The opinions and ideas here are that of the hosts and do not reflect the opinions of any other organization. If you have a problem with these thoughts, fyp. Recording live from FYP Studios, east and west, transmitting across the internet. This is Episode 146 of Registry Matters. Larry, hey, when I listened to the recording last week, I was like, WELCOME to Registry Matters like my voice cracked like I was a 14 year old going through puberty.

Larry 00:29

I didn't notice that.

Andy 00:30

I didn't either until I went back and listen to the recording. But how are you on a fine Saturday night?

Larry 00:35

Fantastic. We had a wonderful balmy, 92 or 93 degrees here today.

Andy 00:39

It's almost like a, I guess they call it an Indian summer. I wonder what the origins of that is. And does that actually? Is that something that shouldn't be said anymore because it could be considered racist? I never thought about that until just now.

Larry 00:53

I would never use that phrase again in my life if I were you.

Andy 00:57

Yeah, I was like, hey, maybe it's an... Oh, crap I probably shouldn't say, all right, so we will scratch that from and I will bleep it up before this goes out to the world. Can I ask you a quick question about something political? And I don't, I don't want to charge up the political debate and I didn't prep you for this. But I was having, I went and saw movie today. And I was hanging out some people that I've never met before. And the individual that hosted the event was definitely left leaning. And had a disdain for the current administration but couldn't bring herself to vote for the other side of the opposing party because she just finds him to be wishy washy and like, you know, he's old, which I totally get. But she just like, so she's abstaining from voting, which I was like, Wow, that's a really bizarre position. You totally don't like the person in office, but you won't vote for the other person because you don't like him either. So, you abstain from the process, which I find to be very odd, kind of like what we dealt with four years ago with Hillary; people just absolutely hated Hillary.

Larry 02:03

I wish I had an answer for that. Because whether or not you like either one, which I have rejected that as being a standard, liking or disliking is irrelevant for me. Again, policy, public policy is what's important. Now I realize that we're dealing with humans. And humans have these things about liking people. And I can't change that. But for a person to abstain from the process, you're going to be governed by someone. (Andy: Yeah.) And if you don't like the person, for whatever the reasons were that you articulated, for age and wishy washy and whatnot, someone is going to be at the

helm, they're going to be making crucial decisions. I think we're facing one right now that was announced today, and I think that that that the head of state in terms of who's going to respond in the middle of the night when there's a global crisis, there's all these decisions, and someone is going to set the tone for the prioritization of expenditure of federal resources. And you ought to be able to look at the bigger picture of how important it is for the person that's more aligned with your views to make that choice. So, to abstain, I really think is just mind boggling.

Andy 03:17

Yeah, I have felt the same. Anyway. Yeah. So I'm not trying to go through all of the reasons of liking, disliking. And we talk about a lot on this podcast of looking at something in its totality. Like you could say, I don't like this politician because they made, we're going to talk about this later, but they made sex offender laws harsher. And I get that that impacts our lives directly in a very negative way, most likely. But did the person do other things that would be considered good or so I don't know. I'm just anyway, if you look at someone in their totality, maybe you can come up with an answer of what you should or shouldn't do.

Larry 03:53

Well, again, I'm going to jump in and say that I reject that. No person makes laws harsher by themselves. (Andy: Right. I know. I totally I totally understand that.) It's so ridiculously absurd to think that and we'll get into it more that in that particular segment. But we don't, we don't govern ourselves by one individual.

Andy 04:17

We do not. Absolutely. We don't have some sort of unilateral person makes it all the worst for us in one fell swoop. There was a whole thing of processes and things that went into getting us here where we are now.

Larry 04:32

Correct. We'll have fun with that later.

Andy 04:35

Okay, well, let's start you provided us with a couple questions from people along the different channels like from actual like prison mail and other things like that. And the first one I don't even know who it comes from, from Kathy, I guess. And it says it has to do with the BOP and access to email. And I swear I think we've covered this halfway recently, but there's some conditions that sex offenders in federal prison generally don't have access to communicating with the outside world via email where the traditional, the normal crimes, I guess, they you know, they put someone on their friends list, whatever, and they're able to do email conversations back and forth, but the PFRs are not.

Larry 05:25

Well, I think we did talk about it recently. And this was a question that comes in regularly. And what happened in this case is that the program statement allows each individual facility I believe would be the warden, but the facility makes the decision about which individuals they grant the privilege to and they're considering it a privilege. And what I said when we last dealt with this is that those are administrative decisions and privileges are not something that

courts are going to disturb. And I don't see it any differently. Now, no matter how many times this question comes in, it will continue to come because it should be in a perfect setting that people regardless of their crime, we would strongly encourage and make communication and connections with the outside world as seamlessly, painless as possible. And we would not do any restrictions except for upon an individualized showing of cause. But everything that this writer said about the reason why they have the blanket prohibition is the same thing could be said about the telephone. I mean, you can you can carefully monitor email, like electronically with all sorts of goodies that I can't begin to explain, but I know it can be done. And you can require that the person be pre-approved before you can email to them. I mean, you don't have to have an open-ended, I don't think you would just have to allow open email access date to whole world would you?

Andy 06:55

No, I remember describing that with my kids email that you have to be within the school system's email system to be able to email the child's school email address. So, I'm specifically talking within that own container. I mean, if he goes out makes his own Gmail account, like that's not restricted, but within his, you know, myschooldistrict.gov email or whatever, whatever or .edu, only people within that entity can email my son. So, by that same by extending that the you as the inmate person would say, I would like to email my mom at mymom@gmail.com. And then those emails can go to and from. I don't see that this I don't understand this makes no sense as to why other than them just saying no, as to why this would be a thing. It would be so much easier to monitor electronic communications than it would be to monitor a telephone or snail mail.

Larry 07:50

I would I would think so. Particular with the sensitivity with mail. I mean, they're getting tighter and tighter since this administration has been in power. The federal level, they've gotten so tight that we can't even send anything with a label on it anymore. It doesn't matter if it comes from a business or not. They just they reject it and say it's not acceptable. But the reason...

Andy 08:10

Contraband. They could put LSD or something on the back of a sticker. That's the reason.

Larry 08:14

The reason why I wanted to circle back on this is because people don't draw the connection. When you cast those ballots next month, you are deciding on who will administer the Federal Bureau of Prisons. Now, the president doesn't have any idea of what goes on the Bureau of Prisons. This one does, the previous one didn't, nobody does. But they set the tone for who they appoint to lead the Department of Justice, which the Bureau of Prisons is within that umbrella. And in terms of making things better for prisoners, that's something that you need to be aware of when you're asking for people's stance that are candidates, because Congress could put a lot of pressure on the administration, even though, even though it's from the opposite party. Both Democrats and Republicans could put pressure on the BOP to allow more open access. As you go to the polls and make your decision between now and then, if you have a chance to be

at a candidate's forum, particular at any federal representative or Senate office, asks them this very question. How do you feel, would you be willing to put pressure on the Trump administration to allow more access to modern communications, including email for prison prisoners without the blanket ban and see what they say? Now they're going to do a dance around and pretend like they don't know what you're talking about and they're going to say that they believe that contact with family members is a good thing and they're going to try to evade your question. But say well specifically, to get my vote, will you commit to pushing for whatever it takes to allow, to force the BOP to allow more communication with families using all the platforms, including email? Force them to... don't let them do their little dodge, get them to say yes or no.

Andy 10:16

I almost have to think that this goes back to, god I can't remember which which senator said it way back in the day, where he said the internet is a whole bunch of tubes. And this is maybe in the 90s. Like, I would imagine, generally speaking, politicians are generally older, and they're not so savvy about how modern-day technology works, that they are just scared of the new thing that they don't necessarily understand so well? It seems to be like this would be a carrier, like everyone knows how the phone works. But this email thing, it's kind of like some voodoo magic, you press a button and stuff just shows up on your computer. And I don't know, I, there, it would be super-duper simple to make it so that it's only text. So now you're not letting any sort of viruses or anything come in. And you can do all of the keyword filtering out the Ying Yang, like a spam filter, just gear it towards contraband conversations, you know, inappropriate conversations that someone may have, it seems like to me it would be super-duper easy to do.

Larry 11:16

Well, I don't know enough. But it seems like that to me that if you could monitor phones effectively, you could certainly monitor these communications effectively. And I'm disappointed that that the prohibitions are existing. But what I'm encouraging is, don't become optimistic that the courts are going to force the prisons to do this. We're going to have to do it through the processes of self-governance, through enlightenment of our elected officials to put pressure on the executive branch, who actually controls the Bureau of Prisons. Now we're talking about federal. There may be many states that have emails, email options available to their inmates. I do not know which states do, which states don't. But we're talking about at this particular point, we're talking about the Bureau of Prisons. That's what this question was about.

Andy 12:03

Yeah, let me I think this this hits home on a specific point. It says the BOP itself encourages inmates to stay in touch with people on the outside, whether they be family, friends, religious advisors, members of the community or other supporters, such contact aids and rehabilitative efforts, improves morale and provides emotional support for all parties. Support, which is so often lacking for SOs and their loved ones. Messaging is superior in many ways to a telephone call, since it can be printed out and read or reread, does not require both parties to be available at the same time and facilitates communication with loved ones who are speech or hearing impaired. I didn't even think about that last

part. You know, that's me being biased that I don't have to deal with it. But yeah, if you have a you have a person that has hearing issues, whether that be the inmate or the mom or dad or you know, other family members, maybe they can only be this would not only maybe that's the best way that they would be able to communicate is through through visual things. Through reading.

Larry 12:59

I like I like like the arguments, but again, I'm trying to direct people towards the courts are not your salvation for every bad policy. Because sometimes there's a policy that's bad, but it is not unconstitutional. And the courts have resoundingly found all across the spectrum that prison privileges are subject to severe restrictions. And as long as this is deemed a privilege, you're not going to get very far in court trying to compel the privilege be granted to you.

Andy 13:32

I have a feeling that this show is going to be the get out and vote like voting matters, because so what you're saying is your legislators have control over this and then the executive branch has control over this.

Larry 13:42

Well, ultimately, the executive branch has the final control, but they can be subject to pressure. In some liberal go-good democrat context the Department of Justice and says I've got a whiny inmate and says they should have email, they don't care about that. But what they will care about is if they get a bipartisan of the 435 members of the House and 100 members of the Senate, if they get a significant number of those saying Mr. President, we're very concerned about Mr. Attorney General, we're very concerned about this. That can cause a change of policy.

Andy 14:16

I understand, I'm with you. Um, let's move over to a second email that we received. And this has something to do with someone that has been refused parole, who refuses, excuse me, who has been denied parole for refusing to admit responsibility for their crime. I have run into people like this Larry that 100% adamantly to the like, they are going to die on this hill and they say, I am innocent of these crimes. And you go into your treatment program, whatever that is inside or outside, and they say, hey, look, I need you to admit, you know, take responsibility for your actions. It would be really hard Larry to go, yes, I did these naughty things with this person, but you didn't do it and I know that like you know, there's benefits on the other side, but now you're being you know, you're in that Hobson's whatever that Hobson's choice. Anyway, the person continues, can they deny parole? Yes, they can. And we go, oh I say this would be your time.

Listener Question

So, can you be denied parole for refusing to admit to your crime, taking responsibility for it?

Larry 15:17

Yes. Now let's clear up what we're talking about. We're not talking about, can you be denied release when you've paid your entire debt to society. But in the case where you're being released early, if you got a sentence of seven to 20, and you've served the seven, and the parole board visits with you and says, well, you're at seven years, and we would like to consider you for parole, meaning that

the other 13 years, you're not gonna have to serve behind the walls. Are you willing to acknowledge your transgressions to society? You have absolutely every right to say no, I'm not. But on the other hand, they have absolutely every right to say, well, you get to stay with us. Because they're giving you a privilege of serving the remainder of those 13 years in the community with conditions. Now, when you've served all 20 of those years, they will let you go unless you're in Illinois, because, not only Illinois, but some states where they have a period of mandatory supervision that follows your sentence. It's, it's a second sentence. But in a case where it's within the same sentence, if you've got a seven to 20, or three to 10, or whatever the case may be, and you do not wish to acknowledge something that you're innocent of doing, you have every right not to acknowledge that. They also have every right to keep you where you are. And that's what they will do in this case, in all likelihood.

Andy 16:48

That would be incredibly hard to do Larry like, you would just be like you, if you then admit the guilt, or I guess not admit the guilt, take responsibility for it, like acknowledge that you did the bad thing? Whether you did it or not, you did get convicted of it. I guess that would make the pill easier to swallow. But this would be a tough pill to swallow of saying, Yes, I did the bad thing. Okay, well, now you can go but like now you've admitted it now your parole probation officer, whatever they're gonna say, Okay, well, you, I don't know, that would just call into all kinds of doubt about how you got where you are.

Larry 17:26

So, well, in this particular case, the guy's from Texas, and they're pretty tough in Texas, and he, he's, he's eligible, and they gave him a, they're gonna consider him again in three years. And barring some miracle, the answer is going to be the same in three years. And he's concerned about his appeal. He's, he's concerned about his appeal. Now what what I'm confused about because the way I interpreted the letter, he he did a plea, which really limits your appellate options. He says, like, I plead guilty under the 65-year sentence threat. Okay, but so you've already acknowledged that you did the crime, when the when the when the court accepted that guilty plea, that there was a factual basis established, you have to establish jurisdiction and sufficient facts, that would, that would be covered by that statute that that you have that you're about to plead guilty to, you can't just walk in and say I want to plead guilty without the court establishing that it has subject matter jurisdiction, and that a crime occurred within the jurisdiction of the court, and that the facts underlying that are sufficient to meet the elements of the crime. And he's admitted to that by his guilty plea. So, I don't understand I don't understand how, you know, we didn't get the letter, it would have gone on and on if you we would have asked for those details, but he pled guilty, he got a sentence. And now he doesn't want to accept the responsibility which he accepted with a guilty plea. I feel bad for him. He may have not he may have felt, pled guilty because of the threat of the 65 years. Plenty of people do that. But having made that decision, he's kind of got he he's, he's kind of stuck with he's already admitted the factual basis existed. It's going to be really tough because now he's got to show... the burden is on him to show that the evidence wasn't there. That he was incompetent or something really draconian for him to undo that plea.

Andy 19:21

And probably pass the habeas corpus timeframe and things like that?

Larry 19:26

I don't think Texas has a time limit on habeas. The federal habeas (Andy: Okay) he may be past that, but but I think Texas is one of those states where you can file a habeas at any time. I think that's what Richard Gladden said one time when we had him on if I remember right, don't hold me to it, folks. But I think he did say that.

Andy 19:43

Let's move over to this a forever long article that you posted here from Forbes. Says the trial penalty and the case against Preston Byrd. What is this about Larry?

Larry 19:55

It's about stuff.

Andy 19:57

All right, cool. Um, you gave me I guess Like some some cheater notes here says you had a trial. And you wanted to highlight some quotes, says you had a trial. Why did you decide to fight? Did you think you would win?

Larry 20:10

Well, the reason why I put it in here is because it shows that that the the number, it's a long read, and most people are not going to want to read it, but it shows the trajectory in terms of the number of people who go to trial over the last several decades. And it was never a large number, but it was comparatively large. It was at one point it was 20%. You know, now we're down to 3%. Well, you know, that's a significant decline. But still, it's high watermark, you were talking 10 to 20% of people were going to trial. But without getting political in the federal system, which I'm going to concentrate on tonight, because that's what this case is about. We can talk about states systems in some other episodes. In the federal system in 1984, during the Reagan administration, they changed the practices of federal sentencing. And one of the things they did was the sentencing guidelines. Because before then they had such a disparity in sentencing for people in a federal courtroom in Alabama, versus a federal courtroom in San Francisco. With the exact same crime, the person in Alabama would get a trip to the federal prison. And those liberal pointy headed lifetime judges in San Francisco would give a probated sentence. And that was not justice as far as what the conservatives were saying at the time. They said that we needed to have consistency and uniformity. So they did the sentencing reform act of 1984. They abolished parole, they abolished good time, except for 54 days a year 15%. And they put this grid system into place in terms of what the sentences would be. And one of the things on the grid is acceptance of responsibility, and you get dinged for going to trial under the sentencing guidelines, there's a trial penalty, because that's avoidance of responsibility. Again, trying not to be political, I'm only trying to provide information of what happened. Therefore, from 1984 'till now, the low number of people who went to trial has even shrunk significantly from that, because of this trial penalty, which is what we're talking about tonight. This man expected that he was going to get a fair trial. He had no idea anything about sentencing reform, he'd probably

never heard of it. He didn't know a system that existed prior to 1984. He might not even be old enough. But if he was old enough, he could care less because he was not a criminal in his mind. So the point of the article is what you find out when you get into the system versus what you thought you knew when you were pledging allegiance to one nation under God with liberty and justice for all. That's the reason why I put the article in here is to is to let people know that sometimes if you just don't believe everything you think you'll be a whole lot, you'll be a whole lot better informed. And this is a guy who recognizes he recognizes clearly that what he believed wasn't true.

Andy 23:12

I ran into multiple people who, while guilty of a crime, were much more willing to take whatever plea deal the DA offered versus the potential for the other side. I'm pretty sure I would have mentioned somewhere along the way, my roommate for a period of time, I'm just taking this all at face value can't verify any of it. So just deal with it. My roommate was convicted of murdering his wife, or ex-wife, maybe it was, and somewhere in there the DA offered him a three-year sentence, do one Georgia has split sentence thing. They would have reduced it all the way down to whatever that would have qualified for. Instead he took it to trial and got life I believe without parole and has since passed away in prison after doing 17-iah years.

Larry 23:59

Well, and I tell the story. I think brown I think grandma Esther has died here in New Mexico, but she did the same thing. She was accused of child molestation. And they offer her probation. She couldn't make bond and after she'd been in prison, in prison, in county jail for two years, they offered her probation. And she I ain't taking no probation. I want a lawyer that will fight for me. So the judge said all right, well, you want another lawyer. I'll give you another lawyer. It's gonna cause your trial to be delayed because this is a complicated case. Judge Ross Sanchez said, Well, you know you you're getting a pretty sweetheart deal. You're gonna walk out of here today. Well it is a sweetheart deal if you done something but I ain't done nothing. And so she insisted on her day in court and she got convicted of every count. And she got 99 years.

Andy 24:51

And she was already how old roughly?

Larry 24:53

Well, her name was grandma. So you can deduce from that she was pretty old. I think I might have heard that she's passed away. But if she hasn't passed away, she's in miserable condition because the prisons are not very kind to people in general. And they're very harsh on older people that have infirmaries. That have infirm conditions. And infirmarie's actually where you would be in the prison.

Andy 25:21

Yeah. And then the second quote you have So looking back, I also realized the value of creating a working environment that encourages teamwork, fairplay, and maintaining a healthy respect for the rule of law. Did you already cover this whole part? It seemed sounds like you may have already covered this.

Larry 25:35

I wanted to get some quotes for the first part there where he found out that the prosecutor, the prosecutor was vindictive. I think that that's something you would never, he went to trial. Just read that quote, I went to trial believing that I would win because, yeah...

Andy 25:50

okay. Go ahead. All right. So I went to trial believing that I would win because I was naive enough to believe that this justice system would be fair and play by the rules. I was wrong. The prosecutors lied, the prosecutor knew that the man that worked for me committed this crime. He wasn't interested in justice, he was only interested in pursuing me. I later found out that the same prosecutor had been looking into my affairs since 2010, trying to find something on me. So, he went along with the story of I told my employee to commit the crime. Even if that had been true, which it was not the prosecutor knew without a doubt that my employee had committed the crime but chose not to charge him with anything. That was not justice. It was something else and cheated throughout the whole process because they wanted a win. They needed a win. I prevailed in civil courts over their buddies. Man going into civil court, like how much did that cost the dude?

Larry 26:42

Plenty. And see he would have been one of like a normal citizen, who had been law abiding, paying his taxes, he would have had no reason to believe that prosecutors would lie, he would have no reason to believe that. He would have believed as justifiably your neighbors that you get mad at, would believe that the police are overworked, short staffed, and that the criminals have all the advantages. That's what you've heard, it has been pounded into you. You would never fathom anything like this, and even when we start talking today about maybe reducing some of the resources, they quickly twist that into defunding. And we're gonna let a tidal wave of crime loose on the country. And that scares people to death. And it would scare anybody if you didn't know any of this stuff. And he woulda had no reason to know any of this stuff because all he was doing working, paying taxes, trying to get ahead.

Andy 27:36

And then so the second quote, looking back, I also realized the value of creating a working environment that encourages teamwork, fairplay, and maintaining a healthy respect for the rule of law. It was my naive belief that these ideas were understood by all that they were displayed inactions in our daily interactions with others. That you don't have to tell an adult to be fair or respectful or play by the rules. So, taking those ideas for granted, it was never an intentional focus. Having gone through this experience, I now realize it has to be a very intentional conversation that is also reduced to policies, procedures, and protocols.

Larry 28:09

And that is so well stated, because I say that all the time. And I, I have carried on battles with colleagues and regardless of whatever business I've been in, that we need to do the right thing. We need to do the right thing. And they said, How do you do the right thing? I said, Well, you know. You know what you'd want done to you. And that's, that's how you know, when you're doing the right

thing. And sometimes you have to push back, you have to push back and say, No, I can't do that. That isn't right.

Andy 28:39

Yeah, that there's a there's a concept that I only learned post, I call it AP, after prison, that it's called the veil of ignorance. So, if you the prosecutor would be willing to withstand the scrutiny of what you're about to go do to that person. And maybe that I think that's a decent example, just to be willing to, you don't get to pick which side of the argument you're on, you're going to institute you're going to fire up this whole machinery of prosecuting someone, would you be willing to be on the receiving side of that, and I'd be willing to bet most prosecutors would not be willing to have all that character slander, and the microscope on their lives the way that gets put forth, and maybe things would go a little bit less aggressive if they considered that mindset?

Larry 29:29

Absolutely. That was addressed in the article he talked about the the perp walk and all the press conferences and stuff that they that they did to him and again, sometimes you have to say boss, I'm sorry, I can't do this. This is not right. And believe me...

Andy 29:44

but Larry, if you if you don't want to if you don't do the well, if you can't do the time, don't do the crime. That's the expression right.

Larry 29:51

Well, believe me if you do this, your life will not end. You have value as a human being. You will survive this even if they do terminate you, and they might not terminate you. You're assuming and projecting what they're going to do. But try standing up and saying, No, I can't do this. This is not right and see what happens. You might be surprised they might be so in awe that someone cares enough about ethics, they might actually back off and say I had never thought of that.

Andy 30:20

I think you would be on the shortlist to get fired.

Larry 30:24

Well, that has happened, but not for that reason.

Andy 30:30

Okay, let's move over to the Washington Post. It says Amy Coney Barrett potential not anymore potential Supreme Court nominee wrote an influential ruling on campus sexual assault. This is one of your hot buttons. Is this the the due process part of things where people in schools are accused of things and they pretty much guilty just by accusation alone without all the due process and protections for the defense?

Larry 30:56

It is indeed and I think it should be for everyone. I'm, I'm flabbergasted. And people say I'm in denial on things. I can't understand why anyone who could call themselves a patriotic American, who claims that they believe in the Constitution, how you could believe anything other than what we stand for as a nation. We stand for their presumption of innocence, we stand for the burden of proof being on the prosecution, we stand for the accused not having to take the stand or prove anything. And we

we we, these are our, these are our central values in America. And this case, I pulled it today, I was not aware of it, I read it. I read it with some diligence, it's 30 pages, it's in the show notes. And I can't find anything whatsoever wrong with what Judge Barrett wrote, or the analysis of the three-judge panel, it is absolutely completely spot-on on every point. So to those out there who think that I have an axe to grind. I know you're out there. I don't see anything wrong with this decision. Now having said that, there are a whole lot of decisions that I don't have any knowing about what she has, has written. But this isn't one where she deserves any condemnation. This is spot on.

Andy 32:22

And this is about the men in these trials being discriminated against, and siding just with the woman, the female, most likely the female, because it probably doesn't always end up that way. But somebody makes the accusation. And then the dude is just automatically guilty, probably restricted from individual classes, if not restricted from the entire campus?

Larry 32:44

That is correct. This was Purdue University. And this this was a case where there had been a romantic relationship. And this heightened awareness of assault, campus assault, and the directive from the Obama administration to to make it so that we can find more validation of and find more support for what everybody knows is happening and just rampantly on campus, which there probably is some truth to that. I've been around campuses enough to know all the party and the people in a drunken stupor. But what they did, I mean, when you're in a drunken stupor, you can't be you can't be totally at yourself in terms of your behavior. That doesn't excuse your behavior. But people do crazy stuff when they're drinking. But this case, this case didn't come close to anything that resembled due process. When you read through this, you would be shocked that this could happen in America. They did not let the guy have the statement until the day of the hearing. He didn't have any chance to prepare any witnesses to call in rebuttal. Two of the three on the panel said they didn't need to hear from him. That they hadn't read the complaint. That they already knew where they were going. Now this is based on what he said in his complaint and since the federal court below dismissed it summarily without a hearing. The appellate court can only review his complaint as if everything he said was true. But they didn't give him anything that would approximate any type of due process. He had a witness to call. They didn't want to hear from the witness. They did not allow, they didn't even need to allow her to come to the hearing. They said that that her statement was sufficient. So he wasn't able to have any type of confrontation. He was, he was denied a continuation of his education. He was kicked out of the ROTC based on the finding of the university which they held that he that there was that there was a substantial evidence, that clear and convincing, not clear and convincing, I forget what level evidence, but they found that there was enough evidence, and they found him essentially guilty in their kangaroo court and then he got booted out of the ROTC and they banned him from campus for a year Until he until he got... And like I say, they go right down through the legal analysis. They go through the standards. That one of his claims about the well-established to have to have a qualified immunity, qualified immunity exist unless there is clearly established precedent. And he was trying to strip qualified

immunity. And they denied that they said that that one of these precedents was not clearly established, therefore, it wouldn't have been known. But I looked through this, and I can't find any reason if you're evaluating her on this decision alone, you cannot find fault with this, unless you believe that a person is not entitled to due process, that they're not entitled to any presumption of innocence. That they're not entitled to confront anybody. That you could strip them off their privileges of their education. If you believe in that, then this decision is exactly what you would like. But that's not the America that I that I want to live in.

Andy 36:04

Yeah. Can you remind me of the different levels of evidence? And like you clear and convincing, you just said or reasonable doubt? Can you quickly run through those just as a reminder for folks?

Larry 36:14

Well, it's preponderance of, which is the one I was looking for, which is tipping the scale slightly more than 50%, they found by preponderance of the evidence.

Andy 36:21

okay, and then you also used clear and convincing?

Larry 36:25

Clear and convincing is the next level of stronger evidence and then beyond a reasonable doubt is for a criminal proceeding, where they're actually going to be suffering criminal penalties. He was not suffering any criminal penalty here, this was not going to be his punishment, in terms of a period of incarceration or anything like that this was to determine how the campus would respond. And the campus decided that the best thing to do would be to strip him of his education. Like I say, if, if this is all you've got, then you need to come up with something else because this isn't it.

Andy 37:01

I do understand. And so those show notes that that case will be in the show notes as well. Let's move over to another article from the Washington Post. It says Kentucky GOP lawmaker indicted on assault accused of strangling woman with an ethernet cable. That sounds pretty harsh, Larry. Why did you put this in here?

Larry 37:21

Well, because it blends right into what we just talked about. There's all shrill demands that he resign. But the only problem is, he has been convicted of anything. Now, let's be clear, he's a republican. And it doesn't change the analysis at all. He's entitled to the presumption of innocence. And that presumption follows him through the duration of this proceeding until he decides to either change his plea to guilty, or until a court finds him guilty. If he chooses to remain in office and present himself for reelection, if he's up for reelection right now. I didn't get that deep into it. But if he is that's for the voters to decide. But he should not be forced to resign because of these accusations. Now, there is some irony. He was a big proponent of the strangulation bill, which is part of what is causing him problems now because he's being charged under that. The criminal justice victims' advocates are are trying to expand the definition of what constitutes a strangulation and they want it to be so loose that if anybody gets near your throat, it's an attempted strangulation. It's kind of like the thing with the human

trafficking. If you define everything as human trafficking, that's that's what they're trying to do with strangulation. Well, yeah, we didn't fall for that here. They came here with their language. And to their credit, our legislature scrapped their language, and they actually designed something that approximates a real strangulation. Yeah, but but that that's not what they want. Because strangulation is serious and it is serious. If you're being deprived of oxygen, it's very serious.

Andy 39:04

Yes it doesn't take long for that to end.

Larry 39:05

Yes, it can be very dangerous in a very short period of time. So I'm not minimizing strangulation, but you don't call it strangulation, just because you want to subject a person to a more severe penalty. If they hold a scarf, and they hold it in front of you, and say, You better do what I tell you, or else, they haven't strangled you. Nor have they attempted to.

Andy 39:29

Well, I've heard that used with, uh, with kidnapping It was like, get in the car. Well, no, now you've already attempted kidnapping because you forcefully demanded someone move from their current location.

Larry 39:41

So well, I have this strange, crazy belief that if you're going to call something strangulation, there ought to be some strangulation happening.

Andy 39:50

Suppose you're not successful at it and and you were thwarted in your attempts.

Larry 39:55

But I would like to see that there was actually some attempt to strangle, to do strangulation. Words are not enough. I would like to have all the money that there is in the banks on the weekends. But that doesn't make me guilty. That doesn't make me guilty of bank robbery.

Andy 40:12

Man, I was in with you on that plan. Wait, how can we execute on this? Do we need any help from anybody?

Larry 40:21

But anyway, that's the point of this, is that he is innocent in the eyes of the law, don't lose sight of that. It's our burden as the prosecution to show that he is not innocent. It's not for us to conjecture. He can decide to plead guilty if he chooses to, he can decide to do what, article above, he can go to trial and see what happens now. He wanted to weaken the evidentiary standard and proof, it would be sad if it actually comes back to bite him, his own work comes back to bite him, but he is entitled to nothing less, and it doesn't change one iota according to his political party.

Andy 41:02

And I don't think you touched on this. He's accused of doing this more than a decade ago. I don't know what the statute of

limitations would be on this type of thing in Kentucky, but it might have already passed that. So this is just another hit job sort of like the Oh God, Roy Moore in Alabama from 40 years ago, or whatever.

Larry 41:21

I didn't even pick up on that.

Andy 41:23

I just happened to be scrolling through and saw that.

Larry 41:25

Well, that's why, that's why you get paid the big bucks.

Andy 41:29

Yeah, I guess so. I guess so. Is there anything else before we move on to RBG?

Larry 41:36

No, I think we can move on. We're making good time. We'll be out of here before you know it

Andy 41:40

Before you know it. Until we get to the one that's gonna like train wreck this whole thing. So this is from the Marshall project, and this is RBG's mixed record on race and criminal justice. The subtitle is Ruth Bader Ginsburg was a revered feminist icon, her legacy on issues such as prisoners' rights, capital punishment, racial justice, and tribal sovereignty has been less examined. And you put this in here why?

Larry 42:05

Well, I think that my main motivation was that that her original point was there was some vilification that she was a liberal ACLU do-gooder, and she's been characterized as a liberal. This is a very, very long read, and I would encourage people to read it. When you read it you'll find out that as a jurist she wasn't nearly as liberal as what you would like to think. She just truly wasn't. On something she was a little bit on the conservative side. So go through these. And the takeaway is is that you're not going to agree with a justice on all issues. You don't agree with your wife unless you're Andy, on everything, but but you're not going to agree with...

Andy 42:52

It's just a smart move, man, I'm telling you, it's just a smart move.

Larry 42:57

But, but you're not gonna agree with them on everything. But some of the vilification and the shrill criticism that you're hearing, in the case of Coney Barrett, may be overdramatization, and maybe what you've heard about how horrible Ruth Bader Ginsburg, and how horrible the liberal wing of the court is, you may be getting a false narrative, because looking through this, she just really wasn't all that liberal on a lot of things.

Andy 43:27

Which I think you could also then transpose that to say that maybe Amy Coney Barrett wouldn't be as conservative on all things.

Larry 43:35

That's where I'm headed with that. That what we are hearing may be a hit job, and it may be accurate. But I've lived long enough I remember the anxiety that unelected President Ford went through when he appointed John Paul Stevens to succeed to liberal Justice William O. Douglas, who was a liberal, unquestionably a liberal. When Ford was given that appointment, which the Democratic Party did not attempt to stop him from having, even though he was never elected president, nor vice president. He was given that appointment, and he turned out to be a very fine justice. And in fact, he turned out to be more of a liberal than anybody ever imagined. Is it possible that the same thing could happen here? Sure. It's possible. It absolutely is.

Andy 44:29

Yeah, we talk about pretty regularly of looking at someone in their totality. And and I know that the abortion debate is is something that will always poison the well and like, you just have to stop on that thing. But you would try and gather as much information as you could on their history, what they have said publicly at speeches or how they what their actual voting record is, and you know, you have a pros and cons column. Maybe they vote this way for this and this is something that you're in favor of and they go against you and they vote in favor of this different thing, but that doesn't go along with what you believe. That that takes a lot of work, Larry, maybe we need someone to help us actually do that so we could just be push button voters?

Larry 45:13

Well, unfortunately, on this, I don't really want to have an abortion debate on the on the podcast, (Andy: No, no. Not my intent.) but there's a strong base on the conservative side that the analysis you're talking about, they're not willing to do. That is the issue for them. Yeah, they, they do not care about anything else, because to them, if you're on the wrong side of abortion, I don't want any hear more. I don't hear any more, I don't care if you are on right side of 80% of what I believe in, if you're not against abortion, you don't deserve... That's just that's just the reality. And, and we're not gonna be able to change that, that those those voters are going to go to the polls in November, thinking that they've got a staunch anti-abortion. The only thing that they're missing, the only thing that they're missing in this is that even though this may be her personal opinion, she may be able to separate her personal opinion from the reality of what the Constitution has been interpreted. And the fact that interpretation has been around for approximately 50 years now. And, and she may, she may disappoint you, just like judge Justice Roberts has disappointed so many people. She may she may come as a surprise to you that her personal belief may not decide, maybe how does she decides the case when the inevitable abortion question is presented to the court, and it *WILL* be. They will accelerate every cert petition that can be imagined on anything related to abortion, they're going to file those because in their mind, they've got a six to three solid majority after this confirmation is complete. And this is going to end Roe versus Wade once and for all. And that's what they want to see happen.

Andy 46:59

I hear you. Um, let's see here. Again, this is Marshall project always writes like, almost like Atlantic level length articles. It is a

long one, if you want to get a pretty deep insight into RBG's history.

Larry 47:16

You might you might find she she wasn't as liberal as you thought.

Andy 47:23

Ready to be a part of Registry Matters, get links at registrymatters.co. If you need to be all discreet about it, contact them by email registrymatters cast@gmail.com You can call or text a ransom message to (747)227-4477. Want to support Registry Matters on a monthly basis? Head to patreon.com/registrymatters. Not ready to become a patron? Give a five-star review at Apple podcasts or Stitcher or tell your buddies at your treatment class about the podcast. We want to send out a big heartfelt support for those on the registry. Keep fighting. Without you, we can't succeed, you make it possible. And moving on I will play this clip. And then we will talk about...

Larry 48:17

well, let's set it up before we play the clip. This confirmation process I predicted would not happen. I was clearly wrong, it is going to happen. It's going to happen over apparently what, if you can believe polling data, is over the objection of the American people that that a strong majority feel that there should not be a confirmation. I don't recollect that it's ever happened this close to an election. I know that in 2016, in February, it was too close to the election. And I know that that's changed as far as the hypocrisy of those who are making decisions now. The standard they set in 2016 is no longer the standard now. But that being said, it is going to likely happen. They're going to accelerate all the processes and they've set it up because Amy will be someone who has been previously been vetted. So they don't have to do as much vetting.

Andy 49:12

Yeah just three years ago, she got put on the federal bench.

Larry 49:14

Yeah, she so that's gonna, that's going to cut out some of the stuff that they would normally have had to do. But there's going to be deep emotional, it's going to scar the country again, we're gonna have, we're gonna have division. And the reason why I put this clip in here because again, it's almost 50 years old. And it was from a president who left office, recognizing how great the country is and how we should put pettiness aside. Those who win this confirmation, they're going to be happy. And those who feel their voices weren't heard and they feel that rules were changed. They're going to be very angry. I would not be surprised to see protests. I wouldn't be surprised to maybe even see some violence and I hope that it doesn't happen, but it wouldn't surprise me. But I would encourage you to, don't do that don't hate the people personally. Don't wish ill to them as far as bad things happen to them, their personal safety. Register your resentment against them at the polls, your senator in Kentucky is up for election. He's the one who's changed the rules. That is what you do. And that's why I have this clip here. Rather than being hurt and violent, just remember what President Nixon said on his final day in office, he said to his staff, this is a very short clip.

President Nixon (Audio Clip) 50:44

Always give your best. Never get discouraged. Never be petty. Always remember, others may hate you. Those who hate you, don't win, unless you hate them. And then you destroy yourself.

Andy 51:05

Very short clip.

Larry 51:07

Yeah, let's don't destroy ourselves over this. Let's do our best. And those who are happy will rejoice, and those who are hurt about what happens, let's do our best to change the trajectory of going forward. And you can do that at the polls. You've got one third of the United States Senate up for reelection. And you've got a presidential election. And this is where in America, we do our expression of dissatisfaction. We don't burn things. We don't engage in violence. And we don't, we shouldn't even hate people who we disagree with. We should change those who are there in those positions. That's what I encourage people to do.

Andy 51:57

And where we're coming from on this is an article from the New York Times that talks about the Supreme Court how it's usually, how a Supreme Court justice is usually appointed, that it usually takes many months. And Larry even with that, maybe they don't get it done by the time of Election Day, there's still a very comfortable amount of time before Inauguration Day. Takes normally like 70 or 80-ish days, somewhere like close to the three month range. We're definitely three months away from Inauguration Day. And as you've been pointing out, you're president for exactly how long?

Larry 52:29

Well, unless your name is Obama, you're president for the entire term. But this, this is correct. Now, generally, in a lame duck session, you would not do anything this controversial, because some of these people will not be reelected. Some will, but some won't. So normally a lame duck session, you do cleanup legislation, you finalize things that must be done before the new Congress comes in. But there would be the potential to come back and finish this process in the lame duck. But under the McConnell-Graham rules, this would not have been done because they said, unequivocally we played clips, there's no need to go through that. They said that in a presidential election year, the American people should be allowed to weigh in. And the American people are not being allowed to weigh in on this. And that's really disappointing because they, you don't know how to play the game if the rules constantly change. And the rules changed in a very short period of time.

Andy 53:32

Why do you say American people?

Larry 53:35

Because that's the way I've heard the people that are pushing for this pronounce it.

Andy 53:40

I'm pretty sure that's how McConnell actually says it. I ended up with a pretty long conversation, I wasn't really in the mood to like, keep going about it. He pointed to all kinds of differences, like they

have the power to do it. Therefore, they did it with the advice and consent, blah, blah, blah. Obama did the nomination. He did his duty. And then the Senate had the privilege, I guess you could say, they had the authority to then go, Nah, we don't like that person, and they didn't do anything with it. Here, they are in agreement with the person that has been nominated this go round, and they're gonna go everything through, like they're within their authority, power, whatever. They're like, they're justified in doing this the way that they did, are doing it and did it. I think that's what the person's arguments were.

Larry 54:28

Well, the only problem with that logic was that they did not give the person even a hearing. They did not even let them make the rounds on the capital to give them the consideration. I think he was allowed into the capital after his nomination, but the normal meetings that they have, and the normal, the normal processes weren't followed. You can't give advice and consent if you refuse to consider the person. That's not really advice and consent. And that was just obstructionism. And I know that they're trying really hard to explain it, and they've come up with a theory that, that if the Senate and the President are of the same party, then the seat doesn't belong to the American people at that point. But see the whole doctrine of it belonging to the American people was phony to start with, because the American people entrusted the previous president with four years and then another four years. And that seat opened up early in the final year, but there was almost a year left of the presidency almost a complete year, 11 months left. And they pull that out of their you know what that it didn't belong to the American people. The American people had already decided when they voted that that was one of the things that the President would be nominating supreme court justices should any open. That was a seat by all actuality, that was not a seat that should have been held, held open. Now, if an unqualified nominee had been put forward, and they had done the vetting, and the votes weren't there, that would be whole different situation. They could have held hearings and said, well, sorry, you don't have a vote.

Andy 56:07

Right? Because, I mean, they held the majority in '16 at the time that this happened, didn't they?

Larry 56:12

That is correct. And but see they would had a hard time, he was already sitting on the DC Court of Appeals, and a well-respected jurist, they would have had a hard time voting him down. So the easiest chicken copout way was to never have a vote because it would be very hard. It's the same position they've got now, because they've got a person sitting on the Seventh Circuit, who's been vetted just very recently. And so now you have to take an 80 to 14 or whatever it was they needed 80 to 16 confirmation, which obviously included some Democrats, significant number of Democrats. Now you've got to turn around and say, well, we were wrong. She's not fit for the federal judiciary, that's not gonna happen. And that wouldn't have happened with Merrick Garland. That's the reason why they didn't have the vote.

Andy 56:55

Of course, of course, of course. Anything else?

Larry 57:00

I think we've beat that to death.

Andy 57:03

Very good. Um, and now that I try and pull it up, Larry, I tried to pull up just as we were doing preshow, there was a there was a subreddit that I follow, it's called SO Support. I don't like using the actual full term of sex offender. But so it's SO support. Has 1600 members, and somebody decided to pop in there, I think it was roughly yesterday, and called out a particular politician in New York and just said like, very, very nasty, like, I hate this person, this person should die because they made SO laws worse for our people. And I also want to like counter that with over on the NARSOL Connection site, the social media platform, want to give that a little bit of a plug, if you're not on there, you head over there. I posted like a positive quote from the former governor. And right. There was a quote from the governor about the it just it was just a positive affirmation kind of question or a statement. And so, somebody immediately writes back he's like, I don't like him because he signed the tougher sex offender laws. And I was like, well, we are the ones that vote for the politicians, like the governor, or the politician directly, didn't do it on their own. And I got cussed out and all this stuff after all this, and I wanted you to explain it in a very educated sense on how these things go about getting all the way to the governor or the President's desk, like IML. How do we go from someone making the claim to make these laws tougher or less tough and go through that process where like, this person's calling out this particular one politician for doing the bad thing?

Larry 58:47

Well, it's a conversation that we'll have relentlessly repeatedly because people mistake the veto power. And theoretically, a veto power does exist. But a veto, a veto is not realistic to expect when something passes unanimously or close to unanimously because generally the override margin is two thirds. And if it passes unanimously, you can clearly see that two thirds is less than unanimous, right? (Andy: Yes.) Okay. So what you're dealing with when you have something passed unanimously, or close to unanimously is something where a veto would be futile. And yes, you do possess the power. So, we can go through President Clinton could have vetoed the Megan's Law in '94. President Bush could have, he possessed the power in 2006 to veto the Adam Walsh Act. And President Obama possessed the power to veto international Megan's Law. You could you could move any of those presidents to any of those different eras and it wouldn't have changed anything. You could put Obama in place of Clinton or Bush in place of Clinton, and they will sign those because they come to them, as far as the President is concerned, that's one of the few things when you get something where there's nearly unanimous support. And it comes to them as far as they're concerned, at first blush, there's no problem with it. Because when the people's representatives conclude that there's no reason to oppose something, that gives an executive heart palpitations. Well, I get to sign something where there's almost unanimous agreement. So, you don't spend the same amount of diligence looking at something with unanimous consent. I mean, just think about that. When it goes to the executive desk, the tally's there looking at the executive, it passed unanimously, oh, well, it must be pretty good stuff. And then, even if someone tells you Well, there is actually, Mr. President there is actually a couple of

problems in here that caused some consternation, but ultimately, they were disregarded. Then the president or the chief executive has to do a calculation of do I want to try to muster the support for a veto to sustain my veto. A veto is worthless if it's going to be overridden. So when you do a veto, when you issue a veto, what you're doing is you're standing in the way, you're standing between the American people, the citizens of Georgia, whatever state and what they have decided that they want as a matter of public policy, and you're saying as the ultimate check and balance, I am going to stand in the way of this because I know best. And you don't want your veto to be overridden. At that point, you go looking for votes, because you're trying to prevent the supermajority from materializing. And when you go looking for those votes, trying to find them becomes increasingly difficult depending on what the issue is. Because you automatically have to write off the opposing party. If you're a democratic president, you're not going to generally find a lot of Republican votes to sustain your veto. Because, for the opposing party, it's a way of weakening the executive power. If you can override the executive on this, what else can we override the executive on? So, you've just admitted your pool for how to get to that one third plus one, you've diminished it by 50% right away, because you're not going to likely get any from the opposing party, then you have to lean within your own caucus, to try to find one third, knowing that the other side is going to vilify them. And that's a tough sell. Because something like international Megan's Law, something like being tougher on sex offenders, the opposing party is not going to just stand down and say oh the President felt pretty strongly about that. So, we'll just keep that kind of low key and we'll forget all about how he vetoed that. They're not going to do that. And it has become a very significant campaign issue. And it's just not realistic to expect a veto on this type of thing. So, the lesson in it is you can't allow it to get to the executive. If it gets to the executive, it's too late. It's going to be signed. And I challenge anyone out there to show me a significant piece of criminal justice legislation that got vetoed in any state that that would have a crack downed. Now you can show me some where it would have made things better, but show me something where they were increasing penalties, or prison sentences, that got vetoed, and you're going to be hard pressed to find it. It just doesn't happen because realistically, that's going to be politically devastating to veto that. The governor, he was a Republican, it got to his desk, he was gonna sign it. If it had gotten to Jerry Brown's desk, he would have signed it.

Andy 1:03:45

Sure. And, and my whole point was, is that uh, these things don't happen in isolation, the person, the governor, or any anybody, any politician that is under the gun for these things, the public is super-duper in favor of these things, they because it makes them feel better, regardless of what the recidivism rate, regardless of if it's effective or not. The public is in favor of these things. Then, then they're going, if that person wants to be reelected next go around, then they have to support it. I mean, maybe not that one issue would sink their ship, but I mean, it could because then then you end up with all the attack ads from the other sides, oh, this person was not in favor of making the lives of the PFRs worse. There's no political cover for them on this issue. So, you would have to use all the back channel kind of politics things that you talked about, to to thwart these things from getting to a vote on the floor to get to the executive desk.

Larry 1:04:46

That is correct and when you say the vilification, let's be clear the vilification normally comes from the conservative side. Again, I issue a challenge, show me a democrat who is vilifying a Republican for Criminal Justice, positive reform, and we will call that person out on this program. It just doesn't happen. Now they do vilify republicans for other things. I'm not saying that they're as pure as the driven snow. But on criminal justice reform, it is a one-sided vilification. It's the republicans and the conservatives who vilify the Liberal Democrats for wanting to turn loose the tidal wave of crime. We can't fix that problem if we don't admit that it exists. And I strongly believe that if you are in denial about what the problem is, you really can't come to a solution. The problem is on criminal justice reform as what happened in the First Step Act, the conservative Republicans led by Senator Tom Cotton, watered down the First Step Act. That is the reality of what happened. It's not me attacking Tom Cotton. I'm just simply telling you what he did. So...

Andy 1:06:00

Anything else before we move on? I think I think we've covered that pretty well.

Larry 1:06:05

So yes, I don't think that the vilification of Governor Schwarzenegger is fair at all. And we'll see if we'll see if the computer can understand Schwarzenegger and spell it.

Andy 1:06:18

I bet it does. I totally bet that the transcription will pick up Schwarzenegger. And just to take one tiny little, I don't have a question that you said for the girl's question. I don't have it anywhere.

Larry 1:06:29

Okay, well, I do. so this, this is from Jen.

Andy 1:06:34

Is there a pdf of it. I don't see it in the in the show notes. Oh, oh, that question. Nevermind, I know what question you're talking about. Oh, so okay, nevermind. So one of our patrons, a long, long, long, long, long time patron, sent an email about I don't I don't want to divulge too much information about someone close to her, trying to figure out where to begin. Trying to like, removal from the registry, becoming an advocate, and so forth. And I asked you to try and address this as much as you can. Now I know what you're talking about.

Larry 1:07:05

And I agree. I don't want to divulge too much. But there is a potential of the registration, because some states still have a process. And what has to be done is that an individual analysis has to be done on that particular person's offenses, for example, he already reached out to a Colorado attorney. And the Colorado attorney said no. And I'm guessing that probably because there might have been more than one count. In Colorado, deregistration is only available if you have one count, not one conviction, multiple accounts, but just one count. I'm guessing there was more than one count in that conviction. But, but now that the person is off supervision, there would be that potential. Now we

try not to engage in state shopping on the air, because that would be devastating to the state. But on the other hand, the processes that are out there do exist, and people who are shopping for legal representation, they deserve the best representation they can get. And if we can help them find the best representation they can get, that is all the better for as far as I'm concerned. But I don't know enough at this point to give any advice other than I would, I promise I will reach out and get more information in the coming week or so. And we'll talk about it. But yes, there might be a way off the registry, and I certainly don't see any... would want to be able to registry it they don't have to be?

Andy 1:08:35

I think I would like to stay on it just indefinitely just because it feels fun.

Larry 1:08:40

Well, and but everybody please understand. Only the state that releases you from registration can release you from their obligations. If you leave that sanctuary, you could find yourself back on the registry. And that is just so hard for people to comprehend. I get emails all the time. And I say all the time, that's like an exaggeration, but I get regular emails about I don't understand I got off the registry in this state and now I'm back, or I think I'm gonna have to be back on and Yes, that is absolutely true, you may find yourself back.

Andy 1:09:14

just because of the way the language is. If you've ever been convicted of, whatever, wherever it doesn't matter, you will be registering here.

Larry 1:09:21

That is correct. Or it might that their look-back period of so long, that it might encompass your conviction. We've got states that go back to the 1950s 60s and 70s. And so it may not be "has ever" but it may be effectively "has ever" been convicted because your crime occurred in the last 40 years. And that could that could catch you, or if you've ever had a duty to register. There're just all sorts of things that can trip you up and having to register again. So, my advice to you, if you're going to state shop, find a state that you can actually stay in for the rest of your days. Otherwise you're wasting your money. If you're trying had to go state shop to get off the registry thinking you can end up somewhere else, It doesn't work that way.

Andy 1:10:08

Okay. Well, so Larry, very exciting. We we got two new patrons this week. And that is James and Christopher, which I'm super excited about to get two more. We're getting close to that 1000-person threshold that we've been trying to achieve for so long.

Larry 1:10:25

Is that right? 1000?

Andy 1:10:27

Yes. Well, I mean, you know, whatever, pick whatever number we're trying to reach. 1000 is one of the thresholds we would try to reach. Do you agree with that?

Larry 1:10:35

I agree. But we've got a little ways to go.

Andy 1:10:39

Yes, we do. But also, Christopher wrote an incredibly, incredibly nice message that I asked permission to read because maybe, I don't anyway, didn't want to call a person out for giving too much information. But it says I have needed to travel a lot for work. Driving many, many hours. I have been binge listening to your show, and they are incredible. Sometimes it makes me want to add another hundred miles to my trip, which is kind of funny on its own. To drive an extra hundred miles just to listen to me and Larry banter. But with 2 million people plus directly and indirectly involved in the registry, this podcast could and should be a unifying force with great numbers. I will try and help spread the word. As time goes on, I hope to raise my monthly contribution as costs towards other things in my life begin to wane. Larry has an incredible grasp and articulation of the legal machinations regarding this ridiculous sex offense laws and his banter with Andy makes her very compelling listening. Larry and Andy, please keep up the great work. Christopher, thank you. Thank you. Thank you a million times over. Thank you for that. That's super sweet, that will probably end up on the website as a testimony. And again, I appreciate it very much.

Larry 1:11:41

That was very, very kind and keep us informed when he raises his donation because he's already at \$1000.

Andy 1:11:50

Yes, absolutely. Yeah. He's totally like turning the lights on and you're getting ready to quit your day job because of the contribution.

Larry 1:11:57

I really don't know how much people, I don't use the names of patrons, but I never scour the list. If you're a patron, that's fantastic, anywhere from any level that you're supporting us. It's just touching. So I generally don't know how much anyone's giving.

Andy 1:12:15

I know it's wonderful. It's very nice. It's a stress reliever, I guess. But it is we're trying to reach as many people as possible, but we definitely appreciate it and it makes it, it inspires and encourages us to do it that much more and put out a good product.

Larry 1:12:33

Well, there is some work that goes into this. Some people go out and party on Saturday, but other people on this team actually spend Saturday working on this show.

Andy 1:12:42

Yes, there's an immense amount of work that goes into this. I, you probably don't know this, but I spend six ish hours in post-production probably.

Larry 1:12:50

I was gonna say, now on Sunday it flips after the podcast because I spend more time in prep than you do, but then you spend a lot, a lot of time in post show that I don't have to deal with.

Andy 1:13:01

Yes, I do. I do. I do. But you remember last week, we were talking kind of silly about coming up with names for the the nonprofit entity. (Larry: I do.) And so our super patron Mike came up with with a, he, he gave us 12 and somehow 12 is missing. So he gave us 13, but there's one missing. And I wanted to read some of them because one of the funniest ones to me is the Center for Registration and Compliance Information. That one really triggers me. It says the The Andy show featuring the guy from the Lincoln administration, Sir Larry talks a lot. Those are my two favorites. Did you have any that you wanted to highlight?

Larry 1:13:42

They were all funny as far as I was concerned. We got some creative people out there.

Andy 1:13:47

Yes, we do. FYP Industries for PFRs who got screwed by the man. Thank you, Mike so very much these things made me laugh. They're funny.

Larry 1:13:57

So yeah, we've got some creative people, beyond names. We've got some creative people that can put together quite a production. I'm looking forward to when that gets distributed to our patrons. (Andy: What production?) I've heard of a production of what happens when when you get the knock at the door.

Andy 1:14:18

Oh, oh, that production? Yeah. see Larry, we're supposed to keep that on the down low

Larry 1:14:24

Oh, really? Okay. Well, then let's strike that from the record.

Andy 1:14:25

Yes, I will. I will remove that. Shhh, don't tell anybody. There may be a little video clip coming out very soon. I think that about wraps it up, Larry. Unless there was something else that we missed, I think.

Larry 1:14:39

Fantastic. I think we're fitting within our with our page limit, you know, we now have an arbitrary page limit of 16 pages.

Andy 1:14:47

I thought it was 18? (Larry: 16) Is it 16? Okay. 16 it is. Yeah, I'm sure, we have about another five minutes. Do you want to ramble for another five? (Larry: Nope.) Okay. Well, we record the show usually live on Saturday night 7pm Eastern. You know, Larry, I had a conversation with someone yesterday talking about I was going to get together with him on Monday and he's in the eastern Texas time. So, he's in Central Time Zone. And he so I said, can we meet at 2:00? And he goes, Okay, that's 3pm my time and I was like, no, that's not and he even like, extended down. He's like, well, that would be 4pm this time and five, I was like, wait a minute, man you it would be an hour behind. Anyway, I will continue. Patrons can listen to us record the show live. But if you can't listen live, you can always do so on demand, which is the whole point anyway, to listen on demand. We want to make this available to you at your convenience. And if you do me a favor and subscribe

in your podcast app, when you subscribe, you're sending a signal to them that you want this material. And maybe it would suggest things to other people that are listening to similar things. And but you know, we even have a YouTube channel and subscribe there as well. You can also sign up on our email newsletter to get notified when the episodes come out. And you will get this promptly Tuesday morning. And you can find all of that stuff at registrymatters.co. Larry, phone number?

Larry 1:16:07
747-227-4477, I think.

Andy 1:16:15
And the email address? I think you got it right.

Larry 1:16:20
That would be registrymatterscast@gmail.com.

Andy 1:16:24
And of course we love all of our listeners and but the patrons are near and dear to our heart. Where do people go to support the podcast directly?

Larry 1:16:32
That would be patreon.com/registrymatters.

Andy 1:16:41
As always, Larry, you're an abundance of information and I greatly appreciate it and enjoy the time we spend. Thank you very much and have a great weekend.

Larry 16:50
Good night, everybody.

You've been listening to FYP.

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