



## Registry Matters Podcast

Episode 152

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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 152 of Registry Matters. Larry yet another Saturday night, we've made it another week after a week of turmoil and we're not going to talk about politics. But this has been a pretty crazy week.

Larry 00:28

It definitely has and episode 152, we're getting very close to my age.

Andy 00:34

We are for sure, can you, can you tell us what that number is?

Larry 00:40

We just got another 20 or so episodes to go.

Andy 00:44

I think we're gonna probably remain at 20 or so episodes to go for, for forever. Well, we have an exciting show covered. We have some questions from listeners, we have a voicemail that we're not going to play from Super Patron Mike, and then a whole menagerie of articles that are going to run the whole gamut. We have a featured picture from the NARSOL social media site, and then a couple things to wrap the show up. Are you ready to get things running Larry?

Larry 01:17

Let's roll this train as one of our county commissioners used to say here.

Andy 01:23

Okay, so we have a question from someone that I believe is in Arizona, says: My wife and I were codefendants of a sexual offense. She's done her prison time and probation etc. As for me, I get out of Arizona state prison in 2026. With two lifetime and five-year probation, can you clarify that one? Does he have two lifetime sentences? I don't understand that.

Larry 01:46

I'm not clear on it either. I'm assuming there was multiple counts, and then they ran them more consecutive, I mean concurrent, excuse me. That's what I'm assuming from it.

Andy 01:55

Okay.

### *Listener Question*

Only to find that the Maricopa County has hidden a hidden agenda of keeping my wife and I from having contact or to cohabitate. There were no such disclosure in either of our plea agreements, or we wouldn't have entered into such a contract that would violate our maternity rights, matrimony rights. Due to this ordeal, we've lost our home and assets and don't know what to do. My wife and I have been together for 50 years. And without her, I have no

reason to leave prison. We are so heartbroken and don't know what to do. Sincerely. That is pretty awful. Overall.

Larry 02:30

I had intended to answer this in the newsletter and it came in few months back. And I realized I never got it in the newsletter because of space and then I intended to answer on the podcast. And I don't remember us ever answering it. We've talked about similar things, but I don't remember doing this one. So, if we did, please forgive us. The answer is we don't have enough information to know for sure. This is one of those things where at first blush, the probation authorities would have great difficulty in and prohibiting them. I mean, we're assuming that they were married based on 50 years that 50 years would predate the offense, and the conviction. So therefore, this is not like one of those where people fall in love in prison through some kind of one of those write a prisoner websites, and they fall in love. And they they, the authorities say you can't have a relationship with that person. And this one, this one was a preexisting marriage. And therefore, in my opinion, which is not a legally binding opinion, in my opinion, they would be on much thinner ice to prevent them from getting back together once he is out. But having said that, that doesn't mean that they can't, because as you know, they can do anything until their stopped. But there might be good reasons for them to do it if they can, if they can specify, rather than just a generalized thing that we don't let felons cohabitate because that wouldn't apply here in my opinion, but if they can specify something unique to that offender, and how that it would not be in the interest of community safety while he's under supervision, that he be living with this person, because of the influence. I mean, there could be a scenario where it could be justified. So, I don't think we have enough information but I find it very troubling that he's worried about that, because apparently someone has told him that that he's not going to be able to live with his life. It may be prison rumor that's got him frightened or he may have something more substantive that that causes him this consternation, but if you've been with someone 50 years, it would it would be very troubling to most if they couldn't get back together.

Andy 04:53

And I recall Ashley saying something god it was probably 25 or something episodes ago where she said something than the effect of like you have an absolute right to marry or something. I mean, she said that you, it would be constitutionally protected for you to be married. Something along those lines. I don't remember how she worded it exactly.

Larry 05:12

Well, they're married already.

Andy 05:14

Right, but then to then say, hey, you're married and can't live together? That seems like that would cross some kind of boundary.

Larry 05:21

Oh, well, I think generally it would if there was not a specific reason in this case. But what I'm saying without the facts of this case specific, which we generally don't get into. But without some

compelling reason that these two people being together would compromise community safety, I think they would be hard pressed. If this is just a generalized no felon Association, I think this would collapse very easily under a challenge. But if they have particularized reasons that they can articulate then they'd be on stronger ground.

Andy 05:58

Wouldn't that be my wife and I were codefendants? I mean, that sounds like that would be particularized reasons of why maybe they are not the best for public safety?

Larry 06:08

Well, and it would depend on sometimes you can be codefendants because you have a prosecutor that's reaching, like with a case of Madoff, he could have just, the prosecution could just as easily have brought his wife into that. Because they're when you're with someone for 30-40 years, and they're running a Ponzi scheme for that long it would be it would be hard to imagine that she didn't know at least a little bit about it. So, they could have made her a codefendant, but they didn't. So it depends on what was involved in the... obviously, the way the prosecution looked at it, she got out a whole lot sooner. So her involvement was less substantial than his. Wouldn't you agree with that, if she's out already? And he's got this very harsh feature looking down on him and she's done. It sounds like her role was less.

Andy 07:04

Yeah, sure. I mean, that if he's coming home from dinner every night and having and they're talking over their, their plate of spaghetti of them, of how many people he screwed out of how many millions of dollars and she goes, Oh, that's nice, honey. Yeah, so they don't give her nearly as much time as him actually pulling the levers to do the nasty things.

Larry 07:23

Well, that's where I was heading with us. If if, if they guess one thing to be like Sandusky was where his wife didn't really know, at least the evidence didn't seem to say that she really knew what they were doing, what he was doing with the boys but she was kind of taken I don't want to know attitude. It would be different than if they were collectively identifying the targets and the acquisition of these targets. And so it would be very fact specific if they could preclude them from having relationship. I would say to the best of his ability he needs to, if they impose such a condition on him, he needs to immediately challenge it. He needs to try to find legal resources and try to try to mount some kind of challenge because that would that would be devastating. I mean, it would be. You served time in prison and that you come out 50 years later and they say, Yep, you're not going to have this support, either. You know, you're not gonna have anything to do with this person.

Andy 08:25

The one of the thing that's sort of flies under the radar is like they have been together for 50 years, which sort of seems like, like the youngest they could be if they got married at 18, which of course it could have gotten married younger, but that makes them in their 70s. How much bad things in the world are they going to be able to do without, you know, at the age of 75 and 80 years old? They've been together for forever.

Larry 08:47

Well, apparently they were able to do some bad things. He's convicted in Arizona.

Andy 08:51

Yeah, but you know, we don't know when he got locked up, do we?

Larry 08:54

I could, know, I didn't. I didn't want to know for this. (Andy: That's fine.) So I try not to get into all the particularities because I'm doing a lot of guessing already of what's going on.

Andy 09:06

But if they did this, and they got five-year sentence, but if they got a 20 year sentence, which would also be exorbitant, but anyhow not trying to go into it...

Larry 09:14

Well he got life. Two life sentences.

Andy 09:18

And he's getting out. All right. Anything else here before we move on?

Larry 09:25

Yeah, I did the best I could with the information I have. But he would need competent legal advice if they try to impose that on him. But he may just be hearing the rumors about felon Association. And he may have concluded from that, that he wouldn't be able to have any association because his wife is also a felon. I would not jump to that conclusion until you hear it officially. That's the final remark I would say. Don't assume everything you hear from the prison grapevine is true because it isn't.

Andy 09:52

And prison, being out of prison is like always better than in prison. So, get out if you can. The other email or letter that we got was:

#### *Listener Question*

I'm serving 25 years at 85% in Kentucky. Before my arrest, I drove commercial vehicles cross country for 17 years. I know there must be many PFRs that may be in the same boat as I. Hardest part of time is not knowing what you can and cannot do when released. What? Uh, what is that? What options may I have to drive truck for employment when released? My crime is not associated with my job or CDL. But will I be allowed by law to drive commercially cross country for employment as a PFR? Thank you very much. And the answer like short is yes. Shall we move on?

Larry 10:42

Well, the answer that that I'm going to give is slightly different than that and the answer is I don't have quite enough information. I don't know if he's leaving prison as a supervised offender, if that 85% is extinguishing his entire obligation to Kentucky or if he has a period of supervision following him. Without that information, I can't tell you as much as I would be able to, because if he had extinguished his entire obligation to Kentucky except for registration, then we would be looking only at registration obligations. If he, if he has not extinguished his debt to society and

is on Kentucky supervision, that changes the answer. So, for those who, who, who were in prison, it would be helpful if we have that information on your question. When when we get a question, if you're going to be under supervision of any type when you leave prison, that affects the answer, because we're dealing with supervising authorities *and* registration authorities. If you don't have any supervision owing, then you're only dealing with registration obligations, which are complicated enough in and of themselves. But we have two things to think about here. So I don't know if he's under supervision. But let's assume he is. That way, we'll cover it. So, let's start by the registry. There's nothing in a state registry, and I didn't research Kentucky, but generally speaking, there's nothing in the state registry schemes that prohibits a person from being a truck driver, per se. But then I don't know all the nuances of getting a CDL. And if you if you if you've already got one, I don't know if it is what conditions would trigger a revocation or withdrawal of that CDL. But there's nothing in federal or state registry laws that prohibit you from driving commercial vehicles that I'm aware of. So therefore, the answer would be yes, you could, as far as the law goes. You were about to say something?

Andy 12:47

Yeah, I was just gonna say so like a super good friend of mine, he even under I'm almost positive that he was still on parole in Georgia. And he went to class and got a CDL. Just he was just doing that just as something to keep busy, and then converted over at the place that he works. And he's kind of like, he's like a day driver. He never spends the night, but he will get a travel permit to, he gets a monthly travel permit to go visit the immediate surrounding states. Even and now he's on probation still does that I know, I know, every state is going to have their own different rules. And even probation to probation is gonna have different rules. But he does it on supervision.

Larry 13:25

Well, I would say that that, like I say, the Federal the, I'm not aware of anything and federal law, that that would preclude you from driving cross country. Now, there's the recommendation to the states that have that a person who's going to be gone from their home more than seven days, seven days or more that that they should file that in advance before leaving. But that's the recommendation it is not binding, it's it's one of those things that they would like you to do to be to be considered and deemed substantially compliant. But if, if Kentucky doesn't have that in their statutory sex offender registration requirement, then you're not obligated to do that. Because that's where you would file your travel plan would be with your local registry office if it was required. But that's not a prohibition against leaving and being gone from your base it's just simply a notification which makes it very difficult if you're doing if you're picking up loads and you need to give seven days' notice before, I can just imagine having not been in the truck driving business I can imagine that they would not be able to wait around for you to decide if you're going to take that load or not do that haul. And I would imagine it would make it very difficult for you. But it but it's not it's not against the law. But it would certainly encumber you quite a bit if you had to do had to do these itineraries before you left your state as a condition of registration. But if you're under supervision, I will absolutely positively guarantee you beyond all doubt if you're being supervised for sexual offense in my state, you would not be

allowed to drive a commercial vehicle because they would not give you that permission to roam the countryside. So, it wouldn't, it wouldn't happen here. So what Kentucky will allow him to do as a supervised offender may vary from supervision agency in Kentucky. It may vary from each county or each district as you go across the state, but here, it just wouldn't fly, they would tell you find other job is what they would do.

Andy 15:29

But you know, and then to be fair, some states have incredibly long supervision periods. And it seems that New Mexico being more strict on the supervision end, but it's not nearly as long, it seems?

Larry 15:41

Well, we have, for a certain list of our sexual offenses, we have indeterminate supervision, it could be five to 20, or five to life. So yes, you could be under supervision. That's not the entire universe of sex offenses, but it's a significant number of them. And you could you could be under supervision for a long period of time, if you don't get relieved after five years. Now, the lawyers tell the people to induce the plea, now we're going off onto a tangent here, but the lawyers tell people, you'll get off after five years. Any lawyer that tells that ought to have his license revoked, because that is not necessarily the case. You're eligible to request relief after five years, but there's a significant number, there are a significant number of people who are not granted that relief, and they continue to be supervised after five years. Therefore, it should be a representation that you might get off after five years, but "Oh, you'll be done in five years," That's just simply not the case.

Andy 16:37

Okay. All right. And then over to the "I hate Larry letter." I've been reading the NARSOL digest for years and find the information to be helpful overall, I would appreciate if you could explain something to me about interstate transfer of probation. I've read columns written by Larry and him seems to go out of his way to confuse people, rather than answering a simple question in terms we can all understand. Larry, we need you to dumb it down, please. I will be leaving prison in 2022 having served my entire period of incarceration, unfortunately, I have a 10 year period of probation. At the time I was sentenced, I was told I would be required to register here in Minnesota for 10 years. Upon my release, I plan to move to Florida to be with my family and want to know what my obligations will be in Florida. Okay, Larry, in 10 words or less, tell us what the obligations would be in Florida.

Larry 17:34

It would be to do what they tell you.

Andy 17:37

And they can do it until they're told to stop. Right?

Larry 17:42

So when you said 10 words or less, isn't that less than 10 words? Their obligations are to do what they tell you.

Andy 17:49

And with your expert editing skills, we you kind of deciphered it out of the letter. Here are some points that we can talk around says:

*Listener Question*

My caseworker here told me that they may not permit me to leave Minnesota and Florida may not accept me, can they interfere with my right to live where I choose? Dammit, I have my constitutional rights, I can pick up and set up tent wherever I want.

Larry 18:11

Well, unfortunately, that's a mythical right that you have, that you believe you have, while you're being punished, that does not exist. It would be a privilege to be granted to allow you to leave Minnesota, if they so choose to allow you that that privilege, then they can forward your application. But there's a process of applying to have your supervision be done and carried out under the direction of Florida authorities. And they would they would submit that application through a process interstate compact for adult offender supervision. But you don't have a right to leave Minnesota while you're serving your time, while you're doing, you're paying your debt to society. Therefore, that that's an imaginary right that you don't have. Now, I would say that if you have a better support system in Florida, than you have in Minnesota, perhaps it would be the best better interest of society at large, that you'd be allowed to be where your support is. But that's taking out the collective good into account rather than the individual good. And society would probably be better off arguably if you are if you're living more you have more support than you would have if you have no support in Minnesota, but that is not a right. So the answer is can they stop you from living where you choose while you're being punished? They absolutely can stop you from living where you choose. They can even stop you from living where you choose in Minnesota.

Andy 19:43

Definitely and I you know you don't have the question listed here and maybe we will cover kind of on the on the back end of it. But where do you think would be a better place to live Minnesota or Florida just as far as PFR rules go?

Larry 19:57

Well, if you if you took out the support structure, see well ee don't know it. And I'm not criticizing the questions because they don't know what we really want to know. What we don't know, is if he got picked up on some Internet sting and he has no connections to Minnesota whatsoever, and therefore, he would be lost if he has to serve his supervision in Minnesota. Not knowing that, it makes it more difficult. But but he's he's, if he's if he if all things were equal, without that consideration, I would, I would tell you emphatically even with the harsh winters and Minnesota, you would be better off if you could find a way to stay in Minnesota versus going to Florida. Florida has far more harsh conditions they impose locally. And they have they are, they're prone to impose conditions on you that were not in your, in your, what you expected for your supervision in Minnesota. So that that is, my choice would be if I could tolerate the winters and I could support myself I would I would stay in Minnesota if I had the choice between that and Florida.

Andy 21:07

As far as states go, it's pretty close to the worstest-er-ish [worse].

Larry 21:12

I gotta see how the translation... could you pronounce that one more time for the for the transcriber?

Andy 21:20

Worstest-er-ish-ly.

Larry 21:22

Alrighty. We'll see how that comes out.

Andy 21:25

I think I changed it, but that's fine. Okay, and will I have to serve the full 10 years of probation? Or can it be less? That's got to be that's got to be a yes. But that's just if they want to?

Larry 21:36

Yeah, and this is a great question, because most states do have a process by which probation can be ended early. And we're taking it at face value that he's talking about probation and not parole, but probation usually can be lessened by an order of the court. It can be modified to a lesser time. But what he may be thinking is whether he can file something in Florida to do that. And the answer would be no, if he successfully goes to Florida, any modification of that term of probation will have to be done by the court in Minnesota that imposed it. Florida cannot reduce that term of probation, and no other state can. So, the state that imposes the supervision is the only state that can change the duration of the supervision. So, it could be less if Minnesota has a process, and they probably do. But it would have to be a petition filed in the Court in Minnesota and they would have to grant that petition.

Andy 22:41

And then Oh, boy, I can just hear all of chat saying this when I ask this question, they're gonna say it in unison says, How long will I have to register in Florida? 1...2...3... Forever.

Larry 22:51

Well, and see there is where the 10 years in Minnesota that that he was told at the time, and I didn't do a lot of research to know if it's still the case in Minnesota 10 years, and based at the time of the of the.... they admonished him and apprised him of the 10-year obligation. But that was only if he's registering in Minnesota. Because as I say, so many times and I get at least one email every time I say this registration is a civil regulatory scheme. That's not a part of your punishment. It would be like the vehicle registration analogy that people have heard so many times. So if he keeps his vessel, being the vessel is himself in Minnesota, he will, his vessel will register pursuant to Minnesota law. If he removes that vessel from Minnesota, and takes that vessel to Florida, the vessel being himself, he will have to comply with the duration of Florida registration requirements and the frequency and all the obligations in terms of what Florida requires registrants to do. So, I could assure you that he would be far better off under the last time I looked at Minnesota law, if he stayed in Minnesota for registration purposes, but Florida will be in control of that, because that is the civil regulatory component. That's not his punishment.

Andy 24:15

Gotcha. And then finally, which you sort of cover part of it, but can Florida change my conditions of probation and impose any fines and costs on me that were not imposed in Minnesota?

Larry 24:26

Well, I should have made that two questions because it is two separate issues. It's actually three issues. Can they impose any conditions...

Andy 24:38

Can they change the conditions, yes. I don't think they can impose fines, though can they?

Larry 24:42

They cannot impose fines, but they can impose costs. So (Andy: like a probation fee or something of that sort?) Supervision fees or anything related to if he has to do treatment in Florida, they would, he would have to pay those costs. And I can just I guarantee you he'd have to do treatment in Florida because the treatment industrial complex doesn't take kindly to people that are not in treatment. But can they change my conditions of probation? Well, I'll try to be clear. Those conditions that Minnesota impose, they follow you. So the the originating states conditions follow you. Can they impose additional conditions? Yes. The treaty between the states, which is the interstate compact, an agreement between states is called a compact, the interstate compact gives the states that prerogative, and when you file your application, you will sign a document saying that you agree, if you're given the privilege to move to Florida, that you will abide by any additional special conditions, as they call them, that they impose on you. And the receiving state being Florida in this case, they will be able to put conditions consistent with how they supervise people with a similar offense. So therefore, if Minnesota wouldn't have had a curfew, and Florida does have curfews for similarly convicted people, a curfew will attach to you in Florida even though you didn't have one in Minnesota. And since he's never been on supervision, we don't know what all these conditions would be because he never got to sign, never will get to sign those papers, if he goes straight from prison to Florida, but, but the conditions of probation can be altered. But remember, your originating conditions follow you, you don't get to escape those. So if you're in a harsh state, and they've put a bunch of conditions on you, those go with you unless they're not enforceable by law in that state. And there would be some things by by I think I've given this example, before technology, the early days of GPS monitoring, all states didn't have GPS monitoring. So, you'd have a state that was there was in the early days of the tech revolution using GPS, and they were sending people to states where they didn't have GPS monitoring. And the sending state would have to have to remove that condition, or they would decline that supervision, they would say we can't enforce that condition here. We don't have that technology. And you either remove it or we can't take your offender. And if there's been a court ruling saying that there's something that's not enforceable... a residency restriction like the, you're judge might have said in the condition in your sentence that you can't be within 1000 feet of a list of things. If there's an adverse court decision in that state saying that, that that those conditions that those are unconstitutional, they would, they would notify the sending states

that we cannot enforce this. And then the sending state has to either remove those conditions or you don't go, but but the conditions never get less when you when you transfer because the original conditions go with you. Now, when I say that they never get less, realistically, often they do. Because you get you go from a really harsh state, to a state that takes a more pragmatic, reasonable approach. Even though those conditions are on your order, they don't rigorously enforce them. They say, that's crazy, we're not gonna do that. And they gave you a little bit of slack. But as far as officially those conditions go with you.

Andy 28:08

It would be hard for a supervising officer to like, have this like, Okay, well, here's my boilerplate one, and I have 100 people like this, and then I have these 10 ones that I have to apply these special rules to, that would be very challenging for them to keep up with too so they would just sort of try to average it out and figure out where you can just fit in as much as possible without any extra stuff.

Larry 28:27

That is correct. And when they get to know you and you're and you're deemed compliant, generally states relax conditions anyway, as you go through a period of continuous compliance, you get more and more freedom from the POs. That even happens here, you get you get a little bit lesser frequency on your, on your home visits and on your in-office visits, which have been greatly reduced because of the pandemic. But can they impose any fines? Absolutely not. The state that convicted you find you if there were any fines, they cannot impose any restitution on you, per se. So if they find something you did particularly offensive, and that you harmed a victim, and there should have been a huge restitution order. They can't do that. That's all in the jurisdiction of the of the convicting state. So, fines and restitution, they can't do that. But they can impose supervision costs. If that state has a monthly supervision fee, they can impose that fee on you and they likely will do that.

Andy 29:34

And just to like make some clarity, so you got sentenced to 10 years, whatever, I don't care and but they also sentenced you to, I don't know some sort of \$25,000 fine, and you've dealt with that. Then you transfer to another state. They can't say oh well you owe us another 10 grand, that would be a fine and they cannot do that. That would be like them extending your sentence past the the your original contract with the state from your original sentence.

Larry 30:00

Correct. Now that they can monitor the collection of that fine, and they will do that, if you have, if you have a fine schedule, you know a payment schedule that is set up for you and you're supposed to pay \$100 a month in fines and you don't pay that... you don't usually pay it to the state that's supervising you, you make arrangements to remit that to the state where the fine is owed. And, and if you get out of compliance with that, they'll notify the state and it could it could form the basis for a revocation but, but the fine is not collected and not it doesn't benefit the state that supervises you. That's not their money, the restitution is not their money. That's something that that they act as an agent. And they may say you need to bring me a check stub saying you've paid this \$55 a month, each month that you've sent this to the

authorities of Minnesota. And if you can't produce that documentation, they'll notify Minnesota that you didn't, that you didn't pay your fine, because that forms the basis for a revocation. And believe it or not, they want to get rid of you. it's not anything personal. But they do want to get rid of you. Because each one of you that they get rid of lessens their risk of something happening that they have to stand before the camera and explain. So if they can, if they can, now some officers are far more zealous than others. We've got a person here that makes it his mission to figure out a way to dump everybody back to the sending state, but to some degree, they would be happy to get rid of you. And it's not personal. It really isn't. It's just a statistical thing. If you've got 100 people you can dump out of your state, there's some level recidivism that went with those when you dump them.

Andy 31:46

Okay, anything else before we leave this one behind?

Larry 31:49

Well, I figured you would have a whole lot of new questions to add, because this is one thing, one thing that you really like to talk about.

Andy 31:56

The one question that I always end up getting tripped up over is if you're transferring your probation, and you have, you have the state level type of statute. So Georgia State level would be like the living restrictions, thousand foot kind of deal. But then for your probation supervision, there's the stupidest one on there, it says that you will not drive your car alone ever. Which one of those two things would follow me? Does the do the state ones drop off? Or do the supervision ones drop off moving to another state?

Larry 32:32

Well, they the the, the proximity restriction you're talking about that's in the state of Georgia registry law, that that that has nothing to do with you when you go when you leave Georgia. The registration requirement of Georgia is gone.

Andy 32:46

So, the only thing that would then carry over is going to be the supervision rules. And I don't want to go back over whether they will adhere to them or not in the receiving state, we'll just assume for the sake of argument that they do.

Larry 32:59

Well, well, that one would be one where I would think that a rational PO would look at that and say that's not enforceable. But now we can't presume they're all rational. And therefore, therefore, I would like to see someone challenge that in Georgia and have that have that stricken because it's really, really crappy language.

Andy 33:20

It's ridiculous, it's kind of an impossibility to be honest with you. And it is being challenged. That's just like the that's on the forefront of my brain because that is going to be challenged, the group in Georgia is working on that as we speak. But that just like that one is over the top kind of like scratching your head going what the hell were they thinking when they made that rule? You can't drive alone ever. Your probation officer says, Hey, I need you

to come into the office. Sorry, I can't get there. My mom is at work, and she can't ride with me. That's ridiculous

Larry 33:45

So, well get here the best way you can. Take Marta.

Andy 33:50

I know. And then and then they would say, Well, if you can't get here, then maybe we'll come get you with a little paddy wagon, and we'll put you in some cuffs and we'll send you somewhere where we can always get in touch with you.

Larry 33:58

Oh, that's what I would say. That's exactly what they would say

Andy 34:03

But so I use that, you know, I'm using like an extreme example. So like, the driving restriction thing would follow you. Again, I don't care what like they're not going to follow that one on the receiving end, but it would go with you.

Larry 34:15

It would be on the list of things that the PO would have when they did their initial intake review And they would say these are your conditions and they would roll their eyes if they're in a rational state. And they would, even in my state as horrible as we are on supervision, I think they would still roll their eyes here because that one is just an impossible thing. But, but they would look at that and say it's kind of not practical and I would I would consider it a typo. I would say there's no way that anybody would put this on paper.

Andy 34:47

And then the other side of the thousand foot thing if you move to a state that didn't have any sort of... well shoot, if you moved to Florida where they have, you know, if you move to like I guess it's like Dade County where it's like 2,500 foot restrictions.

Larry 34:58

2500. You would end up going from bad to worse.

Andy 35:02

Yeah, yeah. And and in in reverse. If you went from the Florida State with 2,500, not all Florida is that way, but then you move to Georgia, then you would actually be gaining because you would, uh, you would go from having a harder restriction down to 1000 feet. So, you'd be like, yay, I can live more places

Larry 35:20

For registration purposes. But now, if there was a specific order in your condition in your probation sometimes, sometimes because of the uniqueness of your offense, the judge will tighten the limitations further of where you can and can't be in the conditions of supervision.

Andy 35:37

And that becomes part of your contract, that becomes part of like the statutes that you must follow. These aren't optional things. This is almost like the state law now says that you have these extra restrictions?

Larry 35:47

Well, it would be, not really the state law. But it's, it's, it's a condition that carries the potential of, of, of a sanction if you don't comply with it. So, if you if you're told that you can't be in an establishment that serves alcohol, even though alcohol is legal and you patronize the establishment that serves alcohol, that could result in serious, serious consequences to you, because that was a condition. Generally, our state takes the attitude that nobody under supervision should ever be in a bar. I think that's ridiculous. But that's the way it is. But in some cases, it may be unique to your offense where the judge may even before it ever gets to probation, I'm giving you five years' probation, and you will not patronize any place that's primary business is to serve alcohol. And you know, there's restaurants where you would be able to eat because there's a lot of places where you have casual dining where they serve alcohol, but if it's their primary purpose, you can't, you can't you can't go.

Andy 36:51

It's not gonna restrict you from going to Applebee's, it's going to restrict you from going to DJs Bar and Grill perhaps.

Larry 36:56

Perhaps, but But uh, so you got to be careful for where that condition comes from. If it's Georgia's registry law, that doesn't go with you. But if it's like a specific condition of your supervision that was that was put into a document that you signed, then it becomes more enforceable to the other state. But the other state may not be able to enforce it, because they may have a court case that says we can't restrict where people live. And, and they may say, we can't enforce it, and they would tell Georgia, sorry, we're not going to enforce that.

Andy 37:26

And then Georgia could say, well, sorry, you're not moving there, we're not gonna approve this whole transfer.

Larry 37:30

that is exactly what they could do. I would not do that. Because, again, statistically, folks, I don't mean to sound harsh about this. But you're playing a numbers game with this. And since the public, the public backlash is so high, is so shrill, if something goes wrong, you want to get rid of just as many as you can. And you want to keep out just as many as you can. So therefore, you would want the person to transfer, and you would want as many as possible to transfer out as you could possibly get out of your state. Because that reduces the liability to you. And you would want to keep out as many as you possibly can from coming into your state. That's just the reality of arithmetic. I mean, I know, people roll their eyes when I say that, but that's just the reality of the math.

Andy 38:22

The only other thing that I think we should probably dig around just for a few minutes, and I believe that you have a little bit of experience with interstate compact stuff about the actual process of transferring, how long does it take? What sort of process does it go through, I think you have a little bit of expertise in this area.

Larry 38:37

I do and the states are allowed 45 days to respond to an application. And some states charge a fee to submit to another

state and I didn't check that either. We've gone through that list. And I could if that's if that's necessary information, I should put that into the next interstate compact question. But the application could cost you anywhere from 50 to like \$200 to try to get approval to another state. And they have 45 days to investigate to propose residents and people are going to be living with and respond back to the, to the request from the state that sent the application saying we will take that offender, we will approve this residential planner we will not and so you're looking at a month and a half.

Andy 39:23

And you could I know from trying to do this, that you need to have an address on the other side before you start the process. And, you know, you have to pre plan like you know, somebody's living there. You know, someone looks like they're living there. So that when they do go visit, you're gonna meet the different requirements, like it's not an easy thing to go through and then they can just turn around and go, Nope, sorry. And you're kicked to the curb and you're just done. So, if this person is trying to move to Florida where they at least have the thousand foot and for you know, heaven forbid that he's actually in a in an area where they have the 25 hundred foot. I don't know if Minnesota has living restrictions, but you could be 2500 feet, man, there's no place it's going to not be within 2500 feet, church, school playground, daycare, those kind of things. Your everyone is going to live within 2500 you know radius of that kind of property, it's crazy.

Larry 40:20

That particular county, Miami Dade does really render the bulk of the county off limits to people that are on the registry. They get slivers of industrial zones, where there are no houses and there's places under bridges, but it really makes it difficult.

Andy 40:39

All right, let's move on. You ready for that? Moving on?

Larry 40:43

Let's do it.

Andy 40:45

Okay, and we were gonna play, Super Patron Mike sent in a voicemail, and it was pretty long. And I think we can summarize it talking about, you know, Larry says on the podcast frequently about putting that hand on that Bible And this is if you were of a different faith or a non-faith, could you... his questions were about, It would mean nothing to me as a non-believer person to put my hand on the Bible and swear to something that I do not believe in. Don't send me hate mail for not believing what you believe that's not what this is about. But the book doesn't mean anything to me, so would I be able to request some sort of alternate Bible for a non-believer type, and that could then apply to Muslims or Buddhists or Hindus? Can they can they put their hand on their text of choice to, you know, uphold the law and truth and all that stuff?

Larry 41:44

In most instances, they can they, they swear or affirm under penalty of perjury, and the Bible has become less of something that you put your hand on. And I do that a little tongue in cheek

when I do that hand on the Bible. Part of what we do here is try to make people laugh and giggle a little bit. And when I do that, I'm kind of poking fun at folks who... he could just as easily say, and this is poking fun, I think most recently, Sheriff Long in Butts County, Georgia, that said that he was gonna do his job because he put his hand on the Bible. And he could just as easily say, I took an oath of office. And I believe that I'm carrying out the duties of that office, but he but he interjects the religion in it. And I have a little bit of a problem with people who do that, because frequently my life experience has shown me that when they have to wear their religion on their sleeve, or their patriotism would be another example when they talk about how patriotic they are. Sometimes you dig a little deeper, you see their patriotism is very shallow. And I wish that he would just not bring the Bible into it when he says I'm doing my job because I put my hand on the Bible. And that that's what I'm doing. But lots of times when I say that, I've never actually heard the person say it. In the case of Sheriff Long, I think I did hear him say in one of the news clips, that saw poke fun of the people who say that, and I put a little emphasis on the Bible. But but it's really because I don't think that it's really appropriate for them to say that it's because of the Bible, you're doing this. The Bible, to the extent that I understand it, preaches a lot of forgiveness, and redemption. And it doesn't sound like to me that Sheriff Long has got that message. He's not he's not practicing what I understand the Bible, as I understand it anyway.

Andy 43:34

For some clarity, Super Patron, Mike in Florida is an incredibly forgiving, generous human being. And we speak frequently, and conversations of religion come up between us quite regularly. Again, I know that this isn't a podcast about that. But this is a podcast about the criminal justice system, specifically PFR kind of issues, and how overwhelmingly burdensome the disabilities and restraints to use your terms, how much that imposes a problem for our people and us being... the people that are putting their hand on the Bible, if you believe the words in the text of being a forgiving kind of person, we are in the exact opposite direction of that. And so yeah, I totally understand later that you are poking fun when you say it and to me, that's why you're doing it and it may be perhaps offensive to some. And I would probably understand why they might find that offensive. But I wouldn't tell you to stop because I don't, I know that you're just being funny about it.

Larry 44:33

Well, that is that is true, but I have to be sensitive to that. But he has to also understand that. I would hope that he calls out these people from time to time and challenges them on their intellectual honesty. If you're gonna bring the Bible into the conversation and profess all these beliefs, then he needs to he needs to call them out and say, well, let's be make sure we're practicing this because if you're going to tell me that I need to live my life, and you're going to preach to me, then I think I get to challenge you a little bit in return. And the deprivation of food assistance by what was the guy's name in Louisiana, we've talked about the senator, that that's no longer in the Senate. I can't believe that anybody that would profess to be a Christian would deny food and nutrition assistance to someone because of a mistake that they've made in their life. (Andy: Yep.) Okay, so I want you to call those people out when they when they if they're gonna bring the Bible into it, when Sheriff Long brings the Bible into it, I'd like acquaintances of sheriff

Long to say that, to question him say, well, Sheriff, isn't it true? Some of these people did these crimes decades ago, and they've paid their debt to society? Isn't it time we let them move on with their life? Isn't that what the Bible is all about? Call him out on that, remind him of what the Bible actually does stand for.

Andy 46:05

I agree. Ready to be a part of Registry Matters? Get links at [registrymatters.co](http://registrymatters.co) If you need to be discreet about it, contact them by email [registrymatterscast@gmail.com](mailto:registrymatterscast@gmail.com) You can call or text a ransom message to (747)227-4477. Wanna a support Registry Matters on a monthly basis? Head to [patreon.com/registrymatters](https://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. All right, we should then move on. And you said this one was going to be quick. But this first one comes from the Marshall project, should prisoners have to pay for medical care during a pandemic? Larry, this one always kind of conflicts me because you will end up with I think the term is super utilizers. If you don't charge them some kind of copay, then they're going to use go into medical call as as a farce to get a dorm to go walk around go, you know, do things but if you hit them with a some kind of charge, then they won't go do that. But how should that be different during a pandemic?

Larry 47:30

Well, I would think it would be different because we would want as much medical attention as possible. So, we can isolate and try to prevent chains of transmission from affected individuals. If you're going to have to pay a fee to find out if you're infected. That's one component of it. Then if you're going to be punished harshly for having the virus, it seems like to me that we would increase the odds of transmission because no one would want to be tested, right?

Andy 47:58

Yes.

Larry 48:00

Well then that would not be good for the institution's residents or its staff, would it?

Andy 48:05

No, not at all.

Larry 48:06

So I think that we ought to take that into consideration. And I, and I understand your point, the about the overutilization. There was a deputy I knew in Clayton County, Georgia 40 years ago, that he was so... the county jail held held approximately 100 inmates at that time and and he would pull sick call meeting, have people get out of their cells and go to line up to see the doctor. And you have 100 people in jail and he'd look at the list, we got 31 people on sick call today. And he would find that very frustrating. He couldn't figure how 31 people could be sick. You know, he thought it was a farce. So, they had they had these telephone booths. Now those of you that are younger, you may not be able to relate to a telephone booth. But there were booths that people would actually go into to use a phone and jails had telephone rooms where there'd be a

wall of phones and there would be a larger room but they would let people go make calls in the telephone room using the old-fashioned pay telephones. He would put people when he had a large number of sick calls, he would put them in the phone booth and they would be literally squeezed like sardines standing in the area. And you'd be amazed how many people when Rose, his name was deputy Rose, when deputy Rose was on duty, they magically removed their name from sick call. Because he was going to pull them two hours before sick call and have them stand in a cramped phone booth for two hours to see the doctor. Now, just for the icing on the cake in the story, his wife shot him.

Andy 49:53  
Poetic justice.

Larry 49:55  
The rumor was that he was abusive and he ultimately got shot. And I have no way of independently verifying if she was being truthful, but my recollection is that she wasn't convicted, or even charged with his demise, but he was apparently a kind of a harsh guy to deal with.

Andy 50:20  
Okay, now, so and Carl in chat says maybe we should just not charge them for COVID-19 related things. I mean, I guess that's fair. But you wouldn't know when you say I have lost my sense of taste. And I have 112 fever, that it is COVID related.

Larry 50:34  
I wouldn't think you would know that. Thankfully, I don't think I've had it yet. If I have, I'm not aware of any symptoms. But I would, I would think that that you wouldn't know until you did the test. If they were if they were ill, because some of the symptoms are very similar to other influenza-type, we wouldn't know, would we?

Andy 50:52  
I don't, I don't know. You're not going to know off the bat other than knowing that you have XYZ symptoms, and they're similar to flu-like symptoms. And then you go get tested and you test positive for like, yeah, you wouldn't know going in, I guess they you know, they charge you up front, and then give you a refund on the back. The prison system is really good with accounting, especially when it's not in your favor.

Larry 51:14  
I've noticed that with the newsletter publication, they seem to they seem to be very good with accounting. We get lists of everything and it's down to the penny.

Andy 51:23  
Yes. Okay. And then we will move on to a couple companion articles. This one's from KQED, criminal justice reformers clock big wins in the California. What they do in Cali man?

Larry 51:36  
Well, I didn't understand everything. But it's a good thing. The law enforcement apparatus had had a movement on the ballot, it went down to a crushing defeat. And that's, that's always amazing when you can, when you can overcome the scare tactics that they use, and actually have the public vote down. And this article said

that they that the citizens were smart enough to see right through it. And so that that's fantastic.

Andy 52:05  
We talked about this ballot initiative that they do have in California, this allows for something close to true democracy where they put you know, the know, the felony jaywalking on the ballot and the people vote for it. It's not representative, it's where you get to vote for this to be up or down. And I guess kind of like the Florida Fourth Amendment thing that they voted for to let felons vote again that they did in '18. The citizens of California said, we don't want all this big, bad prison stuff.

Larry 52:35  
So well, the proposition 20 is the one that went down. And that was, it would have made it easier to put some people in jail for theft, while making it harder for thousands of state prisoners to qualify for parole consideration. And it wasn't even close according to Kate Chatfield, policy director at the pro-reform justice collaborative. Like I say when you can beat the law enforcement apparatus, that is just fantastic.

Andy 53:04  
They do run some really harsh advertisements saying that these terrible things and the people are going to be breaking into your house, and they're going to be robbing and stealing and pillaging and all that.

Larry 53:12  
Yep. It said that proposition 20 lost in 50 of the state's 58 counties. So and including some reliably Republican, they use the term red ones, but I don't really like that red and blue things so much. But in the more conservative counties, it still lost, that's a good thing.

Andy 53:35  
Sure. And there's a companion article from The Nation titled California chooses criminal justice reform. Well, cool. You gotta love that. I'm pretty sure that's a blue state. They're pretty pretty heavily blue.

Larry 53:46  
Well, it is. But that's why, that's why you shouldn't move there. Because even though they're doing the right on the criminal justice, you got to look at the bigger picture Andy. You got to look at more important issues.

Andy 53:57  
So not just some single-issue thing?

Larry 53:58  
Right, right. You got it. You got to look at that. And that's what they tell me. We don't look at the big picture. They think that only they look at the big picture.

Andy 54:08  
Raiders fan in chat says I think it makes sense. Once you walk out of the walls of the facility, you get your right to vote back, which not all states... wait there's one state that's still holding out that you have no chance or did that one get removed with Florida? I can't remember if that was the final holdout or is there another one.

Larry 54:27

I think there might be one more. I think it might be Nebraska? I'm not sure, yeah.

Andy 54:32

But all the other states at least have some sort of path. And some states like you know, Vermont's you can still vote while you're incarcerated. And then other places just varying degrees where you'll automatically get it back when you're finished with your supervision, sometimes you'll have to petition.

Larry 54:48

Theoretically, while you're awaiting trial, and you're not a convicted felon, the hundreds of thousands of people that are sitting in jail, theoretically could vote. Now no one ever does because they don't set up polling places in most correctional facilities. I think there's one or two in the large ones, I think we talked about Cook County in Chicago that was setting up a polling place. But most people don't know. And then trying to make arrangements to apply for an absentee ballot is difficult when you're trying to use, I mean, try to get the county clerk on your phone list so you can make a phone call to the county clerk, and request an absentee ballot application and give them the ballot to the jail so you can mail that application back, so you can receive the ballot vote. Try doing all that from a county jail, tell me how that goes for you.

Andy 55:33

Along with all of your other woes, you're probably not going to be worried about voting that much either.

Larry 55:37

So hundreds of thousands of people that are pretrial are disenfranchised, that are by law, permitted to vote but the practical matter is they're not allowed to vote.

Andy 55:50

And okay, so moving over to an article that is incredibly long from courthouse news, after 36 years an experiment in private prisons comes to an end in Tennessee. Larry, I really dislike private prisons a lot. I think that it is, if there is something that corporations are going to do poorly when dealing with human beings, prison is that, where they're going to optimize themselves for profit, which of course, that's what a company should be doing. I accept that part. But when dealing with people that have no resources, very limited resources, everything can go to poop in a handbasket while they're taking care of human beings, and you know, there's mold on the walls or food gets shorted and your healthcare gets shorted. So, I'm very happy to see them shutting this down, at least in one state or in one county.

Larry 56:43

Well, but see now that would be your reaction if you didn't read the article. But it's actually in this particular case, it's the core civic, the prison operator who's pulling the plug, they're pulling the plug, because... go ahead.

Andy 56:58

They want to have that, they want to force them to make upgrades and changes.

Larry 57:02

Yeah, I was gonna say they've milked this for 36 years. And now there's a significant amount of deferred maintenance. And there's a discussion about who should be responsible for that. And also due to efforts to, to contain the pandemic, the population numbers have dropped it at the facility, this is called Silverdale. It's at Chattanooga, and they are able to consolidate these, they're gonna consolidate the Silverdale with their downtown jail, they're gonna operate just this one facility after the county takes it over. But they pulled out after they had been running it for three and a half decades. And now the debate is about all the deferred maintenance. But you don't think Andy a private company would try to maximize profits at the expense of providing good quality services, do you?

Andy 57:52

They, they absolutely 100% would.

Larry 57:56

Noooo, I mean I can't believe that you would even suggest or imply that. Private companies would never, never do such a thing. They're all about the interest of society. Profits have nothing to do with it.

Andy 58:16

I don't know, I don't necessarily even begrudge a company for having that motive. I know you're playing fun, but I just like their interest is to return profits to the shareholders. Like Okay, so if they can, you know, pinch a penny here, they can reduce some HR costs there, they can then treat the PFR the inmates worse. Like, I mean, it seems like that's what they would do. That's what we want corporations to do because they can run things more efficiently than the government can every day of the week. Right, Paul?

Larry 58:44

Of course they can.

Andy 58:44

He's in chat. I know, I know. He's gonna like blow a gasket by me saying that because he thinks corporations should do everything.

Larry 58:51

Well, well, it's one of those things where the company pulled out. I don't think we can, we can see a trend for it. But the trend might develop with this new presidential administration, because the previous administration had announced an intent to end contracts on the federal level with private operators, and that was reversed by the Trump administration. Now, when the Trump administration, if it does leave, I mean, this is all up in the air because the election is still being decided. And I don't want to do any pontification about anything related to the election. But if there is a new administration on January 20, that could be a policy that they could reverse back to what it would be what they had had previously in the Obama-Biden administration, which was to decrease the reliance on private prisons. But in this particular instance, it wasn't a governmental decision. It was the operator's decision that they didn't want to be there any longer because the revenues had declined precipitously with the

population decline and the deferred maintenance and it's just not a profitable endeavor for them any longer.

Andy 1:00:01

It's almost like you get a loan and there's a balloon payment. So you just you just pay a low amount for the first 10 or 20 years, and then all of a sudden, there's this big fat payment and like, oh, wow, man, nevermind, we don't want that anymore. So they milked all that, or maybe even like a hedge fund where they go, and they just milk all of the money out of the thing. And then they dump it.

Larry 1:00:18

so well, been in this business for as long as I have, it's rare that I encounter someone who prefers a private prison. I think I've run into a handful, and usually it has to do with commissary. They maximize profits by having greater options of commissary. But as far as programming, and staff competency, and the other thing is air conditioning, a lot of the private facilities are air conditioned. You have the state systems like in Texas where "I ain't gonna provide those people no air conditioning. This ain't the Holiday Inn, for God's sakes." Florida does the same thing. And the private companies, I've had compliments about the ventilation being better and and the commissary options, but in terms of programming, I don't think I've ever had anybody tell me that they were that they were enamored by the programming of a private prison operator.

Andy 1:01:13

Private in Georgia is in my experience better than state by a longshot on all avenues

Larry 1:01:19

On programming, on, on....?

Andy 1:01:22

Yes. So programming and stuff like that, yes.

Larry 1:01:25

So well then I have heard someone say it, but you're the first.

Andy 1:01:30

they kept the place air conditioned to 50 degrees to keep you very docile and like frozen and covered up by a blanket all day. Food was better, and you know, electrical classes, CDL class, all that stuff. They didn't have any of that stuff at state level stuff.

Larry 1:01:44

Well, aren't you contradicting yourself? If you're saying that the private prisons were better, And you're saying that you disagree with private prison systems, isn't that somewhat of a contradiction?

Andy 1:01:53

I, yes but no, because I think that if... I didn't say that they had those programs. But I know that they're doing that because they then get money from the state and federal government for having the program's. They're not doing it because they think that you need to have these things so you can be better on the other side of it. They're doing it all based on a revenue model where they,

Hey, we have more stuff for the commissary, that means we can make more money.

Larry 1:02:19

Well, I said that about the commissary, but I was asking you about programming. Did they have better quality staffing? (Andy: Yes.) Did they have they have more case management? (Andy: Yes.) Did they have more educational?

Andy 1:02:28

Well, you mean that stuff? They had more educational stuff. I don't know about case managers. None of that. I don't know if they did any of that stuff, but they had more classes that you could take.

Larry 1:02:37

So well then like say you should be a big proponent of private prisons.

Andy 1:02:41

Negative Ghost rider. Not happening? No, I don't, because of what the model is, they should put those programs in on on all of them as far as getting people prepared to get out. And that should be under the burden of the citizens to make sure that that bill gets footed because 95% or more of these people are going to get out and we don't want them to go back. That's not a sustainable model either.

Larry 1:03:04

So well, alrighty, then.

Andy 1:03:08

That's my take. And then we have an article from Seacoast Online. Maine officials proposed a doubling budget for agency charged with defending the poor. Is this an article that's talking something about public defender kind of people in the state of Maine?

Larry 1:03:25

Yes, and I can't believe that. I mean, we tried that here a few years ago, because the public defender offices had been so starved for funding because of our years after the '08, '09 recession, that we basically lived 10 years without any, any revenue increases, and things flatlined. And so when things started picking up, we asked for more money for the public defender and try to double it, but of course they didn't do that. But you got to start somewhere. So if things have been, if things have been underfunded for that long, you ask for a significant increase and you hope you hope for the best, but with this pandemic, it's gonna be it's gonna be amazing to me if they can come in with an increase because most state revenue projections are, according to the National Conference of state legislatures, they're all seeing declines in their revenue outlook. So I don't know how you could, I don't know how you could do this.

Andy 1:04:21

Huh? Um, I mean, does that mean that the citizens just have to up their tax bill to cover it? They were upping the amount of money. Something that stuck out to me, Larry, is that the last increase they got for the attorney, so they outsource this to, they don't have public defenders, they outsource it to private attorneys, and they got a raise of \$5 an hour in 2015 to bring them to 60 bucks an

hour, which is maybe a third or so what an attorney normally makes. So here they're going to up it to 100 bucks an hour, which so now you're only talking about half or you know something like a third of what they would normally make. Ah, that's funny.

Larry 1:04:58

So but that's a dramatic improvement and like they hope it goes through. But for the revenue, as bleak as the outlooks are, and I don't know, what their revenue model looks like in terms of in terms of where the bulk of their money comes from. Ours is severely significantly impacted by energy. But if that's a tourist state, I can imagine that that revenue stream would be off, wouldn't you think?

Andy 1:05:26

Sure, sure. Sure. Yeah. Yeah.

Larry 1:05:29

If, if their unemployment rate is high, I would imagine their state income tax would be down. So so, when you when you're trying to divvy up the revenue, because we could never increase taxes. I mean, that would be the end of all life as we know it, if we increase any taxes. (Andy: all life). Yes, everything would cease to exist if taxes went up. But when you, when you're looking at when you're looking at trying to divvy up a small revenue pot, defending people accused of crimes is just not very popular when you go out into the general audience of a town hall meeting and say, I tell you what I want to do. I want to make sure that we have ample and adequate representation for the people accused of crimes. Can I see a show of hands up how many people support me on this, see how many hands go up.

Andy 1:06:14

I was waiting for you to throw in a Bible in there. It just I heard that the twang coming in. I was expecting it.

Larry 1:06:21

Better not do that.

Andy 1:06:23

Right. And then moving on to another article. Oh, this one's great. This one's from the shadow proof. Oh, this article is written by Steve Yoder. And he has been a presenter at I guess it was like the 1'5 or '16 Atlanta conference, it was the first one that NARSOL did here. Really great writer about things. And this is one of those articles that we cover from time to time where the PFR compliance group, the sheriff's office and whatnot, they go around and do all kinds of checking in to make sure that you're living where you said you're supposed to be living. And are you living with the people you said you're living with? Is your car registered the right way? Are you home by curfew? And they go round up a bunch of people for almost like just like paperwork crimes. And it's an incredibly long article. But he's a very, very excellent writer, and like that he puts these things out from time to time.

Larry 1:07:16

Well, it's, what I took from it is he talks about how that, that these 10 Most Wanted, they don't seem to have any methodology of how they pick the 10 Most Wanted in Oklahoma City. I believe it was Oklahoma City, if I remember, right. (Andy: Correct. It is.) And I didn't have any methodology. But none of the 10 have

committed an offense, a new sex offense. So really what it is, is the luck of the draw. If if you go non-compliant, meaning that in particular homeless people are most likely to go non-compliant, because the requirements escalate exponentially if you're homeless, suddenly, the states have adopted that weekly reporting. Well, I hate to tell you, if you're homeless, you don't have any money to get to the office weekly. And you don't, if you if you don't live in an urban area, where they have public transportation, what are you to do?

Andy 1:08:17

I got, I got nothing, I got nothing on how somebody is supposed to live under these restrictions, and then also maintain the level of compliance. And if you're homeless that you have to go report every three days, seven days, something like that, now you have to go visit the man so much more often. I don't, it just seems to be set up that you are just you're going to end up failing. I don't see a way around that logic.

Larry 1:08:41

I am going to die fighting that. And it hasn't surfaced in many years here. But that proposal is the most idiotic thing that I have ever heard. To impose on someone who doesn't have the resources to comply. You're essentially creating a debtor's prison. Because they don't have the \$3, \$5, \$10 whatever it takes, I don't know how Uber works. If you're in the middle of the boonies, I don't know if they charge extra. But if you're homeless, you may not have a phone that has the capacity to get an Uber. You may not have the money in your account to get an Uber. But if you don't have the capacity to get to the office every seven days, you're non-compliant, then they're out looking for you with an arrest warrant. And so you compound the problem, you put the person in prison at an enormous expense because they didn't have any money. So that essentially became a debtor's prison didn't it? (Andy: Yes.) And people in Arkansas, let me pick on you a little bit. You were so proud of yourself when you passed a law few years ago, that the person required to register had to come in every seven days. And they said how it fixed the problem. I said no, it really didn't. And we're still arguing to this very day about it because they think they fixed the problem. They said well, the judges here are saying how that they're happy to have this. They don't have to send people prison, because they don't have an address. They never had to send them to prison to begin with. All they had to do was to find the Arkansas law unconstitutional because it said you had to provide an address. If you don't have one, they would say this is unconstitutional because you cannot you cannot provide what you do not have. Therefore, it's unconstitutional this component of as it applies to you as a homeless individual. And even the Georgia's court did that many years ago in the state. The case was *State vs. Santos*. And they, the Georgia court decided that if you don't have an address, you can't provide one, therefore, it's unconstitutional as applied to you. So rather than succumbing to a requirement that check in weekly, you should have challenged the constitutionality of the law that required a judge to send someone to prison, because the law was bogus. It was unconstitutional to start with. But now they have more people, I'm sure if you if you pull the stats in Arkansas, you have people that are serving time, because they didn't make their weekly trek to the office to register.

Andy 1:11:05

I think Larry, we should start to wrap things up. You want to get out of here in a handful of minutes. And so we can maybe shut down. Is there. Is there anything there on those last couple articles? I want to cover the last couple tabs that I have open before we shut out. Is that cool?

Larry 1:11:20

Well, we are recording on Saturday night and the president, designated as the president elect, the person designated as president elect is going to address the nation at 8:00 Eastern time. So, we were trying to shut down before that started, because otherwise I would be distracted.

Andy 1:11:39

Well, what I wanted to do is, I wanted to I found something quite disturbing over on the NARSOL Connections, a social media website that's being run by the NARSOL folks. And someone posted a picture that they saw someone in a pickup truck, and it says shoot your local PFR. Like so if you're in chat like you can actually see a picture of it or look at it on the YouTube side. It's frickin' amazing that people are driving around with shoot your local PFR.

Larry 1:12:05

What's the problem with that?

Andy 1:12:08

No, no, no problem at all. No problem at all. And then I guess let's so I wanted to highlight that we have a series of patrons who have been with us for a very long time and incredibly generous to us. And I wanted to make sure that we acknowledge them. And Larry, if you will go first go forward and read the first five.

Larry 1:12:26

So that would be Michael A., Horace, David, Hank, and Gerald.

Andy 1:12:37

And then lastly, we have Super Patron Mike, Veronica, Brian, Tom, and the all-time most bestest, and it's gonna take a lot for anybody to catch up to him is Justin and thank you all so very much. It is incredibly endearing and appreciated that people are so generous with us.

Larry 1:12:53

And then we had an increase in a patron amount so I guess in terms of making this person mad, apparently we didn't because they increased. Who was that?

Andy 1:13:04

Well, the name is Michael M., and I'm not 100% sure if he's a new one. And he came across just when we started recording as a new one. But he says he's an old one. So, I'm not really sure because our number went up by one but maybe, I don't know. Anyway, Michael, thank you very much. It's really appreciated. He's here in chat too. If you see him there, he's named Taz. He doesn't appear to be there anymore. But anyway, that's enough of that. Um, and then lastly, I started talking to one of your people, Larry, one of your New Mexico alumni kind of folks. And he says something about maybe like, purchasing merchandise. Like, you guys need a merchandise. And I said, Well, we already have a store. And he

went out and bought a shirt. So now he's running around. He's going to the gym and a hoodie that says Registry Matters on it. How about that?

Larry 1:13:48

Well, I bet it we've already picked up new patrons because of that.

Andy 1:13:53

That could be he said he's like riding his motorcycle he puts on his best Mel Gibson and what's the word Mad Max face and goes to the gym and works out with all the buff hot people and he's wearing his Registry Matters podcast shirt.

Larry 1:14:07

Now buff hot people. Can you elaborate on that just a tad bit so I understand what we're talking about here?

Andy 1:14:14

Um, no I'm going to end up trapping myself down a deep, deep dark hole if I do that, and I will avoid that as best I can.

Larry 1:14:23

Well alrighty then how do people contact us if they should have any questions they would like to put on our list which I really appreciate the quality of the questions that are coming.

Andy 1:14:34

They would absolutely go to Google and type in Registry Matters and you will find it or go straight over to registrymatters.co

Larry 1:14:43

or you could call (747)227-4477 and leave an old-fashioned voicemail, succinctly if you can

Andy 1:14:53

Or you could do it the way that yeah, no kidding. You can do it the way. Or you can do it the way Mike did and just press record on your phone and send me the .mp3 of the WAV file. That works too and it will sound significantly better. Doesn't sound like you put the little change in the thing and they like dial Tu, Tu Tu, Tu, Tu, Tu Tu, right. You remember those days?

Larry 1:15:10

I do I do I do. Now how's that gonna come across on transcription? Those sounds you're making.

Andy 1:15:17

Yeah I don't know, I'll have to look and see what Otter says.

Larry 1:15:21

Okie dokie.

Andy 1:15:22

And, and then you can send email over at registrymatterscast@gmail.com. And of course, our favorite way. And we highlighted our favorite people tonight is patreon.com/registrymatters. And, as always, Larry, anything else before we head out?

Larry 1:15:37

I think we've covered it. And I just would make a personal plea to everyone that that we are in a in a weeklong, almost weeklong of voting, vote counting. There are people who are who are very much hurt and disappointed. And there are people who are very happy. But we all should remember that we're Americans. And we all want what's best for the country. And all of us should pull together now because the voters have spoken. And we need to move forward to try to move this country in a positive direction. And just hoping that folks will not turn ugly over the outcome, whatever it turns out to be once the certifications are done. And there's a there's actually a real more formal announcement. Right now we have network predictions, but the states have to canvass and certify the results. And then it goes to the electoral college for a vote. But you know, the county is almost evenly divided. And there are people that are very, very heartbroken and they're people that are very happy right now. But we're all Americans.

Andy 1:16:40

Yep, that should be something we talk about for a Patreon extra coming up here shortly, I think Larry.

Larry 1:16:45

so, but let's let's just do the best to make our country as the best it can be.

Andy 1:16:52

Awesome. As always, Larry, thank you very much and I appreciate your time and expertise. And I will talk to you very soon.

Larry 1:16:59

Good night.

MacArthur Movie Clip 1:17:00

That is why I am here.

Andy 1:17:02

See, you didn't even... you missed your cue. You messed the whole thing up. We have start all the way back over an hour and a half ago. Goodnight Larry.

**You've been listening to FYP.**

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