



Registry Matters Podcast

Episode 166

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Andy 00:00

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Larry 00:26

Fantastic. It is beautiful here this afternoon. It's not even evening yet, but it's approaching 60 or maybe even past 60 degrees here.

Andy 00:35

Man, I have heard I just saw the news quote go by the people after this crazy weather in Texas. They're getting \$10,000 electric bills. I didn't dig into it at all. And I don't know if it's true or not. But I was like, how do you get a \$10,000 electric bill?

Larry 00:50

Especially 10 minutes after the storm passes.

Andy 00:53

Right? Good grief is so like is that maybe you're maybe the meter froze or something and messed up and there's some mix up in the billing. They can't be giving people \$10,000 bills. (Larry: I haven't heard that one.) That's nuts. Anywho. What do we have going on tonight? But before you say that, make sure that you'd like and subscribe and share the podcast over on YouTube. All right, go ahead.

Larry 01:19

Right, yes, we're getting hundreds of views on YouTube now. Have you noticed that? This week it's just off the charts?

Andy 01:26

Yes, it's pretty stellar.

Larry 01:28

So we've got, we've got a couple of insider questions. And we've got some questions from the community at large. And we have a legislative analysis to do on a piece of legislation from Georgia. And a brief couple of articles to just pontificate about towards the end of the program.

Andy 01:48

Wow, that's a lot of stuff. It's a whole mountain of content. And we got a we got like a stopwatch, I need to like start a little timer, like 60 minutes, because we got a lot to do in a short time to get there. I guess we should begin, we can start with a little bit of a message. The attorney from the Tennessee case that we talked about last week reached out and he wanted to provide just a teeny little bit of feedback on you people's coverage of the of your analysis last week and says: Looking at your q&a, I think you covered everything very well. The only point I would disagree with is whether the plaintiffs asked for removal from the registry. And the only points I could add would be about the scope of the injunctive relief. But since those points are all still the subject of litigation, I couldn't comment on them at this point. Once the

judge rules on these points, perhaps I can comment on them, it would be really great if we could get him on as a guest in the future. I really wanted to highlight that the that he thinks that we covered everything. I really should say you. You covered everything really spot on. And it was a nice letter to receive from him to edify you of your accuracy and completeness.

Larry 02:53

Well, I appreciate that. And we are very much intending on having one or both of those attorneys on when they feel comfortable. They don't want to violate the spirit of their local rules. They're in the Middle District of Tennessee, and I can understand that. So they they want to do their litigating in the courtroom.

Andy 03:11

Is that I mean, is that the short answer? I was just gonna ask you why is that such a big deal about them coming on to talk about it, while they're litigating it? Is it like tip their hat like poker, like, hey, here are my cards?

Larry 03:22

Well, it's a lot of old school thinking of not of not, you don't want to say anything adverse about the judge or the opponent or anything like that. It's like, all the litigation should be done in the courtroom. And it's just old school like, like at the time when attorneys couldn't advertise it. Of course, that was a great day for established attorneys in that era, because if you couldn't advertise you couldn't be established. So it was great for the old timers.

Andy 03:46

Okay. Let's move over to the first question that somebody wrote in and says:

Listener Question

Registry Matters guys. I have a couple of reader questions. First, in states where elements of the registry have been found as punishment, ex post facto means it can't be applied to older crimes. But what about federal crimes? Can a state punish me if that state did not give me due process? I know for civil registration, they can. But aren't the Fed and state considered separate sovereigns for criminal punishment? Shouldn't ex post facto elements of registries also not apply to those without state charges?

That's a pretty unique question. I think

Larry 04:25

It was indeed. And he's one of our subscribers to the transcripts service. And I would say that I am not real comfortable with the way he's using the term punishment because registration in and of itself is not punishment. What happens is the registration schemes evolve over time, to where they stack on so many requirements that they become punitive upon additional analysis as more and more litigation as we talked about in Tennessee last week. The same federal court, the same circuit had upheld Tennessee's registry as being non punitive until they kept stacking on. But to drill into his question, what I think he's asking is if he has a federal conviction. If, for example, what just happened in Tennessee, declaring that, that that registration scheme couldn't be applied,

ex post facto, it would also apply to a federal conviction, because remember, there is no federal registry. When you go in Tennessee to register, you'll be registering not with a federal agency. So the federal law requires you to comply with registration, but it's within the state. So if the state cannot register you because of a highest ruling from the highest tribunal in the state, or from a federal court, then there would be no, there would be nothing the feds could do to punish you for not complying. But now remember, this recent decision from Tennessee only applies to John Does One and Two at this point. There will probably be additional litigation, there'll probably be a class action, like there has been in other states. But right now, those are the only two eligible for relief. And we still don't know if there's going to be an appeal yet. So don't jump too soon but but if it were to result in a class action, and if the same outcome happen, then those of you with federal convictions that are older would be would be granted the same relief. There would not be an obligation to register at that point. But they'll go back and they'll create a do a lessened version of the registry. In Tennessee, they'll go back and look at what they had when it was last upheld and *Cutshall*. And they would look at that as a starting point. And they would ask themselves how much more they can stack on and hopefully have it be declared non punitive. But they're not just going to give up and say we realized the error of our ways and we're not gonna have a registry anymore. They're not going to do that.

Andy 07:02

Let's I want to ask you a couple specific things. And it says Can a state punish me if that state did not did not give me due process? Any any idea what that is about?

Larry 07:13

Well, I think what he's asking is that he's considering the registry itself to be punishment. And since he didn't have any particular process, his federal conviction did not afford him any separate process. What he's wanting to know is can they require him to register, subject him to that punishment? And the answer is yes, until the court says no. Right now, the court hasn't said no for anybody other than John Doe's One and Two in the case of Tennessee. Now he is not in Tennessee. He's He's in California, if I remember right.

Andy 07:51

Do you want me to read the the second part of the question, I know you wrote to defer to it next week. Did you want me to read it? Just to put it on the radar?

Larry 07:57

I don't. I don't believe I'm sufficiently versed on that yet to answer the second part, but we are going to come back to it.

Andy 08:05

Okay, well, do we read it or skip?

Larry 08:07

Let's just skip it. But yes, we know that you have a second question here. And we're gonna we're gonna come back to it next episode.

Andy 08:12

groovy.

Larry 08:15

You missed the final part. Thanks, guys. Great podcast.

Andy 08:20

Oh, yes. Okay. Thanks, guys, great podcasts and fyp, etc, etc. And so the next one comes from the NARSOL Legal Corner who we like how do I politely, how do I put this most succinctly like partner with, friends with, and to provide a way to answer questions easily, I guess instead of having to write it out and limited publication space and so forth. It says:

Listen Question

I have been an avid reader and subscriber since I first heard about the publication two plus years ago. And this month's issue October-November 2020. The Legal Corner discussed interstate transfers for those under supervision by the state. My question is very similar, but as it applies to federal military inmates. MSR which is minimum supervised release, I believe, for military is different from the FBI, the Federal Bureau of Prisons and other federally sentence individuals to MSR which follows the completion of their adjudicated sins. In the military MSR is seen as a mandatory release date and the courts have ruled numerous times that it is a form of parole. The question and issue surrounds the acceptance of the US probation office in our cases, many inmates have been told that the officer responsible for the region they provided denied their request. The denial reasons have ranged from the obvious of the housing not meeting the requirements of the code, to close to a school, to close to a park, other similar reasons. The reason that is most troubling and it's not really understandable is no or not enough ties in the local community, i.e. friends, family, etc. How is such a reason permissible? What options are available to those given this reason? Thanks in advance for your support and insights you can provide regarding this issue and I'm going to add, fyp.

That's Yeah, how do you if you don't? Like perhaps you get locked up in a place where you're not from, and they want to release you to Timbuktu, Egypt and you don't know anybody there and they go, Well, sorry, you don't have any ties or family here. So we're not letting you go.

Larry 10:15

Well, FYP Education has minimal understanding of all the intricacies of the military. But I believe that's mandatory supervised released. But I'm not absolutely certain. It's a period after they serve their sentence that they have to serve on supervision. And the answer is, yes, it's permissible. Their theory is, I mean, maybe you were stationed in Guam before your offense, and then you did your time in Fort Leavenworth. And then you want to go to a place that you don't have any ties to. Their argument is that your odds of success go up exponentially if you have a support structure. So if they just dump you out in a place where you'd like to be and let you live there, and you have minimal ties, the chances are greater of failure. So the answer is yes, it's permissible. It's done all the time. And, and to my knowledge, I do not know of any successful challenges on that. But like I say, FYP has minimal experience in military. So therefore, I can't actually answer the second part about what options are available given this reason other than talk to an attorney who does practice with the Uniform Code of Military. What is it, UCMJ? And

people who are on who are on this MSR and how it's handled, and if they are aware of anything that I have not unearthed in my first quick glance, and I apologize for this being so late, it got filed incorrectly on my desk. And I just found it a couple of days ago. And I had intended to answer it a long time ago. But it just it just bubbled up today.

Andy 12:03

There's got to be so few people that would be in this condition. It makes it very esoteric, as far as a person trying to practice law in this respect. DUI cases, ambulance chasers, there's they're a dime a dozen, because it's a very, you know, there's a lot of supply and demand to handle. But this is a very limited number, I bet you there's a very few number of people that are in this condition.

Larry 12:29

Well, my intent was, and the reason why it got misfiled was that we had an attorney on the board who actually had been in the military at one time. And I was going to send it to him, and then it never got sent. So therefore, I don't have the feedback I was looking for, but I will attempt to, actually, his name had escaped me. But now his name has come back to me and I know who it was, but I don't I don't feel any qualification other than to say, yes, they can restrict where you do your supervision at. And the courts have been very lenient with them doing that.

Andy 13:04

Very well. And just as a side note, Deputy HMFIC has arrived, Larry.

Larry 13:09

Well, hello there. Glad you could join us.

Andy 13:12

All right, a couple more questions to go. Says:

Listener Question

I've been listening to you people since the beginning of the podcast, you keep on talking about the so-called probable cause hearings that are required for those on Interstate compact supervision. I've been violated twice, and never got one of these supposed hearings. They've just taken me before a judge and I've been asked if I wanted to waive extradition. Each time the public pretender on duty in the courtroom has advised me to waive extradition. Now that you y'all have explained this difference in scope of an extradition hearing versus a probable cause hearing. I wish I had understood that then. I think I could have avoided being sent back. Thank you so much. I still don't know how to get one of these hearings, since nobody has ever mentioned it until I heard it on the RM podcast. Anyways cheers and fyp.

Larry 13:57

Well, this is there a question buried in there?

Andy 13:59

I don't think there's really a question other than I guess just thanking us for providing some level of clarity to having the different kinds of hearings, whether you have the probable cause, and whatnot. So maybe there's no question unless you want to provide a teeny little bit of comment on it.

Larry 14:15

Well, I do appreciate the submission. I think that what he's saying is if this should happen again, since I've never heard of it, how would I go about getting one? And the answer is we don't know. The closest thing I've recommended that we do here in my state is I recommend that the attorneys file a notice of a demand for a probable cause hearing in the court closest to where the person is taken into custody. So, if they were to take the person in custody in Albuquerque, Bernalillo County, you would file it in the court of general subject matter jurisdiction, which would be a district court, and you'd file it under a miscellaneous case number because the person doesn't have a state charge here. You'd file that notice and serve it on the corrections department, their counsel, and say you're entitled this. But whether that'll trigger a hearing or not, I can't vouch for that. And then I don't know what the processes are in other states. But I know one thing, that if you're armed with the information, when you meet with a public defender in the courtroom, if you're lucky enough to where they happen to have one assigned when you're taking on this extradition hearing, with that information of knowing that you're entitled to a probable cause hearing, and you can tell that public defender I've already waived extradition in my application to be in this state. This is not an extradition, this is a retaking, and I want my retaking probable cause hearing. And that's what I would like you to notify the court of is I'm exercising my right to have a probable cause hearing. And no, I will not waive extradition, because this is not an extradition, this is not an extradition.

Andy 15:53

I'm pretty sure when I have traveled out of state, that there's something in there that I've waived the right to extradition, just by getting the travel permit. (Larry: Correct.) And which I'm like, I don't know what the hell I'm signing, like, hey, I want to travel. So, I'm going to sign almost whatever they tell me like here, you want my firstborn, here have my firstborn. So then there's this thing in there that says I have waived the right to extradition, which sounds. Again, I think I had you explain it when we talked about this, I understand waiving the right to remain silent, that type of thing, like I am accepting that I am not going to remain silent and answer your questions. And so I'm waiving the right to extradition, I don't understand why I would waive that right. When I'm not even trying to get an extradition, I'm trying to get a retaking probable cause hearing.

Larry 16:39

But see you've already done it. When you move across state lines on Interstate supervision, you've already waived the extradition. That's one of the forms in the packet of stuff that you will find, voluminous forms. And that's one of them. So extradition is already off the table. The only time extradition would come into place would be if you absconded. If you were sentenced in Georgia, and they transferred you to Colorado, and you skipped out from Colorado, and they discovered you in Hawaii, that would be an extradition because you didn't have permission to be there. So then the only issue would be are you the identity of the person who's in the fugitive warrant that absconded from supervision. But if you're in Colorado, there's no fugitive. You're not in fugitive status. That's what extradition is. That process is to recover a fugitive. When you're in Colorado, under interstate compact, you're entitled to a process that determines if you've committed an infraction of a severity that would merit you having to be

transported to Georgia. Because in Georgia, you wouldn't have access to the Colorado witnesses that might be helpful to you. So that's why the Supreme Court said in '73, that you have the right to this preliminary determination close to where the violations occurred. And so extradition is not what you need to be talking about to your public defender. You need to say I have already waived extradition as a condition for being here. I want my probable cause hearing.

Andy 18:08

I do understand what you are saying, sir. All right, then, let's move over to this other question. Says:

Listener Question

I'm serving a 20-year sentence for a crime that there was no evidence whatsoever. I self-reported the crime and hoped to get treatment. My victim niece, does not want me to be in prison and has asked that I be released and that the charges be dismissed. How is it that they can keep me in prison for a crime when there was absolutely no evidence?

This sounds like a lot of wordplay that we we have quote unquote, a victim just because they don't want the victim doesn't want them to go to prison. But anyway, please continue, sir.

Larry 18:54

Well, I love it when they say there was no evidence. And there was there was quite a bit of evidence. But it gives me a chance to talk about the real, the real key of what I want to talk about it, which is a Latin term called actus reus. There has to be independent evidence of the crime that will support the plea. So he did a plea, he wouldn't have gone in and self-confessed and then gone to trial. So he did a plea. So first of all, we have his self-report of the disclosure. He would have made a statement to the police. So that is evidence. They would have him write it up, it has all his words, and they would put his name on it. So that that is the evidence. That's the first batch of evidence. Then they have his plea that he did in court. That there would have been an establishment of the basis for the plea. So the court, the judge would have asked the prosecution to set forth the basis for the plea and that's where they have to have Subject Matter jurisdiction, and they have to have evidence of a crime independent. Can you imagine how great the country could be if we could just coerce confessions without independent verification of a crime? I mean, that would be a great system, it'd be a lot more people convicted if we had a system that way. So there has to be independent. So if you go and say, I embezzled a whole bunch of money from such and such a business, they certainly can approach the business and say, do you have any unaccounted-for funds? But if the business says, No, we cannot identify any unaccounted-for funds, you don't have a crime, because you don't have the actus reus met. You do not have the independent verification of the crime. So the guy would be able to walk out the door and go free, even though there was a confession, because there's no independent corroboration of the crime. So I'm guessing when he self-reported, that he told the identity of the niece, and they went to the niece, and they asked the niece, and the niece confirmed what had been reported in the confession was consistent with her recollection. So that would also constitute evidence. We've got his confession; we've got her recollection. And we have his plea. And assuming that the niece was of an age to where... well, I guess it'd be a crime because of

the incest regardless of the age, but I'm assuming that that was a crime within the borders of the subject matter jurisdiction of the court. So that plea would have been proper to accept. So I guess the question I would ask was, I hear this a lot, the truth will set you free. Did it?

Andy 21:40

And so he admitted that... I have heard Larry, please. And I know that you're not a lawyer. And this is not legal advice, blah, blah, blah. But I've heard that if you would go do that. Maybe go talk to a counselor, and you do everything up to admitting guilt and don't reveal the name of the person. That that keeps them in a position where they don't have to report it to anybody officially, and then you could then go get treatment. So you could just say, I have done these things with a person not saying neice, like whomever this person is. But if you leave that off the table, that it doesn't engage them to be required to do some kind of reporting.

Larry 22:16

I don't know that that's true. I think the admission of criminal conduct triggers the duty to report. At the time they did the report, it would be vague enough to where they wouldn't have an identity of anyone, but they would, they would certainly put you under surveillance. If they deem that report credible, they would try to figure out who that person might have been. And you may have given us enough detail that they can figure it out. If you said well, the I go to the local high school and hang out at the football field every Friday night. And I victimize one of the players or cheerleaders or whatever you want to pick, they might be able to figure out who that was. By you've just narrowed down the whole student body from about 2,200 down to the members of the football team or the cheerleading squad. So, all of a sudden, you've gone from 2,200 down to a couple dozen.

Andy 23:05

Someone I met while I was gone, he told me that that what he went and told somebody and he learned that had he not revealed the name of the person that it could have been very much left off the table and could have done treatment, whatever, without ever getting involved in the whole criminal justice system.

Larry 23:21

Well, I would not be bold enough to say that because I would say that the reporting would be based on admission of criminal conduct. The more specific you get, the more the more you're going to put yourself within a zone of prosecution. But what a person would need to disclose is that they have urges to do something. Urges are not reportable if you haven't done it yet. As far as I know, the fact that you have that you have particular urges when you say I'd like to look at, I'd like to look at underage porn. Well, you can have, you can have those urges. I'd like to have all the money that's in the vault at the local bank.

Andy 23:55

Of course, of course, of course.

Larry 23:57

I have an urge to have all that in my pocket. But until I formulate a plan to transfer that money from the bank vault to my pocket, there's nothing illegal about having that urge. So I believe you can get treatment, as long as you do not admit that you have

committed crime. Wouldn't it be great if you could just simply commit a crime and say I want to get treatment now? That would absolve you of the criminality? Wouldn't everybody all of a sudden want treatment after they'd committed a crime if that was the way it worked?

Andy 24:26

I mean, I get I guess, in this particular instance, when this person would go admit the crime without saying niece, maybe they would put him in lockup and try and go investigate and start querying wives and other people that might be in the circle maybe?

Larry 24:44

Well, yeah, when you identify, he clearly identified every detail of it, and signed a confession but if you just simply say that I've had urges for inappropriate conduct and I'd like to get some help. The therapist is going to probably say, don't tell me too much, because I'll have to report it. A good therapist will say that if they want to help you. Some therapist is going to say, some are gonna say, tell me more, because they're anxious to report you because they have kids and grandkids and blah, blah, blah, and they're gonna want to get you off the streets as quickly as they possibly can.

Andy 25:20

Okay, and then I guess we will cover the final one before we hit the feature event? (Larry: Sounds good.) All right.

Listener Question

When I was on probation in New Mexico, they imposed a restriction on romantic relationships cue romantic music here. I was violated for an undisclosed relationship. I fought back in one, but I'm curious if they can actually limit romantic relationships? I won because of the vagueness of their wording of the policy, not on the merits of the policy.

Larry 25:49

So Well, I think we're gonna have a guest on that one to join in just a couple of minutes. But the answer is, can they restrict undisclosed relationships? Yes. You're still being punished for a crime that you committed. And they have very, very broad powers of how they can limit your behavior, your movements, your travel, your personal friendships. I mean, they have they have such broad powers of what they can do. What happened in this particular case was they had a policy that was so vague that nobody understood it, including the people who actually tried to administer the policy. But in terms of actually can they can they prohibit you from a romantic? Think about that? Can you think of any sexual offense where it would clearly be appropriate to limit a person's access to additional potential victims? I mean can't you see a scenario...?

Andy 26:49

My conditions would say that it could not be a romantic relationship with someone that had children under the age of 18. So hey, if they don't have children under the age of 18, like have at it? Have fun?

Larry 27:04

Well, that but again, their posture is going to be that they want to review the relationship before you get into it, because we're going to save you from having trouble later. So if you're going to be in a

romantic relationship, let us check the person out. And that would be their posture. But I'd like to hear from our guests in terms of terms of specifics of what the policy said at the time, and if they've made any changes to that policy. So let's bring him on here.

Andy 27:32

All right. Well, joining us now is Andreas and this would be Larry's legislative, and we had a whole big discussion about what words we would use. And we've resolved to just say, Larry's legislative assistant. So Andreas, welcome to the Registry Matters podcast. How are you tonight?

Andreas 27:48

Great. It's wonderful to be on here with you guys.

Andy 27:52

Cool. Larry, go at it.

Larry 27:54

So I understand the basics of the question. And I'm wondering, when this happened to you, how did they become aware of the relationship? And then what was the cascading effect when they became aware of it? So how did they become aware of it?

Andreas 28:11

They became aware of it partially because they found a text message from my phone from somebody that I referred to as my significant other. And then they said, Oh, well, you have a significant other. And that pretty much triggered an investigation where I was incarcerated for a period of time while they did their investigation. So the biggest issue that they had with it was that I didn't disclose it. But then the other part of it is, is that my significant other did have a child under the age of 18. But that's a separate condition. On top of that, neither of those two conditions outlined the reporting process, how you go about doing it. If I said to him, uh, you know, for my one probation officer might say, it's okay for you to have friends with people who have children under the age of 18, just that you cannot be unsupervised with children under the age of 18. And then another officer can come in and say, Well, I don't want you to have be friends with anybody who has children under the age of 18. Because of kind of like, the lack of specificity, and the application of either, it kind of just created this whole thing where it was like, well, let's throw him in jail. And we'll figure it out in court.

Larry 29:31

Okay, so I'm assuming you had contact with a probation officer, and they looked at your phone, it was either an office visit or a field visit and they saw your phone. And they saw that text message and then at that point, did you go into custody that that very day? Right then? Did they handcuff you up and take you to jail right there?

Andreas 29:51

Yes, they did that. Less than five minutes later, there was no well don't have any contact with this person or don't do this. They didn't even know at the time based on that text message that she even had a daughter. At that point, they just said, well, you're going to jail today.

Larry 30:12

Okay, now I want to educate our audience because New Mexico is unique in terms of this. Most states require some level of involvement on a probation violation of the court. In this state, they grant the probation officer arrest and detain authority, so all they have to do is to issue an arrest and hold order. So, in a matter of moments, he was in custody. So they take you to jail, and then they put you on the PV calendar, which I'm all too familiar with. And the first time it came up, it got probably continued. But anyway, you finally get to a probation hearing. And you don't agree with it. And you end up winning this. What was the buildup to this victory? Because you said, I don't agree with you with what you're doing to me because I don't feel like violated this policy. And your attorney said, you're, you're full of crap. You did violate it. How did you? How did you manage to win this with your attorney, saying that you're wrong? What happened after you got your attorney and you had to have the discussion and your attorney says, well, just go ahead, admit to the violation, they'll let you out, right?

Andreas 31:19

Um, yeah. So what happened is New Mexico's, I'm sure is that you know, but I'm not sure too many listeners know, what happens is they put you on the PV calendar. But the PV calendar isn't within a week or two. They specifically delay it for a whole month, because you are to be have your hearing heard in front of an initial judge, who is basically assigned for that period of time to listen to probation violations. So, in other words, it's almost like a meat factory. You're all lined up inside the courtroom with another, you know, 30, 20 people being housed in and out. And first hearing that I had was with not my sentencing judge, it's a judge who has no idea who I am. All he did was look at my piece of paper that says what I'm alleged up having done. And to be frank, the violation report that they gave was none too flattering, of course, because that's their job is to write a report that supports me violating and being sent to prison. So, we actually asked for a continuation. One, we wanted to get conditions of release first, which is not very common when violation matters are waiting to be heard. We did first was we said, Alright, well, am I going to get out of jail today? Can we you know, admit to the violation and get time served? The answer was no, the DA wanted to go for the full revocation. So it's like, okay, what's the second step? So, what we did is I had talked to the attorney right then and there and said, well, let's get a continuation. And let's get my sentencing judge who was heard, you know, this case before. At that point, we said, okay, we went to the judge, and we said to him, hey, is it all right? Can we get back on the calendar, wait for his sentencing judge to hear this, and he says, I have no issue with it, if she wants to take it. That's a whole other month on top of that. Then finally, you are two months in at this point, you finally get the judge to grant me conditions of release. And then on top of that, we have two more hearings. So, this whole thing stretches out a whole six months.

Larry 33:23

Wow, that's a long time for a PV and what was the issue that you were arguing with your attorney about? Because your attorney wanted you to admit. So what did you tell your attorney cuz sometimes attorneys are not correct? So what what was your attorney telling you versus what you were telling the attorney.

Andreas 33:40

My attorney was telling me was pretty much that there is no precedent for any of this. And on top of that, your that they had me dead to rights, which in terms of, you know, terms of just like the concept of failing to disclose. There was a lot of lack of specificity about who is disclosed to whom, as far as the therapist and the probation officer, because in two separate parts of the actual behavioral contract, it specifies that you're supposed to disclose to your treatment provider one thing, and then another section, you have to disclose to your officer another thing. So, there is no disclosure clause anywhere with to whom or when or how a romantic relationship. But at that point, that's what I brought to my attorney, I said to him, Hey, there is nothing here that says with whom, to who, to what, and when am I going to disclose that I have a romantic relationship? And on top of that, I said, well, what's the definition of romantic relationship anyways?

Larry 34:39

I bet he loved that.

Andreas 34:43

He was very angry with me. He was not very happy when I brought that up to him and I'm sure you may know who he is. But the thing is, he's he was pretty high up there. They put the big the big dog on my case. And he was very angry and says, you know, you could go sit there and wait in jail while we figure this out. I said no, I think this is gonna work. So, that was actually what was the big reason why the violation was not sustained in the eyes of my sentencing judge.

Larry 35:11

You went and had a hearing. And how long did the hearing last? It was like a half day hearing, right?

Andreas 35:18

Altogether, probably about five hours between two days.

Larry 35:23

And you had you had this hearing, and at the end of the state calling on their witnesses, they were not able to come up with clarity that satisfied the judge. Do I have that right? (Andreas: That is correct.) So the judge did not sustain the violation. You were already out of jail. So they just basically, they remitted you to supervision?

Andreas 35:46

Correct. I had already been on supervision at that point. And they had put me on an ankle monitor. And they just said, unofficially, you know, my officers said, Well, I wasn't on an ankle monitor before then. But then they just had me with an ankle monitor for the remainder of my supervision.

Larry 36:01

Now, well, that would have been the retaliation for taking them to trial. So you should have admitted in their eyes. And so therefore, since you didn't take responsibility, you need additional supervision, that would have been their justification.

Andreas 36:13

That is correct. But you know, it's just kind of one of those things where, you know, the big question is, is exactly how is it going to

play out in court and public defender, you know, he's better equipped to answer the probability of it going the wrong way. And if this was a on a lodestar, you know, risk calculation, the fee was pretty high for him.

Larry 36:37

So well, you know, the same people you dealt with, we had a case a decade ago. And we couldn't get them to budge, because they wanted the guy to go to prison so bad, and he ultimately ended up going to prison, but not on that particular violation. But we stretched out and stretched out, because we didn't want to go to prison, didn't think he would do very well in prison. And they said, Well, if he would just admit to the violation, this will all be over. And it made me so irritated. I said, Well, of course, anybody would be all over if they just admitted to the violation. But your violation is bogus. So why should he admit to it? Well, of course, when you're sitting in jail, you're being punished anyway, when you're sitting in jail on PV, very few people get out on conditions of release, you were extremely lucky to get out.

Andreas 37:23

Yes, I was extremely lucky. Um, you know, I had already been in contact with them regarding some questions I had about probation prior to that, you know, in some ways that can be misinterpreted as retaliation, you know. I don't buy into that whole retaliation thing. It's just that, you know, they the officers have dealt with people who are more in more cases, the rule rather than the exception, and the judge recognized for my particular case, I was the exception, not the rule in terms of a danger to society and all of those factors. You know, I had a place to live, I had a job lined up when I got out, you know, I was very, very lucky, blessed all of the above. I just thinks that, it's really it, I've said this to people before, it's really hard to fight when you have something hanging over your head. It's a lot easier for other people to, you know, tell people, I'll just take the plea, just take the plea. It's just so difficult. And I'm just very lucky that I got on the other end of that.

Larry 38:26

Well, and that that was the point of having you here. When you're facing these people, when they when they impose something on you, oftentimes, it's a matter of first impression, you took something to a judge who took the time to hear testimony. And at the end of the testimony, said, gee, I can't even agree with this, because it's not clear to me. And I've heard four different versions from four different people from probation. And, and so they can impose things on you that you might could win if you challenge them. And you may not fare too well when you challenge him, you may end up getting a dose of a lot bigger dose of punishment than what you would have gotten. It's all a crapshoot. It really is. So Andy, if you have anything else, otherwise, we want to move on.

Andy 39:13

So I don't. I appreciate thank you Andreas. That was really awesome. Maybe we can game later.

Andreas 39:19

Oh, absolutely. I look forward to getting attacked by pirate ships on the high seas.

Andy 39:25

Fantastic.

Larry 39:26

I really appreciate you submitting that question.

Andreas 39:31

Oh, of course, it's, uh, you know, I think that I have my answer now, based on a lot of what you guys have already said earlier. And I just really appreciate the hard work that both of you guys do.

Andy 39:42

Appreciate it. thanks very much. We'll talk to you soon?

Larry 39:43

Thank you for what you're doing for the cause.

Andy 39:48

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 us a five-star review at Apple podcasts or Stitcher or tell your buddies that 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. Larry, it's time for a drumroll so we can cover these shenanigans going on in Georgia. This is House Bill 347. It showed up on on the radar this weekend. We've been talking about the legislative process recently, we wanted to kind of dig into it a little bit more in this one showed up in Georgia be a great opportunity to continue. Like I said, it's House Bill 347. It's recently introduced in Georgia. And are you ready?

Larry 41:07

I think so. I've looked at the bill. And it's short. And it's actually easy to analyze. So let's do, let's go for it and see what we can do.

Andy 41:15

Alright. Like I said that there was a lot of discussion about it came up on the NARSOL affiliates list. The first question I want to ask you is what what is the NARSOL affiliates list?

Larry 41:25

Well, that would be a listserv of all the people who either have a recognized affiliate agreement with NARSOL, or they have an advocacy or... what are all the version? They have an advocate, they have these levels, and I'm on the board and I can't cite all three of them. Bu it's people who do who do advocacy on behalf of NARSOL.

Andy 41:49

And it's somewhat of a private list. What's like a non-disclosure agreement gets signed to be on there as well?

Larry 41:56

Yes. And it's theoretically, to help one another with situations as they arise. So a situation in Georgia has just popped up. The

question would go out, hey, this is what we're dealing with. Do you have any insight on this? And that's why it popped up on the affiliates list. And actually, our communications director caught it first. And then it started generating a lot of feedback once she posted it.

Andy 42:23

Alright, and then. So what does this proposal do? And like, why was it introduced?

Larry 42:30

Well, like I say, this one didn't require an extensive analysis, because it's really just changing one word in the existing law. The proposal would require a 10-year minimum period for any person before they could follow removal petition. And under current Georgia law, some are immediately eligible for removal once their sentence is completed. For example, a person who's disabled under, I forget all the definitions, they have a disability, then level ones under Georgia risk based system. Now remember folks, risk based is not the same thing as tiers. This is a risk-based system that Georgia does. So don't come in here and say, Well, I'm a tier one in this state. Well we're not talking about a tier, we're talking about a level one. And now everyone needs to realize I'm not connected with any of the sponsors. So my response about why they're doing this is speculative but I don't have to speculate much because the sponsor stated the motivation in a newspaper article, he stated, The benefit, quote, "The benefit of this bill is that it will help sex offenders stay on the registry longer."

Andy 43:39

Andy laughs hysterically Of all the things that I want to do in my life now that I am off probation is to stay on the registry longer. Larry, I really would like to stay on longer. Can you help me with this?

Larry 43:49

Well, well, what he means is, is it would help us keep people in the registry, if you follow the rest of this quote, he says now they're able to get off after three years if they're level one. So if you're taking the length of time up to 10 years, it's clear what the motivation is. So I don't have to speculate, but normally, I wouldn't speculate, but I'm just going to use his words. He stated why he wants this. He wants people to have to remain on the registry for at least 10 years before they can file their petition.

Andy 44:20

Okay. Yeah, I would like they would like to help people stay on the registry for longer. I read that and I'm just like, you asshat. Ah, okay, uh, and then does it matter what the party affiliation is with the with the sponsors of this bill?

Larry 44:40

I hate to do that, as you know, I hate casting Team Red versus Team Blue. But keep in mind that Georgia's heavily Republican, so it should not surprise anyone that this would be a republican sponsored piece of legislation. And in fact, to my knowledge, all the Georgia elected officials are Republicans. I'm not talking about people who serve in the US Congress because They do have representatives from Georgia, they elected to represent them in the nation's capital. And they have to recently elected senators, but all the officials in Georgia, the governor, Lieutenant Governor,

Secretary of State, all the people who run statewide, they're all elected from Georgia statewide as Republicans. There are no democratic statewide elected officials. The Senate is 34 republicans and 22 Democrats. So that's a substantial margin. And then the house is 103 republicans and only 77 Democrats. So if you can do math, you can figure out there's nothing the democrats can do to stop it. And there's nothing the democrats could do to pass it by themselves. So this is, unfortunately, this is a republican show, because of the way the state of Georgia is, the way that party alignments are right now.

Andy 45:57

I was having a conversation with someone earlier. And just briefly, politics came I'm like, well, Georgia went blue in January, which like, I mean, is true ish, the two senators, but the entire, like you were just describing the internal structure that the state level representation is very heavily red.

Larry 46:15

Absolutely. And like I say, every statewide office is controlled by the republicans and the margins in the House and the Senate are substantial. And it's been that way, mostly for about the last 20 years. Before that it was just the other way around the there was substantial democratic control in Georgia. But that flipped in the early 2000s. Roy Barnes was the last governor of the Democratic Party. And I think the legislature changed shortly after Barnes got elected, he managed to alienate everybody.

Andy 46:49

And in the past, we have talked about the like, you can't pick that you want to speak to your, your, your ideal party person to represent you, but you have to work with what you've got. And can we dig into that a little bit, and you and your liberal pointy headedness, I'd like to hear what you suggest as a strategy.

Larry 47:10

I didn't realize that my head was all that pointy? Is my head that pointy?

Andy 47:13

Oh, dude, seriously, like when you go through doors, it's almost like we're looking at a Saturday Night Live episode, and you're one of the coneheads. You probably have no idea what the Saturday Night Live is.

Larry 47:22

Well, if I were tasked with this and Restore Georgia had a whole bunch of money, I would begin with attempting to find out what's behind the legislation. You can rest assured that the sponsors, the primary sponsor, and the co-sponsors, they didn't wake up in the light and say, I want PFRs to stay on the registry longer. The motivation is driven by either an advocacy group, or something happened in that particular sponsor's district and something that that we don't know. And when I say advocacy, it could be a victim's group, or it could be the law enforcement apparatus itself. And it's of the utmost importance that we would know which or if it's both. For example, someone could have been released from registration that subsequently committed a new offense in this legislator's district. And the first call that that that that he would have made in this case, it was him, he would have called the sheriff and said, this person was registered. And then they re-

offended come to find out they weren't on the registry. Sheriff, what happened? Why did you let him go? And the sheriff would have said, well, because he petitioned for removal. He would say, he did what? Because he wouldn't have even had any idea that there was a petition process so that he would have either done the research himself or he'd had this legislative team there in Georgia, he would have had whatever resources they would provide to a lawmaker dig this out. And they told him Well, after X amount of time these people can file and this person was a level one and he got off. And so the sheriff would have said I didn't have any choice. My hands were tied. And at that point, the sponsor would have said, well, gee, Mr. researcher, tell me about the surrounding states. What do they do in Alabama? Well, they can't get off in Alabama, what about in Florida, well they can't get off in Florida? What about in North Carolina, well they can't get off in North Carolina until they've been on at least 10 years. And he had to say, now let me see if I got this straight. So all of our bordering states, they either can't get off at all, or they have to be on at least 10 years, and we let people file immediately? Something ought to be done about that. And that's how this would have come about, in all likelihood.

Andy 49:34

Ah, yeah, I just, again, I go back to that. Let me phrase it this way. When I went to court to have my probation terminated, the judge stood there or sat there and said, the previous governor, Nathan Deal I think it was he said that he was about like, second chances. And here we have someone that has been following the rules. Let's move forward and give the person like they have earned the opportunity to move on. And here you have these two legislators that are proposing legislation of like, Hey, we would like to keep you on there for longer just because makes us feel good. And I'm, I'm really bothered by that it wasn't because someone violated being a level one and went back and re-offended. It wasn't for any other reasons it seems other than this is something of I guess the term would be feel good legislation.

Larry 50:24

But say, we don't know that. That's what you asked me, what I would do. That would be the first thing I would do is to try to figure out what's driving this, I need to know that. I can be far more effective when I know what's behind it. So I'm going to do my best to find out what's driving this, this this legislation. And it could very well be that the law enforcement apparatus jumped on, it could be that there's been a reoffense. And the sheriff said, Well, you know, one thing I tell you, I've never been a fan of this law that allows them to get off like that. And if you could do something about it, I'd be mighty grateful to you if you could, and all of a sudden, he's got law enforcement support. And the victims are always going to be in support of keeping people on the registry longer, you don't even have to breathe a second breath to know that they're automatically. So all of a sudden, you've got, if there's been a reoffense by someone, you've got potentially the victims' advocates, the person who had the horrible thing happened by a person who had been released from the registry, and you've got the law enforcement apparatus itself, all for it. And that that could be that could be a real problem, in terms of fighting it, but I need to know that so I can tell you I can charge you a whole bunch of money, and I'm not gonna be able to help you. Or I can charge you a whole bunch of money and I think I can

help you but I've got to start by finding out why this is being proposed.

Andy 51:46

Um, but why would law enforcement be behind it? I thought they were understaffed, overworked, underpaid, all that silliness.

Larry 51:54

Well, that is the general myth that they like to portray. But the reason our law enforcement itself might be behind it is tied to funding, in addition to the... See Georgia, like most states, runs on this hybrid model of registration, meaning that the local law enforcement, primarily sheriff's are tasked with doing the actual registration and tracking, and the state operates the website. And so, the law enforcement apparatus itself has funding at stake. So you take, for example, Fulton and Gwinnett, which I think is the largest population in Georgia, those sheriffs need to go to their county commissioners every year and say, I need X amount of money. And the large counties have segmented units where they do sex offender registration tracking, and they have a budget that's line item dealt for that. And they would say we're tracking 1,420 offenders, well is easier to justify funding for 1,420 than if you're down to 980. That takes several that takes several full time equivalents off of the justified staff level. So there's potential funding tied to it. And then there's federal funding from the SMART Office, which is still a sex offender monitoring, apprehension registration and tracking office, which is a component of the DOJ. There's money available for registration tracking and monitoring from the Feds. You know, from the government that people claim that they hate so much. There's federal funding available as well. So that would be a one of many reasons. The hybrid model makes it politically popular. As Sheriff, I can say and I'll tell you one thing, one of my priorities as your Sheriff is I'm going to put a lot of emphasis on tracking these PFRs and making sure they follow the rules. And that is a very popular stance with voters.

Andy 53:43

Yeah, I definitely like a sheriff Gary Long in Georgia about the putting the signs up on Halloween. Like thanks, Sheriff, for keeping us safe. That was all over his Facebook page.

Larry 53:53

Yeah, that was the Butts county case that NARSOL's involved in.

Andy 53:57

] but if you think is being driven by every offense of some sort, and law enforcement apparatus supporting it, then how do you like if someone actually does the deed after they're off? Like that doesn't even seem like there's a there's a way to try and get in there and do anything about it. What do you do?

Larry 54:15

Well, I would be if Georgia hired me, for example, I would be more restricted because I don't have the relationships I would have but you your best strategy on a case like that being that Georgia sessions, I believe, are 40 days, you're going to want to run stalling strategy as best you can. As I've stated many times before, we're in the killing business. We are seldom in the passing business. And this is a prime example of what I mean by we are in the killing business. I don't think that most people out there that that live

within the boundaries of Georgia would be excited if they'd been leveled or if they have the hope of being leveled that they would want this three year... he had it wrong, I don't believe there's a three year wait, but I don't think they would want to have to wait 10 years when the current law doesn't require them that. So what you'd want to do is you would want to try to figure out who the key people are that can make the machine run a little bit slower. And a few days can make a big difference when 40 days are counting down, and something has to pass both sides of the rotunda, an identical bill. And if there's any changes mad. See, sometimes you get you get something you can't stop, and it has to pass the House, if it's a house bill in the case of this, and it's going to have to go over to the Senate side of the rotunda. It's going to pass the Senate, if you can pass an amendment on the Senate side, then guess what? It's no longer an identical bill, and it has to go back to the house. Well the time clock may kill you. So the senate gets to say we passed it by golly. And we made it even tougher than what it was when it came over here from the House of Representatives. And the house gets it back. And their first choice is well can they accept the amendments, which is called concurrence. And they usually would when it has to do with PFRs as we saw with the with the international Megan's Law, when the passport marking was added in the Senate, on to what was a house bill, they probably would accept it. But even if they do, it takes time. But if you can somehow stop the concurrence from happening when it goes back to the originating chamber, then they have to appoint a conference committee. And they have to see if they can get an agreement between the representatives of the two chambers. So the leadership will appoint an equal number from each chamber. And they'll come up with an agreement. And then the only vote on that is to accept that that agreement. You don't get to change it, you can debate it all you want to but you don't get to change it. This was a conference report, though the report of the conferees is either accepted or rejected. All that kind of stuff takes time. So I would get into the parliamentary business, if I were in Georgia, try to figure out how to wreck the train. Because wrecking the train is the best strategy because you're not going to get people to vote no on this, you're really not. The Democratic Party is not going to vote no, because they are going to realize that this will be used against them in the next election cycle. So, you're going to have a hard time mustering a lot of democratic opposition, the only democratic opposition you're going to get would be from, from areas where it is such a safe, democratic seat, that the incumbent feels that they don't have anything to be worried about, because they can't be primaried out, you know, they have the love of the community. But even if it's not even going to flip parties, you could be knocked out in a primary because your primary opponent could come in and say, and my opponent voted to protect sex offenders and keep them invisible to you people. And if you're elect me, I'll make sure they have to register.

Andy 57:52

And speaking of wrecking trains, I know that I asked you this not too long ago, but I don't remember the answer. There's something called crossover day in Georgia. And I thought my question to you was do all, most, how many states have that? And I want to say your answer was no, but I don't know.

Larry 58:07

They don't all have it. And that's another thing] if you can, in a state that, if you can prevent crossover, that is an asset, but it isn't necessarily, it isn't necessarily going to kill it. You say well wait a minute, it doesn't cross over. So House Bill 347, may not cross over. So you, you do all the right things and you keep it from crossing over. All you have to do is find a piece of legislation that has crossed over, that people want to have passed, and you offer this as an amendment. And the person who doesn't want their legislation has crossed over to die, they'll often accept this as an amendment. And that's something that I had a hard time getting Texas Voices to understand when what they were doing the small town, giving the small towns the same authority as the larger cities, you know, the home ruled cities and they were very effective at preventing it from crossing over. But then it was it was placed in as an amendment on another piece of legislation which they wanted to see passed, which dealt with how people under supervision, their travel restrictions, because they had these goofy rules that that they couldn't drive on the most direct route to where they were going because they might cross a path of something that was is an exclusion zone. And they wanted that to pass. So they ended up putting it on something. So crossover won't save you altogether. But it it's a part of a viable strategy that that would be in your theater of options that you would use.

Andy 59:36

Okay, um, and going back a couple steps if we if we can't get the build to be killed with relationships and few days here and there, what other options, what else could be done? What else would you recommend? Should other states communicate with Georgia lawmakers maybe?

Larry 59:56

I can't see how that would be of any assistance if other states do that because that's exactly what would play on to the sponsors hands. He would say, in committee hearing, I've gotten dozens, has gotten dozens of phone calls from other states that I've confirmed what Legislative Counsel told me that would be something similar to the to the people who do the research for lawmakers. He'd say that confirms what legislative councils told me. That we're the softest state in the region, and perhaps in the nation, where we allow people to petition right away. And that would not that would not be a viable strategy that I can think of that that that you would use to have people call from other states. I can't see how that would be helpful.

Andy 1:00:39

And would you think then, since it's such a heavily republican controlled legislative body, then what other suggestions would you have with arguments that would resonate with those people?

Larry 1:00:53

Well, that would be that would be all you've got. And we don't get to pick who the citizens give us for lawmakers. So if I were doing that, which I've occasionally been successful dealing with Republicans, you know, they tout their fiscal responsibility. So one of the most compelling strategies, unless they course flip on this, is you would argue that level ones have been thoroughly vetted by Georgia's risk assessment process. And that forcing a minimum tenure will bloat the registries, which is an unfunded mandate on local governments. You remind them that the counties are actually

paying the officers time, and they're having to hire up more and more deputies. And, and they generally love that term unfunded mandate. So use that to your advantage, you got to talk to them in language they understand and remind them that you agree with them on this. It's nothing sarcastic. I know that you've been big against unfunded mandates. And these people were about efficiency. And I'm a big believer in governmental efficiency. And these people have been thoroughly vetted, they've been risk assessed through a rigorous process and forcing them to wait 10 years, it's gonna bloat the registries, particularly in the urban areas, and then these law enforcement agencies are dealing with higher crime rates are not going to have the resources to deal with this. And it's going to be an unfunded mandate, because they're gonna have to employ more people and tax their citizens more heavily, so that they can track all these offenders that pose very little risk. That would be a strategy that I would use. And then if I'm not getting traction with that one, I would try the diminishing the earnings potential. You know, that they're, the amount they're taxing, and, and the ability to pay taxes. And it is not even a disputed fact that people with felony convictions, and particularly those on the registry, have diminished ability to pay taxes, because they're so underemployed. And I'd say these people, if we get them off the registry, they still have a felony conviction that will haunt them for their life, but they won't have so many exclusions, they can actually work and they won't be a tax consumer and a burden on this state. And we want these people paying taxes and supporting the vital services. And I would try that. And and and then finally, if nothing else gains any attraction. I would argue that a bloated registry dilutes the available resources, because there's so many extra ones to track that have been vetted and pose very little threat to the community, no more than the general population at large. And that that can result in the community being less safe, which is not in anyone's interest and I know how committed you are to the public safety. And this is going to be contrary to that. I mean, that that would be the type of strategies that I would use, I don't think I'd have a lot of phone calls coming in from other states.

Andy 1:03:38

Can we go back to the one argument that being on the registry diminishes a person's earning potential? Maybe worded differently to say that they would be they would be less of a drain as in, they're not going to be trying to claim food stamps and housing benefits, whether they qualify for them or not. But all of those kind of social welfare programs that they are so hell bent on removing that if they earn over X amount of dollars, and they don't need them and don't qualify for them. So wouldn't we want them to make as much money as possible because republicans also seem to be very hell bent against taxes too?

Larry 1:04:13

That's a good point. You don't want them consuming services that if we, if we force people to either be unemployed, or minimally employed, in particular since Georgia has such a low minimum wage, they have not raised their state minimum wage because the fed's has been stuck at \$7.25 since 2009. And you would have people that would be eligible for full time employed in Georgia that would still be eligible for a plethora of services. And, and you would make that argument. That's a good one that should resonate with conservatives. And those are the type of arguments

I would make if I if I can't derail it. That's what I'm going to argue with the people that I would be dealing with in Georgia.

Andy 1:04:52

I'm going to throw something to you sort of out of left field. Someone in chat just said it says in my humble opinion, neither party cares. They will vote to make things harder. To which I replied, I said, I think that short sighted some of them are forced to vote a certain way by the population, but many don't support it behind the scenes.

Larry 1:05:08

That would be correct. He is correct in a political sense, they, they don't care because it's risky to care. What people lose sight of is these people, the sex offender registry is just one of hundreds of things they deal with. If you go look at, I think Brendon in Georgia put out how many bills are already pending, and it's in the hundreds. And nobody can be an expert in all these things. And particularly in a part time legislature, where you have very few resources to help you, you're basically just a citizen. And contrary to what so many people, the horrible opinion they have, most of these people, they have areas that they care deeply about, that they want to change policy for the better. And you can't do any of that if you're voted out of office. So, the political reality is that if you stand up for this hated population, you're not likely to survive the next round of elections. And that means that all the things you care about are no longer within your purview of being able to change or improve. And that's the reality of the situation. Until we change the people's hatred, we're not going to have these people reflect public opinion. And the public opinion if you went out and took a poll to Georgia right now you ask people, do you think folks should be eligible to get off the registry in such a short time? I doubt you'd find a whole lot of yeses.

Andy 1:06:27

You would definitely find everyone saying no. I would also say that if you worded that question a different way, saying should someone have to, some low level offense, do they have to stay on the registry? Like asking them the question, should they stay on the registry for life? You may find different answers based on how those questions get worded. And we got to move on. We're running low on time. We've been at this for almost like 30 minutes as it is. Is there anything else you want to want to cover on this one before we knock it out of the park?

Larry 1:06:56

I think I've done the best I can.

Andy 1:06:59

Outstanding, which is which is really quite fantastic. Larry, um, there was a comment while we were going through chat of like, what are your credentials? How is it that you know so much are you like, the professor of law at some prestigious college? I was like, hey, see, and I and I don't mean this in like a really diminished. I was like, he's just a dude. He's like, Yeah, but I'm just a dude, too. I was like, No, you don't really understand. I'm like, he's just, you just know your shit. That's really kind of what it comes down to.

Larry 1:07:25

I've been doing this for a very long time.

Andy 1:07:29

Yeah, I know. Like, since since law was invented back in the Greek, Roman times, whatever it was way back when. I did forget to play this. This came in on my personal side. And so it's a it's sort of a general question. But this is from Chris.

Chris (Voicemail) 1:07:45

My question for you is, how does it feel after you've been off probation now for a couple of months? Does it feel surreal? Or just what are your thoughts and feelings on this, as always enjoy the program, thank you very much, and fyp.

Andy 1:08:01

And I just, it took maybe two months or so for me to like, kind of like set in and figure out what's going on. But like, no one comes and visits me anymore, Larry twice a month, I don't have any bills to pay. And what took me a little while long to realize is they can't come search my stuff without any sort of extra muscle as far as like a search warrant or anything like that. I can kind of come and go as I please, I can move out of this, not move out of state, I can travel out of the state with asking for permission. So it's pretty fabulous on those fronts.

Larry 1:08:35

And you can actually move out of the state, you just have to check in with new people, but you can move out of state anytime you want to.

Andy 1:08:40

That's true. Yeah. And I don't have to ask for permission. Like they can't stop me from moving. Maybe they would then say you can't live here or there perhaps if they have living restrictions in that other state. But yeah, I can just pack my crap and go somewhere else. It's pretty neat. Thank you for that question, Chris. You're a good, dude. I'll catch up with you soon. We are running short on time. Are there any of these articles that you wanted to cover in particular?

Larry 1:09:04

Oh, no, I think we should cut it off and recognize our patrons. Our new patrons and our existing patrons and tell people how to contact us so

Andy 1:09:13

Yep. Okay, so for patrons, Christopher increased to support of the podcast by three-fold. I need to get like an applause thing on my little button pusher thing that decided to fail me a minute ago. But thank you very much to Christopher. And then we also had two new patrons this week, a John and a Don and wow, that's a coincidence. I didn't pay attention to that they rhymed. And Don is a good friend of mine. And I very much appreciate all the patrons that support us and to the new ones this week. Thank you so very much. Anything to add before we shut the whole thing down?

Larry 1:09:45

So Chris went from \$1,400 a month to what?

Andy 1:09:53

Yeah haha, 28 plus 14, what's that? \$4,200?

Larry 1:09:57

So he's, he's at \$4,200 a month now?

Andy 1:09:59

That's absolutely right. That's part of my retirement plan.

Larry 1:10:03

So absolutely. Well, the only thing I have to add is we're getting closer, we've got our FYP education site up, and we're making the final touches on it. And hopefully we're gonna have our 501(c)3 in the coming weeks.

Andy 1:10:19

That would be really cool. And what is the objective there? What are we really trying to do?

Larry 1:10:25

We're trying to get the donor community that would be more receptive to supporting us to give more money. And that will translate into more services. Like right now we're, we're sending out a few dozen transcripts weekly. I see that growing quite exponentially once more people find out that we're doing it. And I see that a model similar to what NARSOL has where that we can reduce the cost even further, and maybe even down to zero for people who are indigent. And, but you know, the cost doesn't go away just because you don't charge. So that that would be one avenue that where people would be able to justify doing something that's actually having a charitable purpose and information is what people are lacking. And the more we can disseminate information, the better.

Andy 1:11:14

All right, well, go over to the website at registrymatters.co to find show notes and places to contact us and reach us. voicemail, you can dial 747-227-4477. Larry's getting lonely, no voicemail messages. So send those in there. registrymatters cast@gmail.com if you want to send Larry hate mail, and of course, all of our listeners are very important to us. But the patrons help support the show. And that is patreon.com/registrymatters. It's the same name over on Twitter, and you can find us over on YouTube. And I would say like and subscribe and share on YouTube and in your favorite podcast app and so forth and so on and so on. Larry, with that I bid you adieu and thank you to everyone in chat that joined us this evening. And I hope everyone has a great rest of their weekend. Take care Larry.

Larry 1:12:01

Thanks. Good night, everyone.

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