



Registry Matters Podcast

Episode 158

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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 optimistic FYP Studios east and west, transmitting across the internet. This is Episode 158 of Registry Matters. Larry it is freezing cold Saturday night, and I hope it's warmer over there, but I bet it's not. How are you?

Larry 00:28

It's not much warmer, it's like I think the high today was gonna be like 42.

Andy 00:34

Oh okay and that goes and no humidity? Well, I guess it's actually better.

Larry 00:39

And then it's going to be 22-24 tonight for the average low and and then the the low varies according to what part of the city you're in because the lower elevations down in the valley, the cold just settles down and then it gets colder in the valley.

Andy 00:53

Right. And then it's that dry-cold, I don't know. I guess it's better than being humid-cold. If it gets cold in New Orleans, New Orleans where I used to live, man, it's murder because it just eats right through your clothes.

Larry 01:04

That's what I've heard.

Andy 01:06

All right. Well, let's let's do this real quick. Give us a quick little rundown on the late breaking news coming out of Michigan.

Larry 01:18

Well, there's a there's a legislative proposal that has landed on the governor's desk that is going to change some provisions of Michigan's sex offender registration act to bring the state in compliance with federal court orders. And we're going to be digging into that a little bit, a little bit, quite a bit later in the program.

Andy 01:44

Do I need to worry about playing the, do I need to play the negative such-a-curmdudgeon voicemail thing that we had last week?

Larry 01:53

Oh, I don't think so this is actually this is actually a positive news. But But yeah, we're gonna be taking a deeper dive into it. And this is from my point of view, good news. It's not as good as some would like, but it's certainly good news.

Andy 02:10

All right. Well, I will stop the news sounder part. And then what else do we have going on tonight?

Larry 02:17

We have we have three questions that have that have come to us by audio file. One question from prison, if you can read it, I had put a note on there that you might have trouble reading it. And that. So we got four questions. We got the deep dive on Michigan. And then we're going to be talking about Louisiana's petition to the Supreme Court regarding their loss in their own state Supreme Court. They're going to the US Supreme Court. And we've got a couple three articles to talk about if we have time.

Andy 02:48

Wow. Okay, so a mountain of content. Do you want to start with the voicemail messages?

Larry 02:53

Let's do it.

Andy 02:55

All right, this first one, the first two are from Jason, but here we go.

Jason (Voicemail) 03:01

This is Jason calling in from Michigan. I got a quick question about the 48-hour rule in Florida. My wife and I and my young son are thinking of trying a weekend getaway there. I know. I know. That's the worst place to go. But it is what it is. So, my question is, is that 48 hours, 48 business hours, or 48 hours like 24/Seven? Meaning do I only have Monday to Friday to do it. So I can maybe fly in Friday, leave Sunday and not have to worry about that. Any info would be great. Thank you. And

Andy 03:45

We'll thank you for doing the obligatory fyp part. I can imagine, Larry that some states would only do it like on business sort of days. But I just have a feeling that Florida's apparatus is set up in such a way that it is from the moment you cross this dateline, you have 48 hours.

Larry 04:04

He should understand that Florida has the largest fleet of hovercraft of any state. And they have they have sensors like what you remember seeing in the Star Trek episodes and they know when you're getting within proximity of Florida and they assign a craft just to you. So that's...

Andy 04:30

Hey, well, let's see do any food delivery. If you have a personal hovercraft, maybe they could do pick up some groceries for you.

Larry 04:38

I don't know if they'll do that type of service, but they will monitor you for the entire time you're in Florida and they know when you're approaching their airspace. And well, they have sensors.

Andy 04:52

Okay, but seriously though, so I know we joke about the hovercraft a lot. But seriously, is it from the time that you like touch down into Florida? Is that the time that you like take up

residency at a hotel or something like that? When does the 40 hours begin?

Larry 05:06

Well, I'm gonna punt on that one and tell him to call attorney Gil Schaffnit and ask that question since I'm not licensed to practice law, but I can tell you that in my research I did preparing for the podcast, I could not find in the statute a definition of how they measure that time. I did not do case law research to figure out if there's been any interpretation where the judges have had to had to draw their own conclusion of what 48 hours meant. But I take a little issue with the 48 hours because I don't read the statute the same way he does. And and, again, I am not an attorney. I am the person who provides the research to attorneys who asked me to tell them what the law means. And I go dig through it and I say, this is what it means. And here's why. But the attorney has to sign off on my opinion, because I'm not authorized to give it but when I'm looking at the statute, I don't see it that way. It defines the... in Florida statutes they refer you to the Florida sexual predators act for the for the definition of, of temporary and permanent residences. So you look at the sex offender registration act and it refers you to another place so I've got both in Dropbox, and we can, we can provide it to the listener. But but but they if you look on page one of the Florida statute 943.0435, it says permanent residents, temporary residence, or transient residents have the same meaning as provided in Section 775.21, which is in the Florida sexual predators act. And so when you go look at that, what it says is temporary residence means any place where the person abides, lodges, or resides including but not limited to vacation, business, or personal travel destinations in or out of the state for a period of three or more days in the aggregate during any calendar year, and which is not the person's permanent address and I'll stop there. But that seems to qualify for what he's describing. This would seem to be a temporary residence where the person abides or lodges or resides for a vacation or business or personal travel in the state of Florida. So three is more than 48. So that's what I'm reading in the statute and these statutes are current, as like I say I pulled them today. And so, I don't know where he's getting the 48 hours. Now, if you're moving to Florida for permanent status, it does say 48 hours. You've got 48 hours to comply with all the registry requirements if you're going to become a resident or a student or anything that triggers a continuous attachment to Florida. But I don't read it the same way in terms of a temporary visit. I'm sorry, that's just what I see.

Andy 08:13

I see. Okay, so let's backpedal. Just if you're moving to the state, you have to go report in within the 48 hours. If you are temporarily visiting, do you, are you, in your opinion, not legal, you, Larry, the private citizen visiting the wonderful state of Florida, you think it's three days?

Larry 08:34

Well I'm going off what the statute says. And it says what a temporary residence is. And it can't be any clearer to me that it's three or more days in the aggregate during any calendar year. And 48 is not three.

Andy 08:52

This is true. I got to agree with you that three is more than 48.

Larry 08:56

So therefore, it would be my non legal opinion that a temporary residence that did not, did not consume more than three days. Now I can't answer his question about whether the business or cumulative... it seems like since they don't address it, that that tie generate the rule of lenity, which means that that ambiguity is resolved in favor of the defendant. If I were defending the case, I would argue the rule of lenity Well, you know, obviously, everything's not open on business days, on non-business days. So therefore, this meant business days, and the tie goes to the runner. But clearly, on his point 48 hours is not what I see in the law. I see three days.

Andy 09:37

Interesting. I've always, always, always, always heard Florida is 48 hours.

Larry 09:44

because everybody reads it the same way you do. If you're, if you're forming a temporary attachment that's different than if you're, if you're forming a permanent attachment to Florida. If you're going to reside there or become a student or become an employee there there's one set of rules. But like I say, I'm just going by what the law says what a temporary residence means and what qualifies. And it doesn't seem to be a 48-hour requirement as far as I can see.

Andy 10:11

Okay, interesting. Well, those, those documents will be in the show notes if you want to go track those down. And those will be found at registrymatters.co and you can click on the specific show to get to the show notes. And you will find the PDFs that Larry has provided from there. And then Jason has yet another question. So we will go over that one.

Jason (Voicemail) 10:34

Hi, this is Jason again, from Michigan. I have a second question I wanted to add regarding the bill that's about to pass in Michigan, about the unconstitutionality of the offender registry per the paperwork, that part about 25 years, when they force us from 25 years to life, would be unconstitutional. And so anyone pre 2011 is supposed to be set back to their original 25 years. Nowhere in the new bill does it even so much as mention that. So they are ignoring that part, and not even mentioning it. My question, I guess, to Larry to use the legal guy, how can a bill like this pass when it doesn't meet all the federal judges unconstitutionality parts, and if they can pass without meeting all of the parts, doesn't just leave the state open to more and more lawsuits? Any information on this would also be greatly appreciated. Thanks guys, fyp.

Andy 11:54

Interesting, so he gets he gets roped into the 25-year registration, but then it got moved to life. And I think that's what he's asking.

Larry 12:02

That is what he's asking and and the the there was many questions buried in there. And the the, the one that I like the most is, how can they do it? Because they're allowed to do whatever they want to do. They're a legislative body. And the federal judge has no

control over what they legislate out of their chambers. They can legislate...

Andy 12:21

And because it's a civil regulatory scheme?

Larry 12:24

Well, let me let me finish this part first. (Andy: Okay.) They can legislate anything they want to. the federal court can only tell them afterwards if it can be enforced, and if it's constitutional, but there's in no way any limitation on there, they can they can litigate, that the sun goes down at four o'clock in the afternoon. Legislate that, not litigate, and they can they can do anything they want to. Courts cannot tell legislators, legislative bodies what they can and cannot do. And I can't say that emphatically enough, they can do their co equal branch of government, they can do whatever the heck they want to do. The only question becomes whether or not it's constitutional. I don't read the *Does* decision the same way he's reading it. I do. I've looked at it very carefully. I looked at it again, before the podcast. He's reading more into it than what they actually said. The language in the *Does* decision didn't say that they were so worried about the increase in the term of registration. What concerned them was the tiering, which this bill addresses. The tiering, because the public associates the tier levels with a level of dangerousness, because that's just the way the with limited knowledge people have about the registry, they've heard that that three is bad. You know, level three is bad. Well, a tier three is not the same thing as a level three. But that's what the public associate with so this legislation takes the tier designations off the registry, that's all the court said, if he can find where and I may have overlooked it in my skim read for preparation but I do not believe that there's anything in there that says you shall be restored to your original term of registration. That's, that's something that people wanted to see happen. Because when they did prior to the, to them passing their version of the Adam Walsh Act, the terms of registration, they didn't have a lifetime in Michigan. And some of the people that were planning to get off the registry, all of a sudden found themselves in a tier three category, which means they're lifetime. And of course who would want lifetime when they had 20 years or 25, whichever it was I get it confused. But they had a period where there was they had hope of being off the registry. And now all of a sudden this fixed, it takes their tier designation off, which is what the public was told about them without due process that you're dangerous, your a level three, but the registration terms are not changing as a result of this legislation. Does it open the door to more litigation? Absolutely. It does. Unless there's something I don't know that litigation will fail, because the court, the case did not order them to put people back in their original terms, at least not the way I read it.

Andy 15:10

Okie dokie and then, I like this question the best. I didn't catch who this was from but this uh, let's run this. Did you give me a name and where this is coming from? Does he say?

Larry 15:23

I think he says it in there it did it came to the to the NARSOL law legal line. So we decided that I'd like to try to answer it on the podcast.

Andy 15:32

Sure. Okay, here we go.

Tom 15:34

Hello, my name is Tom, I'm a sex offender and I was wondering my probation officer is asking me for username and passwords so I can access the internet. And this is a requirement from monitoring process. Just tell me if this is legal. My number is (402)... Sorry, I will cut that out.

Andy 16:04

So all right.

Larry 16:05

37,000 people just heard that.

Andy 16:11

Yes, I will have to make sure that I go back and clip that out.

Larry 16:16

So the answer is, as King Alexander and I are fond of saying, they can do it until they're stopped. But more precisely, what we don't know would be very helpful. What we don't know is is this a standardized conditional supervision for everyone who has a registration obligation while they're under supervision? And I'm guessing that's Nebraska. I know that's a 402 areacode out of the Omaha area, but that doesn't mean that he's registering there. That 402 number could be anywhere now. But the supervising authorities. That's that's not so uncommon. I've heard of it. This is not the first time. And the same question is can they do that? And the answer is probably, but we don't know until we have litigation in your jurisdiction. And whether or not you would prevail would depend on if they can articulate... remember, they can do almost anything to a supervised offender, if they're narrowly tailoring it to you. If your offense was so egregious that involved the Internet, and you're lucky to be free, and the judge was giving you a very, very tight rope in the conditions of probation, saying that, you're lucky, I didn't send you to the pen, but you're going to be on the strictest monitoring that they've got, then if that's narrowly tailored to you, the answer is they probably can do it. And certainly they're going to be able to do it until they're stopped by a court.

Andy 17:44

How far does that go? Does that mean bank passwords? I gotta think like, well, the answer becomes no.

Larry 17:51

I would, I would hope so. But again, this is an area where we don't have a lot of litigation. Being that you have a diminished expectation of privacy, and probation officers are able to monitor your financial transactions. How much privacy do you have? We'd have to see the case law in that jurisdiction. What what has been challenged and what the appellate courts have held, but but you don't have the same privacy expectations. people engage in criminality of a financial nature. And one of your POs job is to make sure you're not continuing to do that. So so monitoring your finances is not so unreasonable.

Andy 18:32

monitoring it from the point of view of being handed a, you know, a bank statement is different than having access to actually initiate transfers. And I know you know, we consider and talk about that there appears a winter and snow blah, blah, blah, they could start getting into shenanigans, if they logged into your account.

Larry 18:51

They could and they could not only do stuff like that, they could they could set a person up for criminality and make it look like they did it. I don't know what it's like in the internet. But I know a tech person like is going to tell me well, they logged in using the correct password. Sure seems like it was you. And then you got to get into the IP address and where if you can trace down where the origin of that was. And in the meantime, you're in handcuffs and sitting in detention.

Andy 19:19

Mmhmm. And if they also then have your phone, maybe you had some sort of extra authentication turned on, they have done all made all the steps in play to get in there that they could do not so nice things, but at the same time, if you have extra employment, you may be depositing checks in there. Now you're in violation from other things. I mean, I can see why they would want to do it maybe like, but having access that way seems really can be very problematic for them to have direct access to be able to initiate transfers to their own personal PayPal account.

Larry 19:49

I'd like to see additional follow up question on this and I think I might reach out and ask more specifics. If this is narrowly tailored or this is a generalized condition and see if it is Nebraska and see if is in fact state or federal.

Andy 20:03

A listener listening live right now says in Florida they get your screen name so they would get your usernames, but they would not necessarily get they would not get your passwords that lets them become your friend, I guess on Facebook, but they don't get to log in and act on your behalf. That's crazy. That's very problematic to me.

Larry 20:23

So, it is to me as well.

Andy 20:26

All right, I'm gonna do my damndest to read this question. Like the penmanship, we keep talking about penmanship, the penmanship is quite good, but it's written, it's just hard to read. Alright, so this person has been, his offense occurred in '95. And he was sentenced back in '98. And this was before most of all the registry stuff, like, I guess, really kicked in. And it goes, my questions are:

Listener Question

Am I obligated to register even though it did not exist during the time of my offence. (2) once released, am I obligated to submit form agreements to the terms of North Carolina Sex Offender Registry without receiving prior notice of the condition via a plea agreement or callback Hearing?

Andy 21:19

That's too complicated for me to even comprehend, Larry. And can you cover those first two, before we get to the third one?

Larry 21:22

So the answer is, yes, you're obligated to register, even though it did not exist during the time you committed, because remember, it's a civil obligation, it's not a part of your punishment. And the ex post facto prohibition only comes into play constitutionally, in the Federal Constitution that is, for criminal penalties. This is a civil regulatory scheme that can have a significant penalty if you don't comply with it. But theoretically, it's a regulation. And until proof is put forth in North Carolina that shows to a state or federal court, and there are many cases pending in North Carolina. But until then, until the registry is declared punishment, the answer is yes. So number one, they can do it.

Andy 22:12

And number two, they can also do it. And then so number three, what can they do to me, if I refuse to sign forms agreeing to terms of PFR registry? I'm sure other offenders share my plight across the Americas. So what can they do?

Larry 22:34

That's, well, well, you know, this, I've got to split hairs here. I'd have to read the statute to see if he's required to sign the forms. Being required to comply is one thing. You need to look at the statute and see if you're required to sign is another. And if your statute doesn't say you have to sign anything, when they come out to your house and knock at the door, I tell people you ain't gotta sign anything. Now you're gonna make them mad if you don't, but in most jurisdictions, there's nothing in there that requires you to sign anything at the door, but they intrude on your privacy. And they have a clipboard, they say, would you sign this? I mean, you do it because you want to get along with them. But unless your statute requires that, what they're attempting to satisfy is the notice obligation so that they can, so they can prosecute you saying that they know you know that you have this duty to register. If you refuse to sign that, I don't know that that's the only way that they can prove they served you notice I think they could prove they served you notice by having a witness attest to it, that they that they personally identified you. It's like when you get a summons to court. Some people throw it on the floor and they say you haven't served me. Oh, yes, I have served you.

Andy 23:46

I've seen like TV shows where like, the person opens the door, and the guy just like throws the thing in and they slam the doors like you've been served. I don't know if that's true or not. I imagine you've worked in...

Larry 23:58

It is true, it is as long as you can... So, I mean, they would appreciate his signature, but I don't know that it would be required for them to show the requisite knowing. See he wouldn't have been apprised of it because it didn't exist. And so far, we don't have any jurisprudence that requires attorneys and courts to to inform you of obligations that might come at you in the future. You know, the *Padilla v. Kentucky Supreme Court* case, they have to they have to apprise you of what the consequences are that are known at the time. And this wasn't known at the time if the

registry didn't exist at the time, so they wouldn't have been able to apprise him of that duty. But since they've changed the law and included him and made it applicable to offense occurred at the time his did, I'm sorry to say, if you don't do it, if you don't comply, they're going to lock you up. That's what they're going to do.

Andy 24:57

I hearken this to back to when you were a young little sprout, and they eventually started putting in driver's licenses, that at some point in time, there was no such thing as a driver's license. But eventually they put them in and you're like, oh, I've been driving for 100 years. I don't need a driver's license. Well, there's a civil regulatory scheme now and you do have to go get a driver's license.

Larry 25:17

Well, and I remember those days very vividly.

Andy 25:22

I'm sure you do. Well, Larry, Hey, man, it's that time to move over to this Michigan thing. I'm sure there are many articles out there that cover this, but we have one from Michigan live and live.com, Michigan senate approves tightened restrictions in sex offender registration act, and then you have provided a whole battery, a litany of questions for us to dig into all the nooks and crannies on this outstanding new law that is coming down the pike to Michigan. Shall we begin?

Larry 25:50

Let's do our best because we've got seven minutes to cover it.

Andy 25:57

Oh, see, I thought we had till 7:30. So we have four. All right, I will read very quickly. My so like a little personal history, like I almost like the one of the first NARSOL conferences that I was involved with had Miriam Aukerman. Is that her name? Is that the Michigan attorney?

Larry 26:15

That is, she's with the ACLU of Michigan.

Andy 26:18

Right? And I remember her doing a presentation, I had no idea and my head was swirling what was going on. But that's like 100 years ago that this started, that would have been in 2015, I think was the first conference in Atlanta. So my understanding is that now that it's on the governor's desk, this new law being passed, that's been passed by both houses, I believe, and what's the point? Is she gonna sign it? Or is she going to veto it?

Larry 26:43

She's gonna sign it.

Andy 26:45

And why?

Larry 26:47

Why?

Andy 26:49

Yeah, why she gonna sign up? Do you have a crystal ball?

Larry 26:52

Well, she's gonna sign it for a couple reasons. First, and most important, if you were to veto the bill, 1000s of Michiganders would disappear from the registry, because their obligation to register has been halted by a federal judge, which is that injunction that was it that was put in place finally, after all these years of wrangling, saying that you can't enforce this version on people whose convictions of misconduct predated this, so those people would stay disappeared. So that's not something that Michigan wants to see. And second, the bill passed with significant, almost overwhelming support. And there would be a veto override in short order. And the governor would suffer significant political damage if she vetoed this. So it's not likely there'd be a veto, it's very likely that she'll sign it fairly, fairly quickly.

Andy 27:46

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 registrymatterscast@gmail.com. You can call or text a ransom message to (747)227-4477. Wanna 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. But you know, I actually did I had a conversation with someone about this. And she is in a position as governor she is trying to, she is putting in mass mandates around the state. And personally, I look at this as being if you make a mass mandate, you're going to piss off 50%. If you don't make one you piss off 50%. So like I can see that this is like a no win situation. At least she's reading some kind of science peer review papers to say that we should be wearing masks. But if she would read the peer reviewed recidivism rate things for registry stuff, then there would be no reason for her to sign it because we all know that the like there's no reason for the registry does exist. It's ineffective. And we can go through all those things there. So why would she then go sign this one if she's doing sciency things over here and not sciency things over here?

Larry 29:25

so I think you're trying to say she is a hypocrite.

Andy 29:29

Maybe. I didn't want to use that word hypocrisy.

Larry 29:33

So no, she's not being a hypocrite at all. I know that some will see it that way. But but we have two different situations here. When you when you have a public health pandemic, most governors I think almost, if not all, but certainly the overwhelming majority of them have been given broad emergency powers by their legislatures. The people have said you are the day-to-day manager of health crisis. You have these powers. And they've bestowed those powers. It's kind of like the Congress declares wars. The President manages the war. You see, you see the scenario the president manages the day-to-day affairs of a war. Yeah, the commands of which battalions on which day, all that stuff runs through the Pentagon directly to the president. Well, in a health

catastrophe, the chief executives of the states have been given broad powers. And therefore, what she's doing is consistent with the power, she does not need to consult with anyone else, because she has been empowered. Now she of course does consult with her health officials, whoever her health team is. But she doesn't need to go consult with law makers because the power has been bestowed upon her. When it comes to the sex offender registration. No such power has been bestowed upon her. The only power she has is a veto power. And she would have some power with her legislative liaison as it's going through the process of crafting this legislation to effectuate suggestions, but she doesn't manage the day to day affairs of the registry. And the people have spoken loudly and clearly through their elected representatives and senators in Michigan that they want this law and for her to veto this law. It's like there's no comparison. All the scientific stuff was reviewed. And the opportunity for that discussion was in the legislative process. If you say there's no science, then you needed to convince the legislators that there was no science behind having a registry. And good luck with that. Because even without science, Michigan doesn't want an influx of registrants from all over the country of people who have sex offense convictions. So there's just no comparison. She's not being a hypocrite at all. She's doing what's in... a veto would be overridden. That's what would happen.

Andy 32:05

Will in chat said if she vetoed the bill, the legislators could and probably would override the veto. Can you do me a favor? In your experience of working with the legislature, I don't ever really hear of vetoes. I guess they happen, but I don't really, they don't really seem to make the news that I follow whether it's presidential or at the governor level. Do they happen often?

Larry 32:31

They don't, they don't happen often. But but they do happen. And the part time legislatures, they typically are not overridden because the vast majority of legislation in a part time 30 - 60 day session doesn't get acted upon by the governor until they're out of session. And they can't really override that until they come back into session again. So it's really not practical from the organization of the state. Now the US Congress and in the full time legislature, which Michigan is, they would be able to reconvene and override the veto. And, you know, I've not been wrong about a whole lot in this case. And I don't believe they would just let the veto stand without attempting to override it. Now, the unknown here is that we're close to a news session because they have elections, and there's gonna be a new legislature sworn in in January. So the question would be if she did veto, which she is not likely to because as far as she's concerned, this is fixing a problem, and that there was broad support for it. So she's not going to come out out of left field and veto this. But if she did, the mechanics of them convening with so few days left in this session, before they before they swear new members, it might not be possible. But if that did happen, all they would do would be bring the bill back as a reintroduced bill. They would bring back what was passed, this identical version of what was passed, they would run it through again, probably would not be significant changes and they would put it on her desk again. That's what they would do.

Andy 33:59

And do me a favor. Can we circle back to how did we get here? What happened to prompt the legislature? What prompted the court case for then to bring us to the legislators rewriting the law to begin with?

Larry 34:12

Well, there were some challenges. That big one that people hear about was the *Does versus Snyder* case which, which was in 2015, filed in US District Court in Michigan. And there was some limited relief granted in the victory. It wasn't what Paul Reingold and Miriam Aukerman were hoping for. But the state appealed because the state doesn't like any relief to be granted. So they appealed. And on appeal, the Sixth Circuit Court actually found that significant violations of the Constitution by the 2006 and 2011 amendments. So, the Sixth Circuit gave broader relief than what the trial court had done, and Mr. Reingold said he was surprised that they won on the Ex Post Facto clause because the district court had not given them that victory below. So we ended up we ended up with with the *Does versus Snyder* case, which only was beneficial to those plaintiffs. Well, then, two class action lawsuits were filed by by another group of registrants. And that's what what really has has caused this thing to explode, because that case was was certified as a class and relying on the ruling in the *Does I*, the district judge, which was Judge Cleveland, he granted, he said that the same things that applied only to *Does* applied to everybody. So so the same findings were were applicable to everyone who fit within those pre 2011 offender populations. So all of a sudden, then you had a whole bunch of people in the state of Michigan who were not gonna have a registration potential, not gonna have a registration obligation. Well, the judge Cleland said, Gee, this is a mess. You guys need to figure out what to do about this unconstitutional problem, and he gave the legislature a whole bunch of time to legislate, but they didn't legislate because they had no incentive to legislate. The law was still being enforced. And so finally, after extensive waiting, Judge Cleland finally issued an order. I think that was on my notes here. April 6 2020, an order was issued by Joe's Cleland, of the federal district court of Eastern Michigan. The order prevents law enforcement from enforcing registration verification, school zone and fee violations connected with the Michigan Sex Offender Registry law from February 14 2020, through the end of the COVID-19 crisis, and then the order does not prohibit people from voluntarily complying. Well, after that order was issued then the scales changed because at that particular moment, once there was no longer any reinforcement on the registry on a broad swath of people, the legislature felt the need that that they would need to do something. And that's that's how we got this, this piece of legislation passed. When I say we, that's how it got passed. I didn't have any to do with passing it. But that's how this ended up passing was because of the litigation. And the fact that the registry went dark on a whole lot of people in Michigan and their obligation to report in evaporated.

Andy 37:40

And from the little bit that I have read, and to me it looks like there are some good points in there. Can you talk about what is good?

Larry 37:49

Oh, there's a lot good in there. I mean, see I'll never get any credit for being positive. Because everybody says I'm doom and gloom.

But there's a there's a lot of good in this law. I mean, we could go through all the main points here that that are in the law. But but they, if you start at the bottom, they modified the definition of convicted. So the people under the homes act are clearly covered. They don't have to register. People who get set asides don't have to register, they've been clearly carved out if they complete the obligations of their of their probation. So I consider that a victory. They repealed sections 33, 34, 35 and 36. Those deal with, with school zones, proximity and residency restrictions. I can't help but see that as positive. I mean maybe I'm missing something here. But those are positive. Shall I go on? there's a whole bunch of positive in here. There's a couple things that are not as positive that that they they did some cleanup, the the law as it was written said that, that the obligations were, you had to immediately register upon conviction, and you had to immediately notify them of all these changes. They clarified that to mean within three business days. But I think the courts had already clarified, or at least interpreted it that way, there was 3 days. But so they cleaned that language up, you've got three business days to register or to do updates. And I reckon there's one thing that I'm not too excited about that they did. And that's in terms of the internet addresses that people have to... I'll save that for a little bit. They also they deleted the the tier designation, so you won't have on the registry will no longer show you as a tier one, tier two or tier three. Now the tier ones probably didn't mind it as much because that conveyed that they were not dangerous but the tier threes minded that a whole bit. A whole lot. And that was one of the one of the provisions that that the that the court found unconstitutional. They were they were giving them a ranking and public of being dangerous without any due process because the public perceives those tier designations as a level of dangerousness.

Andy 40:05

Did they get rid of residency and work restrictions?

Larry 40:08

Yes, that's the sections 33, 34, 35 and 36. And those, those deletions appear to apply to everybody. So I would see that as a positive.

Andy 40:19

That's one, that's been my biggest grief of all time, a friend of mine just got out on Thanksgiving Day. And you know, he's in a hotel until he can find a place that is more than 1000 feet from all of the things and that's, that is one of the biggest barriers that our people have that would that would fix the whole Florida thing with the people living in the industrial zone and under bridges.

Larry 40:40

It would indeed and I see that as a huge victory. So folks, I'm being positive. This is fantastic/

Andy 40:47

Mark the date dammit. It's happened once this year. Alright, let's move on.

Larry 40:53

Now, there's the part that I said I was gonna get back to. Now this one is a little bit problematic. And this is where you need a person like me in the drafting because I would have caught this. If you

look at number four on my list here. It says that they specifically language says that the reporting electronic mail and all this other stuff with the internet shall only be applied to an individual required to register under the Act after July 1, 2011. That is very in artfully drafted.

Andy 41:32

So what you have written, specify that a requirement to report all electronic mail addresses would apply only to an individual required to be registered under the Act after July 1. That is some wordsmithing right there. Some word salad.

Larry 41:47

Okay, but but see our audience really likes textualist judges. And if you want to look at that strictly from a textual interpretation, we think what they were trying to do was to make sure to satisfy the court rulings and anyone who was who had older convictions prior to 2011 don't have to give that information, only people with more recent convictions. But that's not what it says. It says will apply only to an individual required to register under this act after July 1, 2011. It doesn't say to apply to an individual initially required to register under this act or whose conduct occurred after. So I would look at and say well, you are an individual right? Can we agree on that? Yes. Okay, so we've got the first part, you are an individual. It is after July 1, 2011? Would you agree with me on that? We're at the end of 2020. So we're after July 1, 2011. You are required to register, aren't you? So the way I read this to an individual required to register under this act after July 1, 2011, you clearly are required to register because your term has not expired. So therefore, this applies to you. A sinister person could read it that way. And believe me, I'm not letting any cat out of the bag. They may have already thought about this. This may have been deliberately, they designed it this way, kind of like the lawmakers in Florida when they designed that amendment to restore voting rights where they could go out and try to get felons to be proud of them because we're restoring the rights of people to vote, you should feel good about us. But then they put the language in there all obligations. And the judge looking at it says well, all that would include everything, including your fines, would it not? Well, this exactly says if you're a textualist this does not exempt you the way you think it does.

Andy 43:38

Okay, so then, we'll continue on with questions?

Larry 43:43

Sure.

Andy 43:46

Let's talk about how this is all about the Benjamins. The federal government sends money to states for their level of substantial complianceness with the AWA right? Which means the more compliance, the more the merrier. Is that right?

Larry 44:01

I'm not so sure you get the money merely for complying. You don't lose money for you don't lose that 10% of your of your Byrne grants for not being substantially compliant. But but the days of getting a bonus. Those were when the act first passed, there were rewards for early implementation. So what it is, is you don't lose money which you can extrapolate that that means you're receiving

money. But you do get money for residency verification and compliance, checking on offenders. And you know, that's what the departments, the law enforcement departments love. That's how they put these multi agencies together. That's all on the federal government, you know, the government that everybody hates, they want to keep nice and small. That's, that's where their money comes from to do that, and which is so laughable to me because those people they want small government, but they all put their hands out to see how much they can get from the government that they wish was small.

Andy 44:56

It seems that they just want smaller, they want they want a different kind of government, it's like the budgets are almost the same between the two sides. They're just putting the money in different places.

Larry 45:09

Now you're gonna cause me to go off on tangent I didn't intend to go off on Christmas. It's not possible, it's not possible to shrink the budget, because most of our spending is already baked into the cake.

Andy 45:22

I already know that.

Larry 45:23

It's it's, it's it's commitments we've already made long before the people that are elected right now. I mean, like this, this 900 billion of COVID relief. That's not baked in the cake. But everything else that governments do. That's all ready. It's on automatic pilot. These are things that we do that we've already committed to doing. So the budgets always going to be similar between the two sides, because we've already preordained this spending.

Andy 45:52

All right, somebody kick that soapbox out from underneath, Larry, so we can keep going. What else, you don't have a whole lot else here for us to cover, I don't think?

Larry 46:04

Well, well, I did, I did want to mention in the in the... I don't like states who charge fees. And it was in a fiscal impact report that I plucked this figure out. It says the sex offender registry unit of the Michigan State Police has a gross annual budget of approximately 1 million. 100% of which comes from the sex offender registration Fund. The fund is supported by fees collected from a \$50 annual fee paid by registered sex offenders required to periodically report to a local registering authority. And I think that is really really sad. This is clearly a money racket. Now \$50 doesn't seem like a lot for some. But if you're struggling \$50 is an awful lot of money in particular, if you're homeless, and they did, that's a good thing they did. They did exempt the homeless from having to have a state issued ID or driver's license, that that's not a marked license. It's just everybody has to have the state issued driver's, chauffeur's license or an ID issued in Michigan and they exempted the homeless from having that requirement.

Andy 47:11

I always wonder about these, I guess from a civil regulatory scheme, you pay to get your driver's license. So that's, I'm trying to

draw that comparison there. But if you don't do it, forget the homeless people. If you don't go pay that money, can we make the assumption that you then go to prison for not paying your 50-buck fee a year?

Larry 47:32

Well, yes, you you, you potentially could. And there, there appears to be some waves for for waiver for indigence. And for people who fit below the poverty level, as defined by federal law or their own means tested programs, but not paying that fee can result... and it's not as serious of a violation. The way I read the law, It was it was a it was a I think it was a misdemeanor on the first offense carried a year in county jail. But yes, you have to pay the fee. And, and but the same thing happens for the driver's license. \$50 would carry you for many years on a driver's license. I think I think we pay something like \$32 for eight years here.

Andy 48:12

Correct. Same, same same. So like for 10 years here, you pay your your thing, okay, great. So if you amortize that out, you're paying like three, four or \$5 a year you're paying 50 cents a month.

Larry 48:18

And but but the these fees are quite substantial and Michigan's not on the high end. And the states that levy fees, we've heard the horror stories from Louisiana, the fee plus the notification cost, that they that they file on the registrant for the for the mailouts that they require. So it is about the money. There are a lot of people there a lot of people, law enforcement officers and others who make their living off of the registry.

Andy 48:51

So yeah, so you know, you go to prison for not spending the 50 bucks. Where else? So she's going to sign it. And how many, does this provide relief for half of everybody? Does this provide relief for everybody? Is it tiered in how it provides relief for people?

Larry 49:11

Well, it looks like it's gonna provide relief for everybody who was pre 2011 the way I read it. And as far as the tier designations, it looks like they're not going to put those on for anyone. Which I would say that is some kind of a victory for everybody. If, if you've if you've got this tier three thing hanging over you and you haven't had any process, and the public perceives you as being the most dangerous, that would be a win clearly if that's no longer on the website for everyone. I mean, you'd have to have to concede that, wouldn't you?

Andy 49:45

Yeah, sure. Yeah. Totally. Yeah, no, everyone just gets mixed together. I gotcha. How about a person in chat, not Steve in chat says will the changes that the AG have any bearing on the SORNA clarification sought by William Barr a few months back?

Larry 50:05

I think it's probably a little too early to say because that that is still unfolding in terms of what states will want to do. I didn't see any evidence that that in this legislation that that that's even come into their minds yet. But I mean, they're largely compliant with everything that that, Michigan is substantially compliant. So I don't think that they spent a lot of time trying to go back and figure out

how to be AWA compliant, because they already have been granted that that designation. So I don't see that being significant at this point.

Andy 50:41

Would you do me a favor and reword the question so that I, because I don't, I don't exactly understand it. And you you explained the answer. But could you reword the question?

Larry 50:53

Well, I put forth my concern that when I saw the proposed regulations, that the that the small government Attorney General put out which were adopted. It was it was a roadmap for for states who had not passed legislation to do a lot of things through administrative action. And, but Michigan didn't need to do that. They had already done all the stuff through legislative action to be AWA compliant. That's going to be more impactful on states who have not been able to pass the legislation through their processes. But But like, for example, the the 21 day advance notice, if a state hasn't incorporated that into their to their registry scheme, there's nothing that stops the federal government, the SMART Office, that's the monitoring registration apparatus in DC from providing the registering units forms and saying, have your offender sign these. They did that in West Virginia. And then they have de facto incorporated that into the state registry scheme, even though the state assembly didn't adopt it. Because they've provided them. So they're going to do that on a lot of things where the where this states have not enacted the law, they're just gonna work with law enforcement units and have them go ahead and start doing these things. And that's my that's my concern. And I don't think it's an overly pessimistic concern. I think that's what they will do.

Andy 52:21

Anything else before we lightning round some articles?

Larry 52:26

Oh, no, I think we need to get moving.

Andy 52:31

Okay. Hmm. That's complicated stuff, Larry. Oh, and but then what happens next, though, does, too, does like the Mary Mockerman, does the ACLU, fire up the legal challenge machine and go to town again?

Larry 52:42

I think there's that potential, I would not want to speak for them. But the you know, they had grand, they had grand ideas of getting more comprehensive reform than what what came out of this, but they got what... there's a difference between what you want and what you won. what you won in court, they got. that that's what the legislature did they fixed the thing that the court was concerned about. And I think a pre show banter, I gave you a scenario, if you have this dispute with your property with your neighbor, or they've encroached on your property, you go to court to try to get them the judge ordered them to remove the encroaching structure or fence where they've done, after you've won that and you didn't introduce the other things and you didn't win. You may have introduced them, but you didn't win on the other things. You can't come back and say now I want these things because you didn't win the part that the roosters are making too much noise at night. You had win the part that the top of the barn

that he uses for an outhouse. It's all rusty. I mean, you didn't win that. You won the encroachment. And that's what they got. They got the things they won.

Andy 53:49

Very good. All right. Let's take over to an article from law.com. Gil Sain, Maxwell's attorney proposed \$20.5 million bail package in renewed motion for release. Why did you put this in here?

Larry 54:09

It just gives me a chance to opine about how how the country has gotten. This, this has virtually no chance of being granted. And it it destroys the presumption of innocence. There's no way she can work with her defense team in the metropolitan Correctional Center with the COVID restrictions and the complexity of this case, and the very, very limited access. Therefore, this person will not get due process of law. And I know I'm going to get criticized because everybody can't afford a \$28 million bail package. And Larry you don't understand...

Andy 54:45

Easy peasy. I got it in my checkbook right now.

Larry 54:47

Yeah. If Larry, if you just understood that, that this isn't fair. But what bail is supposed to be is to assure the person's appearance at court. That's all it's for. We don't get into the analysis of guilt or innocence. It's we want you to come back and see us is all bail is supposed to be. Now it's evolved into alcohol treatment, and counseling, and GPS monitoring, and all these other things. But that's not what bail is supposed to be for. Because you're totally presumed innocent, and an innocent person should have their liberty. Right?

Andy 55:29

Okay, can I just let me play devil's advocate for just a minute, this woman has resources and would flee.

Larry 55:37

That's what they're saying.

Andy 55:40

So where does that then fit into the equation of... it would be cheaper to let her be at home and put some sort of 24 hour guard watching her it would be cheaper than having her locked up. And safer as far as COVID goes.

Larry 55:56

That's exactly what she proposed, and she's going to pay for the security.

Andy 56:00

Okay, and so then why wouldn't they allow that? I mean, that that's still then allowing a rich person to sort of buy their way out of but you know, that is being treated differently for her than for Joe Schmo. But why wouldn't they allow that?

Larry 56:18

Well, because of the mob mentality, public anger, but but I'm saying everybody should get out, I'm not just saying the rich person should get out. I'm saying that I believe everyone, I believe

the police officer that we see shoot a person and taze a person on camera, they should get out because they're presumed innocent. I'm saying this about everyone. Yeah, we just need to do what's minimally necessary to reasonably assure their participation. And then secondarily, we want to keep the community safe. So we need to have evidence that the person would go out and jeopardize public safety if they were out. But other than that, I'm saying everyone should be roaming because you're presumed innocent, so I'm not being a hypocrite at all. I want everybody out pretrial.

Andy 57:04

Charles has an interesting question. You know, her picture has been plastered all over the media. She's a fairly well recognized person at this point. So how could the most recognized person be able to run away?

Larry 57:17

Well, therein lies the problem. And I don't think the flight, and anybody can run away. I mean, what do you have gobs of money or limited money? I mean, you have more options when you have gobs of money, but people disappear with very limited money. but I'm convinced that that she poses minimal risk for flight. And I can't say zero because no one poses zero risk. But she's too recognizable, she's not going to disappear into thin air.

Andy 57:42

I guess one of her attorneys said if Miss Maxwell was to violate her bail conditions, which she has no intention of doing, she would be leaving her, she would be leaving her spouse with virtually nothing. It's unfathomable that Miss Maxwell would abandon her family, which she has fought so hard to protect under these circumstances. What you're ultimately saying is our system is incredibly cruel. That's what you're saying, I think

Larry 58:06

I'm saying that that we do not actually believe in that presumption of innocence. If we did, we would release almost everyone, because they're an innocent person, right?

Andy 58:18

That innocent until proven guilty, right?

Larry 58:21

And I said, almost everyone, I'm not saying everyone. But I'm saying if we can fashion a package of conditions that would reasonably assure a person's participation, if they're not previously on supervision in violation of the terms of supervision. We need to release almost everyone pretrial because under our system, they're presumed innocent, and I say it about everyone. I know some people hate when they see a police officer do something awful on camera. And I say the same thing. He, I think I've said it consistently, he or she deserves to be out on bail, participating in their defense and the presumption of innocence should follow them all the way through the process.

Andy 59:03

It's interesting, and you already said this, but I just want to bring it up again. The protection from the private security firm said it would post 1 million of its own money to support the bond for Miss Maxwell. So they're, so \$28 million bond means she's gonna

pay like 3 million bonds. So they're putting up not quite half of the money for her to have bond, of their own cash. That's amazing.

Larry 59:26

So well, it's not likely to be granted and that's sad, you know?

Andy 59:32

All right.

Larry 59:35

And again, and I'm not, I'm not being, I'm not saying it's okay if the accusations are proven true, but I'm saying what the police say. They say you haven't heard the whole story. Every time a law enforcement officer's accused of a crime. They say, wait till all the facts are in. Don't prejudge. I'm only asking the same thing. Let's not prejudge this case. Let's do what the police recommend. Let's wait until the facts come in, and the judgments made. That's all I'm asking is for consistency. Right?

Andy 1:00:10

All right over at WBUR, which is from Boston, Massachusetts. Massachusetts prisoners among the first to get COVID vaccines. Now that's a crazy idea, Larry, why would we want to give the inmates the COVID vaccine before everyone else?

Larry 1:00:28

Well, I just put that in here. I didn't even read it very carefully. But it shows that in these liberal do good states, that sometimes they get something, right. Because you got people, you got people who have no ability to acquire protective gear for themselves, they have no ability to distance themselves, they have no ability to control anything about their environment. And they're the most susceptible to the COVID other than probably the nursing homes. And I think that I need to give kudos to Massachusetts for doing the right thing. Maybe other states will follow.

Andy 1:01:04

Okay, we can probably skip after that one. And then so then this is from ABC, it says OC Sheriff ordered by judge to reduce county jail's population by half amid COVID pandemic. If the order stands, it will result in the release of more than 1,800 inmates. Crazy town. We don't want to release people Larry.

Larry 1:01:25

You ain't got to release anybody. All you have to do is cut the jail population. See that's the scare tactics they use. You don't have to release a soul. It's just you have to put them in other facilities other than that structure.

Andy 1:01:36

Oh, which could be their home.

Larry 1:01:39

It could be. It could be a halfway house. It could be it could be another facility that you've purchased space from. There're actually facilities that have extra spaces even in this COVID environment. But you don't have to release anybody.

Andy 1:01:54

I gotcha. That's that's an interesting play on words there. So in order to release half 50% of the population, but you're saying they

could put them, you could put them on leg monitors just as an example and let them go about their days.

Larry 1:02:05

Yeah, they're being ordered to cut their population. That doesn't necessarily translate to release.

Andy 1:02:12

I see. I gotcha. Anything else before we move on from this one?

Larry 1:02:18

Just fantastic. It's a fantastic ruling. I hope, I hope that it actually happens.

Andy 1:02:24

Okay. And then out of Louisiana, Louisiana AG asks SCOTUS Supreme Court of the United States to halt ruling that struck down part of state's SO law ID law. What is this?

Larry 1:02:40

Well, this was actually the state has the right to do that. We talked, I never can remember the episode numbers, but we talked about that ruling. I think it's like five episodes back about the Supreme Court of Louisiana striking down the driver's license marking. And since they did it on the basis of the US Constitution, once you've exhausted the highest tribunal in your jurisdiction, if it's a federal constitution issue, you can take it to the US Supreme Court. So what they have done is they have asked the Supreme Court to halt this and oh they've put, I did a skim read of the thing before we started recording, and they've put all kinds of scare tactics in the petition. And they put this before, the way this the Supreme Court works is when there's an emergency petition come in, each circuit has a Supreme Court justice assigned to it. In any case, this Louisiana's in the fifth, the Fifth Circuit is headquartered in New Orleans. And the Fifth Circuit, the Supreme Court Justice assigned to the fifth is Alito and to refresh your memory, the *Gundy* decision, he was a dissenter, because he said that the sex offenders were such a despised population that nobody wanted to do anything for them. Do you remember that, quote something to that effect? that he would be willing to? (Andy: Yes, I do.) Okay. Well, we had people out there just salivating about what a wonderful Justice Scalia was, and how he really would have wanted to help the offenders. But it was those libtardes that wouldn't do it. So now he's got something on his plate, where he can actually help the sex offenders. As the supreme court justice for that circuit, he could help the sex offenders. He could, but he's not likely to, but he could deny the request to stay this and let that process take place and play out at the local level in the state of Louisiana, and let them be forced to deal with that ruling of their Supreme Court. But we will find out if he was grandstanding because he hated the administrative state or if he actually does have a soft spot in his heart for sexual offenders, won't we? We'll find out.

Andy 1:04:54

right and to to clarify that is Episode RM 150. Where we did the Louisiana Supreme Court rules ID law unconstitutional.

Larry 1:05:06

So well, I just can't wait to see what Justice Alito does. Because I told people he was only making those comments because of his

hatred for the administrative state and how he wants to dismantle it. But here's his chance to show that I was wrong. And believe me, I hope I can come back on this podcast and say, I had it all wrong, that he does have a soft spot in his heart. So I'm looking forward to what he does.

Andy 1:05:30

Are you actually like drawing a line in the sand for any of our listeners to come back and point to saying that you were wrong on this issue?

Larry 1:05:38

I'm saying I hope I'm wrong. (Andy: I know you're saying you are.) But I really am.

Andy 1:05:44

I'm making the challenge on your behalf though. I'm making that challenge. I want somebody to like follow this and come back and say, You scumbag, Larry. See?

Larry 1:05:53

Well, I'm hoping that they could do that. Because I think that he has no interest in sexual offenders. But we have, he has the opportunity. Now, in full disclosure, what he I mean, he could show us that he has that soft heart by issue of issuing the order denying it. But anything that a circuit judge that a Supreme Court Judge, that's over a circuit, any emergency relief that they grant, can be dissolved. But he doesn't really have to grant any relief, he just has to deny their petition, their emergency petition, and then it has to go through the regular Certiorari process, which means that it would take many, many weeks or probably several, a few months before they would decide whether they're going to take Louisiana's case. But they said in the emergency document that to Justice Alito, that we know that you're going to grant cert, we know that this is such an important issue that the Supreme Courts will hear it. I'm not so sure about that. But they they are putting forth their theory about government speech, which came up in our Georgia case with the Butts county sheriff, so they're they're putting forth a similar argument about this isn't compelled speech, this is government speech, and that that the offender cannot there's no way that you could assume the offender endorse this speech. And they're saying that, for example, near the end of the petition, they said we just had a hurricane here, and we had to evacuate. And without this marking the agencies that were housing these people, they wouldn't have known. And they would have mixed the offenders in with the regular population, and that could be very dangerous. And they use every scare tactic in the book that they that they could come up with. But we'll see what Alito does, because I know he has that soft spot in his heart for sexual offenders.

Andy 1:07:32

Absolutely. And then another thing from Louisiana, it's from the Advocate, Louisiana legislators look at options to increase reliability of sex offender registry. This seems almost like saying military intelligence, because like, I mean, reliability for something that doesn't need accuracy, because the people that are on the registry are the ones that are not typically offending to begin with. So it seems sort of counterproductive to even say that there needs to be reliability in the registry. How about that?

Larry 1:08:01

Well, there's a lot of inaccuracy. We've had various organizations do studies and send out mail and the addresses are wrong. But this more focus on the tier levels being wrong. They've got the tier system and as I said in the previous segment, we talked about tiers and we associate that with with with dangerousness and they make that point in this thing that the public perceives based on the tier and and people who are, who don't have the right listing tier level with with the registration could convey that someone's dangerous there really isn't or vice versa. They could be I think the quote was it could be a predator out there and people would mistakenly not know it because of the inaccuracy. But they, no one takes responsibility for for the inaccuracy of the registry. They have every law enforcement entity that can put stuff in, enter the registry information, and no one owns the responsibility to keep it accurate. So they got this liberal do-good name Jay Leno, from Alexandria that's, that's trying to clarify who on earth should be responsible for the accuracy and integrity of that list? And nobody knows.

Andy 1:09:17

Well, where do you think this will then go?

Larry 1:09:22

Ah, probably nowhere. Well, I mean, honestly, the reason why is to do this better, it's going to cost more money. And nobody wants to spend more money. Louisiana is not I mean, they have the worst one of the worst public defender systems in the country. They have one of the most oppressive registry in terms of the ID in terms of the cost they put on a registrant, and they don't want to spend any money. So if this is going to cost additional money, they're not going to want to allocate it, because we got to keep taxes low. So I just don't see that there's a lot of incentive to put more money into being more accurate with the registry. So the answer is I don't expect anything to be done.

Andy 1:10:04

All right, it sounds like then you would want they would want to create another bureaucracy to monitor the bureaucracy.

Larry 1:10:14

Well, according the article, the Louisiana State Police has a supervisor and three employees working on the registry. But they don't have any personal contact with the offenders. So therefore, I mean, they're saying we're not the best ones to know this. I mean, that's not our job. We don't know all this stuff. But it's going to require more money. It's the same reason why everybody who wants to go to a risk-based system. The reasons why you can't pass a risk-based system is because it costs money.

Andy 1:10:39

Very good. Is there anything else? That's all we have of content tonight. I don't think there are any new patrons. You slackers for not becoming new patrons. Right here at the very end of the year,

we we have now fallen shy of our goal. But I will let it slide because it's Christmas.

Larry 1:11:00

Aren't we just like five away?

Andy 1:11:04

It's a little more than five away. But it's not terribly far. It's like we have 83 ish or something like that. And we're trying, we were trying to be at 100 by the end of the year?

Larry 1:11:13

Well, it is possible to get 17 in the next week.

Andy 1:11:19

It is very possible. So if you haven't become one at \$1 a month, and we would greatly appreciate it, then we would achieve our numbers. And we can have like a big party and I can blow streamers on the podcast and all that stuff. But otherwise, Larry, we are, is there anything else before we go through some final notes of the year?

Larry 1:11:36

I think that other than holiday wishes and going through our final sign off, we've covered it.

Andy 1:11:42

All right. Because next week, we're not going to record. It'll be the day after Christmas. And I will be visiting family and so forth. And anyhow, so this will be the sign up for the year. And we love you guys very much and appreciate all that you do for us. And listening in to us every week. And Larry, I do deeply hope that you have a wonderful Christmas holiday season and get some rest and maybe you won't be so cranky next year.

Larry 1:12:05

I hope so.

Andy 1:12:09

Visit us over registrymatters.co Call in 747-227-4477. registrymatterscast@gmail.com. And of course the best way is to support the podcast over at patreon.com/registrymatters. Thank you for another year, Larry. I greatly appreciate it. And I hope you have a wonderful Saturday night.

Larry 1:12:30

Thank you, Andy.

Andy 12:12:32

Goodnight. Bye bye.

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