



Registry Matters Podcast

Episode 170

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Andy 00:00

Registry Matters is an independent production. The opinions and ideas here are that of the hosts and do not reflect the opinions of any other organization. If you have a problem with these thoughts, fyp. Recording live from fyp Studios, east and west transmitting across the internet. This is Episode 170 of Registry Matters. Larry, tell me what you think about daylight savings before after? Does it mess you up? Do you think we should have it? Tell me what you think about daylight savings time?

Larry 00:30

Well, you know, interesting that bill was debated in the legislature. It has been for years, but I'm not even sure if it made it to the finish line. But we have a new Mexican in chat, and he can probably look it up and tell me. He was one of Senator Cliff Hurdles bills. And I know it got passed the Senate. But I don't know if the house put it out. But in my personal opinion, I really don't care if I heard these arguments that it would. It messes the cows up, but I'm not sure the cows really look at look at the time I'm thinking that their bodies produce milk in cycles. And I think the farmers would just adjust the dairy operator for just adjust their milking schedule. I can't imagine how it would disrupt the cows.

Andy 01:09

I have never heard that before. I'm sure the cows just operate based on wherever the heck the sun is not when the when the farmer comes up. That would be my guess, but I am certainly no farmer. I'm a computer guy, not a cow guy.

Larry 01:22

So Well, yeah,

Andy 01:24

They both start with Cs

Larry 01:26

But anyway, since we have a listener in chat, he could go to the website and see if Purtell's daylight savings bill passed. If it stalled out on the house and the House side.

Andy 01:36

I would personally prefer it get lighter get darker later at night. So now at East Coast, it's getting dark. I mean, I had to put my blackout curtains up to keep the video from looking funky. But if the sun goes down now here it is in March. It's like around 730 almost eight o'clock that it goes down. I really like that much better. I don't like it going down at five. It's not fun to me. Well,

Larry 01:58

I think we've mentioned this before in the embargo days in '73' 74 they did try your year-round daylight savings time and then they repealed it. The Congress did because of darkness in the morning that was children's vulnerable to car accidents. So, we have tried year-round.

Andy 02:19

but the kids up the street for me they go stand up for the school bus at Zero Dark 30 also, like even the wintertime it's dark is like

it's dark. I don't see what the difference of dark at 6am versus less dark at 6am. It's dark. I don't get it.

Larry 02:35

Well, you got to remember we a lot a lot has improved since '73. We had those old mercury vapor lights on the streets were your headlights.

Larry 02:48

As they got dimmer and dimmer than the headlights on cars. Were those round bulbs everybody had the same headlight on and the lighting on vehicles was not nearly as good. We didn't have the detection devices on vehicles that would hazard I mean, there was so much different in '73 of probably fewer crossing guards. It was a different era. So, what was dangerous then might not be nearly as dangerous. I doubt they had the reflective clothing. Kids have shoes nowadays that that have lights that constantly fly.

Andy 03:17

They have LED lights and I'm sure.

Larry 03:20

So yeah, much has changed since '73.

Andy 03:25

All right. Tell me about the agenda. Wait, wait, wait, sorry. Hang on. Let me press this button. Make sure that you go to YouTube and like and subscribe and share it with all of your friends, family and neighbors and also do so in your favorite podcast app. So, tell me about the agenda tonight Larry.

Larry 03:41

Well, we have an action-packed jammed agenda tonight. We're gonna we're going to take some questions from inside. behind the walls. We're going to take some from outside the walls. We're going to talk about legislative action in my state. We're going to talk about an appeal that's pending in in Georgia regarding Halloween signs. I mean, we are going to really, we're going to really fill this thing out. We got some stories to talk about some news articles and it should be jam packed. We got to move fast.

Andy 04:13

Didn't you tell me something about some crazy legislature going on in the New Mexico house. Something that house bill we talked about a House Bill 56. (Larry: Yes, we did talk about that.) It did they did the legislature adjourned today at high noon.

Larry 04:32

They do that's in the Constitution. So, they are joined today. Hi, dude. And that House Bill 56, which was a human trafficking, and the SORNA changes it. It stalled out in the Senate.

Andy 04:47

Interesting to describe that again, is it went from it started as a house and then it goes over to the Senate and then could you go over that just quick again.

Larry 04:58

Yeah, since it has an HB number that means it was introduced in the House. And the House passed it as we fully anticipated. Those members have to face the wrath of the angry mob every two years. And, and the pressure was on them immense, enormous, immense pressure on them to pass this human trafficking. Jeffrey Epstein closed a sort of loophole for out of state people. So, we concentrated on LJC, the labor Justice Coalition, we concentrate our efforts on the Senate, because we they don't have to face the angry mob for almost four years. And we cooler heads prevail in the Senate. And we were able to, we were able to convey the problems with the legislation and the sponsors weren't really on the House side willing to make any changes. So therefore, the bill died. It didn't gain any traction in the Senate.

Andy 05:53

Okay, I was I was watching the NARSOL affiliates list, and something passed up last week from Ohio. And may I read something to you?

Larry 06:01

Sure, I think I know what you're talking about.

Andy 06:04

So, it reads it says I just learned from our Hamilton County, Ohio prosecutors asking for the names of all those removed from the registry in that county. He apparently feels that the holding in *Willman v. US Attorney General* justifies penalties from many of them for registration violations under the federal SORNA. The Sixth Circuit ruled that the obligations to register under SORNA is independent of any duties under state law. Therefore, even those who have been removed under state law may be to charges of failure to register. Is anyone else running into this, especially in the Sixth Circuit? One of my colleagues asked me how a state prosecutor has jurisdiction over what is a federal claim under *Willmann*. This could potentially affect every PFR, who has timed out under Megan's Law since SORNA. requires the law be applied retroactively. Can federal legislation override a ruling from our state supreme court? Do you people have any thoughts? This is complicated Larry. There's a lot of words in there.

Larry 07:03

So yes, I'm familiar with this. We talked about this *Willmann* case, it's some episodes back. And, and I wrote a piece that was posted on Oracle's website about *Willmann* and the dangers and in the case, but here's the what the reality a, a prosecuting attorney, a state prosecuting attorney cannot prosecute for federal crimes. So, we can rule out the Hamilton County prosecuting attorney's office, they will not be able to file any charges. Now they could go to the US Attorney's Office in the same jurisdiction and say, Mr. Madam, US Attorney, we believe that based on *Willman*, that these people have an independent duty to register, and we believe that you should prosecute them under federal law. And I do not for a moment buy into the to this misguided notion that the federal prosecutors are overworked and understaffed, and all that kind of stuff. That's not true. But I do buy into one thing about federal prosecutors that they like to win, and they do not do not like to ride sinking ships. And they would take a look at the case law in Ohio. That interpreted they will how that says there's only Ohio registry there really isn't a federal registry. In that regard, I think, I think the panel was wrong in the *Willmann* case. So, I do

not think it's very likely that a US Attorney, assistant US Attorney General, would bring those charges. Now, having said that, then the question is, is there a workaround? Yes, there is. There absolutely is, if I were the Hamilton County, prosecuting attorney, I would get together with the Ohio prosecuting Attorneys Association. And I would tell them, that we need to just do a slight amendment and our Ohio statutory scheme. And that amendment would be that that that there would be a duty to register pursuant to federal law. So, I would expand the definition of Ohio law of Ohio law to include anyone who's defined as a sexual offender pursuant to the Adam Walsh, Child Safety Act of 90 of 2006. And then that would wind up a brand-new round of litigation, because if I were a defense attorney for anybody that the US Attorney's Office prosecuted if that law were becoming active, I would come back here and I would argue that there is no federal registry, and that the Ohio constitution is supreme, and that the courts of Ohio have ruled that though our Constitution prohibits anybody from having additional obligations imposed on them. So, this could get quite interesting. And it could get quite fascinating for those legal beagles out there, but this was all predictable that assume, do me

Andy 09:49

a favor and backup on one thing that you said I was just gonna ask you this organically is like, could you remind us that there is/is not a federal registry? And where is my federal registration?

Larry 10:01

Well, people mistake the Dru Katrina Sjodin website, where each of the, of the territorial and state registries are accessible through one search engine. And they mistake that for being a federal registry. And but there isn't. And some people mistake the fact that that, that when you are registered by the various jurisdictions, they enter you into the National Crime database as that's one of the person files in NCIC. But that's still not a federal registry. The registration obligation is what's imposed by your state statutory scheme. So that's where the problem lies for these people in Hamilton County. There, there is no federal registry. So, if the how courts continue to maintain they're that you cannot do this. It violates our Ohio constitution. The fed wills just have to pound sand.

Andy 10:56

Love that expression? I love that expression. Go pound pets go pound Sam. Um, because it does people, I think even you run into attorneys that adamantly say that there's some sort of federal registry out there.

Larry 11:09

Yes, I know, a number of them that do that. And it's unfortunate that the courts really don't understand it. That's how the *Willmann* decision was able to be handed down. I mean, we're, we have confused judges and my fear. I think *Willmann* files are cert I was intending to check before we went live today to see if that petition has been decided. But he had asked the supreme court for review. And in my mind, it would be very dangerous that they reviewed the case, because I'm not convinced that the Supreme Court would get it right either, because they may find themselves in a confused posture to think there's a Federal Register when there isn't.

Andy 11:47

So weird. You don't have any idea. Is that a two thing? It's just you said that Dru Sjodin, which is the name of a person Drew, and then I there's no way I'm ever going to pronounce that last name. But do you think that that's just the origin of all of it? Or is there something else, that people are so confused that there's a federal registry?

Larry 12:05

Well, they're confused, because the, there was a demand for a federal registry because of the higher level of noncompliance back in the in the mid 2000s, it was reported that 100,000 of what was about a half million at that time, had exempted themselves by just simply not complying and moving across state lines. And they realized they could not federalize the registry, because they didn't have the jurisdictional hook to do that, they these people largely been convicted of state offenses. And it's like when you when you register your car, you're not registering with a federal registry, because your car is registered in the state of Georgia, whatever state that you're in. And, and so that there was no jurisdiction. So, the only way that they could try to gain a jurisdictional hook was by the power of budgeting. So, they asked the states, would you please do this in our national interest to have this have this registry were they more resemble one another, and where they communicate with one another, the registries prior to 2006 were largely dependent on one another. And so now they've got a whole lot more networking, but there is no federal registry. But there was the hope by the Congress that the registry for more mirrored one another. And that would make it easier to comply, but they have not grown more like one another. A state has continued to try to compete to make sure that they're the toughest, right? So, what's we still don't have, we still don't have anything that resembles a uniform law. And after I realized what had gone wrong, I even worked towards trying to get a uniform law. Because uniform laws are adopted all the time by the states working together. And they adopt them as a uniform law. There's a commission on that. But the uniform law commission was not interested because the process was too far along with what was going on now. And they weren't going to step into something that was this controversial and try to write a uniform law when the Adam Walsh Act was already on the books. By the time I got around, it was like three, four years after, after the Adam Walsh Act passed. And it dawned on me that what we really were searching for was a uniform law. And that would mean that all the states would have you would gain no advantage of going from one state to the other. But that would the difficulty to uniform laws that the states that are so horrendously hard are not going to want to come down. Yes, because they would say that they would see that as being solved on, you know, what PFRs. and the states that are moderately reasonable, there's a few of them still are, they would have to come up. And they would have to increase their requirements. And, of course, if you happen to be one of those states that had to raise and increase the requirements, you would not find a uniform law to be all that popular.

Andy 14:40

I would just make a somewhat of a general observation is that I would, I think that states just sort of like their neighbors are very similar to each other across the border taxes and driving regulations. They're similar. I know that you're going to end up with like one state. That's some sort of pocket. That's crazy. You

can drive 100 miles an hour in the middle of nowhere, and then the state's around. No, you can't do that. But I bet you would find that the states are similar to the one that that's next to it.

Larry 15:09

Well, it at least there are people who advocate on legislative bodies for that similarity. You know, you have this look at your recent example, in Georgia where the representative or senator whichever it was, he said that we need to be more like the surrounding states in terms of the removal process. We're making it too easy. Remember that? So that shows they were looking at the surrounding states? Sure. Sure. Sure.

Andy 15:29

All right. We should move on. We've been on we've been hanging around this for too long, but its good information is people bringing this up, and then we can talk about the federal registry, which doesn't exist. Shall we move on, sir?

Larry 15:40

Let's do it.

Andy 15:41

All right. Well, this came from Reddit says just discovered you people and the podcast through Reddit. I'm glad to hear someone taking aim at a situation that affected me over a decade ago. My parole date from penitentiary of New Mexico September 18, 2008. At that point, they had denied three parole plans for being too close to a school. They went on to deny it one more for the same reason. And then a fifth that we found it in the middle of nowhere because it had inadequate cell phone service for active monitoring. I only had one year of parole was on 50% good time and was watching my poor mother try every avenue to find me suitable address. So, I told her to stop and let me terminate my parole in house. I was released March 3, 2009, upon termination of my parole, but still with one year of probation, reported directly to the same PO who had denied my parole plans, who told me to go find a place to live and come back the following day. I went to my second parole plan confirmed I could still live there, I had them pull it up on Google Maps and measure and found it to be over 2000 feet from the nearest school. I printed that out and took it with me the next day. And when she said, Oh, that's a bad address. It's too close to a school. I handed in the paper and he said, Oh, okay, as though hadn't cost me six extra months of incarceration. He also attempted to keep me on probation without giving me credit for the time served on my in-house parole. I had to print out and take him copies of mine in New Mexico. I don't know what CD is NMCD policy in order to be released from probation. What is the CD part? CD part? Oh, correct. Gotcha. So, the actual question is now a decade later, I have lived and worked in both Colorado and Texas, both of which would provide a way to petition for removal from the registry. Had I been convicted in that state but cannot because they must abide by New Mexico's ruling of lifetime registration for me. With New Mexico having no path off the registry until my death. What Avenue Can I take to support change in this? No one to speak to support any change in this because no one takes the time to understand it. The further along in my career I get the more of an obstacle, the registry becomes No kidding. And it feels like there must be something to be done about it eventually. But I'm at a loss. What advice can you give me

convicted a fourth-degree sexual exploitation, possession of CP in 2006? Thanks for all you do. fyp.

Larry 18:08

So well, I can tell him. There's so much that they don't they the national audience is too concerned about the parole process in New Mexico so I'll just slightly gloss over parole does that come to an end Mexico prisoner until they've done their time, it would be more appropriately titled A period of supervised release. So, at the time he was convicted, he was under the apparently under old law before the treatment providers recommended that that we have indeterminate periods of probation and parole for sexual offenses. And prior to that, the most you would have would be a two-year parole period of post-prison supervision. So, he was able to go ahead and just serve his one-year parole period in the house at 30%. Good time and walk away with just a probation. But the probation starts running the minute you get parole because you're technically released and serving it in house. So, he's correct on all that which nobody cares about. But what people do care about is the part of where he says he can't get off in Colorado, I do not know that to be the case. Colorado does not discriminate and distinguish between a person with an out of state conviction. So, I would recommend that he contact a Denver area attorney named calling Kelly, if he's living if he's living in Colorado, and find out now if you have more than one conviction within the same case which appears though he might the that disqualifies you under Colorado law. Texas has, to my knowledge the last time I looked at their statutory scheme, they do not have any tie to another face. They do not have a provision in their law that says you have to register with the term of the state where you were convicted. If that does exist, I would appreciate if he would send that to us so that we'll know that. But what Texas has routinely done through the years. Are they take the position that if you would qualify under the federal definition, that you're not eligible for our release? So, they've administratively decided that petitions were denied. And I do not know that they've actually put that in their statutory scheme. But they've administratively have decided that if you have a conviction in another state, that will qualify your DWI definition of a sexual offender that you're not eligible to be removed. So, so again, as best that would probably be Colorado, if he's living there, you can't petition in any state you're not living. And because that's not what's causing you to register so if he is in living in Colorado. He could talk to Colleen, and he's living in Texas, I would like to see fail the statute in the language where it says it's tied to the other states, because I don't believe that to be the case.

Andy 20:54

Um, okay. Is there anything else? That's a whole lot of word salad going on there, too.

Larry 21:01

I hope we get follow up with this. He might, he might actually have something that we don't know, because these statutes change every year legislatures have proposals. And if I spent the time researching all the statutory schemes we will never get through the day. So, if that has changed, I'd like to see I'd like to see it, but I don't believe it to be the case, I believe they're going to continue to say that because he's defined under AWA criteria, that he can't be removed, but we'll see what he says let's back.

Andy 21:28

Okay. And then moving over, we received an email message says, Hello, my name is Mike. And I'm from the state of South Carolina. First off, I want to say thank you guys, you're doing a great job every week, after listening last week about the difficulty of organizing and funding, I couldn't help it shake my head because you guys have the biggest fundraising tool in front of you. It's the state's own registries, you have addresses of 1000s of potential donors and volunteers. I don't think it would cost too much for mailers. If political candidates can master this. I'm sure the same can be done here. The problem with trying to use social media is that most states authorities have made blanket bans on social media like this one, so it's very hard for someone like me to even get involved. Thanks, as always. Boy, do I have a lot to say about this one. Do you want to start?

Larry 22:18

Alright. Yes, we have actually done what he's recommending it is a natural reaction when you come in fresh. I gave. I think I was not the keynote. We don't call it keynote, even now. But I did. I did an opening remark at a national conference in 2012. And I posed the same question that that he's that he's posed here. But as we've experimented with that model, we've discovered that the response rate is very, very, very low. In terms of so if you send out 100 letters, if you get two to three responses, it's considered a successful mailing. So, and it doesn't matter, we've done the left cock of our head with cocked it to the right, we've tilted it back. We've tilted it forward. We've done it from state-to-state states that are sparsely populated. We've done it in states or heavily populated. And we've done it in states that are very fluid. And we've got an estate that are very poor, like my state. And actually, we've had I had a better success rate when we were doing that here in this sparsely populated, very poor state than some of the more affluent states like Maryland, for example, or Connecticut, for example, or how, for example, where we've done this Pennsylvania, for example. So, we just we just don't find that that's an effective way. It does bring out a couple of people. For every 100, you do get a few new names, but as far as that being a fundraising tool, no, that is not an effective fundraising tool.

Andy 23:52

Um, so even I mean, I may I use a personal anecdote here of what I did in Georgia. (Andy: Sure) I mean, I mailed out I personally, I hand address, I'm random to a printer we printed out we organized with my state group to work out a letter and sent out I personally sent out 300 letters. And I think I received a handful of phone calls and not one thing transpired from it. When you do something like that, you have to be prepared to handle the multitude of different kinds of calls, people aren't just going to call in and say, Hi, how much do you need? I have my checkbook open. What would you like? They are going to call in and say, can you direct me to an attorney to get off this garbage list? And I don't know there's so out of the response rate, you also then have a certain kind of response rate of people that are even interested to do anything beyond that.

Larry 24:44

Well, most people are more interested in their own situation, which is, which is why they contact you. But there's a lot of doubt because of scams and stuff. They've never heard of the organizational name. So, so they have what frequently happens is

they take these letters to the registry. office and ask them if it's a scam. And then they provide a copy of them to the to the sheriff or to whoever registers them. And, and of course the sheriff encourages them not to get involved. They take them to their appeals; they take them to their treatment providers. But we don't get, we don't get the type of response that would be desirable. So that is really something that's been tried. We wish it would yield results, but it really doesn't.

Andy 25:25

Very well. I think I can move that one back, a couple clicks. And then let's move over to this. This one says, Dear Larry and Andy got it. You know what I really need to get some like, kind of music, some soft sobbing music says:

Listener Question

I'm a new subscriber to both the digest newsletter and the registry matters podcast transcript, I share your podcast transcripts (Andy: which is absolutely 100% we are trying to get people to do is when that thing goes into the institution, share it with everybody, collect a couple stamps from everybody and subscribe to it. It would be fantastic to get the information disseminated out.) I share your podcast with many other PFRs here at RCI prison. And we truly appreciate the relevant information you provide. I and six other PFRs have discussed the topics you talk about. And the two questions we have are. Larry, this one's for you. What does FYP mean and FYP Productions?

Larry 26:23

Well, FYP is kind of like the initial Harry S. Truman's middle name, it means just what it is. So, we decided that we were going to name this FYP education, and it stands for whatever you want it to stand for. There's he put his own. He put his own idea and actually came up with a pretty good one. Tell him tell people what he thought it might stand for.

Andy 26:46

But that was the PFRs he didn't do fyp did PFRs

Larry 26:49

Oh, okay,

Andy 26:50

that comes up. So yeah, so fyp Productions. Yeah. Yeah, means fyp Productions. Um, and then so what does PFR stand for? And I guess the suggestions are as a pedophiles, fornicators, and rapists, which is really kind of terribly terrible. But so, what does PFR stand for? I've been asked this by every other person who reads these with me, we cannot figure out what PFR is. So, I've been telling the other sex offenders that PFRs are persons forced to register. And so that's what PFR stands for its people forced to register.

Larry 27:26

And you have to register, you have to register on your state's sexual offense registry. So, when you go in and

Andy 27:33

tell them you, you want to register your offense, which you're not registering yourself, even though your name and all that other garbage gets associated with that you're registering the offense that you committed.

Larry 27:43

That's correct.

Andy 27:45

Interesting. Yeah. But God, it was probably a year ago that someone suggested PFR stand for persons forced to register. And I actually kind of scoffed at if I if I remember, like, That's stupid. And then I prefer to use the term a whole lot more than anything else.

Larry 28:03

Well, I really like that. And I'm working my way through the sexual offense registry and I understand the theory behind it because the inference is that the person is currently attending and of course, that that's not who you are. Yeah, that's, that's something you did one event in your life hopefully. And, but it's just it doesn't describe because they're registered you, they take your DNA, they take your picture, they take your fingerprints, you know it, lists your address. I wish it were just that offense register. I wish you could just go out and register the offense, but it's a little bit more to it than that.

Andy 28:40

There is a tad more to it than that. Thanks guys in inside the walls, man. You mean a lot to us for real? Because I know that I've been there, and I am anxious for you guys to get out. And I know that you are too. So, stay strong, and we'll see you when you get out here. Moving right along, Mr. Larry, this one is written in like the lightest pen possible, but it has very good penmanship, which I appreciate because it makes it easier to read. But could you press down harder? Says:

Listener Question

Dear Sir Madam, I am currently incarcerated in Missouri for failure to register as a PFR my original charge is out of Little Rock, our Kansas. I'm charged as a tier three, which was illegally scored by the courts. I have been registering almost 16 years now. I have filed motions in court and always denied. I need your help to get my voice heard in court. I need the new laws from Missouri and Kansas. And I'm saying that intentionally wrong Arkansas. That can help me to get my name removed from the registering list, plus any other contacts that can help my voice be heard. I also would like your newsletter to be sent to me monthly by mail. My life has been put in danger by the states and courts for a long time. This matters unconstitutional. The state cannot put a person's life in the public danger that they have Done mine, please send any information that will help me to be free from to the address below, please and thank you. All right, Larry, ding, ding, go at it.

Larry 30:10

So, this is a, this is a tragic situation. And it's, it's what happens to so many people, they relocate from one jurisdiction to the other without thoroughly understanding what the consequences are going to be. And I've had somebody tell me, well, I got convicted this state, so my registration obligations, 10 years, and I say no, that's not the case. Now, he got convicted in Little Rock, which is a county in Central Arkansas, capital Pulaski. And had he never left Arkansas, he would have been eligible after 15 years to petition in Pulaski County to be removed from the obligation to register. And Pulaski to the extent that was a liberal part of Arkansas has a significant termination rate of those people there that follows

petitions they get off. And I know that because of my connections with Arkansas attorneys, but when he left the jurisdiction of Arkansas, he submitted himself to the jurisdiction of Missouri. And I did not and I we cannot go through all the nuances of what because we'd have to know too much about his particular facts of this case and how to score it up with Missouri law. But whatever, whatever Missouri requires is what applies to him in terms of his registrant obligations. Arkansas is now out of the picture. So, if he were to file the petition, in Pulaski County, the first thing the Pulaski County prosecuting attorney's office would do is they would file a motion to dismiss that petition saying that he's not be required to register because of Arkansas law. And therefore, he needs to take this matter to Missouri court. That would be that would be their likely response. So, Arkansas can't help him because his convictions there. But he's not being required to register at Arkansas law. If you're looking at Arkansas's registry. If he were rated as a level two or above, you might find his name on there. If he's level one, you shouldn't find his name on there. But if you find his name on there, it will say living out of state and Arkansas is done with him. So now, the question is, what can you do in Missouri? Well, he's got to be eligible to file a petition for removal in Missouri, which they do, they do have. But unfortunately, it looks like that there are a lot of exclusions. So, for example, a tier three category PFR must register for life unless you were adjudicated as a juvenile, which is consistent with AWA tier threes are not allowed or process off. That is one of the one of the check offs in the compliance as tier threes, or in fact, life four times a year. So, if you're a tier three in Missouri, you're not eligible, then let's go down the list if the victim was a child under the age of 17, and the offense was adjudicated after '07. So, we don't have that information. But then the one that's really gonna knock him out if the offense was not in Missouri. So based on his letter, he's not able to file he's not eligible. Now, this would be an example of a teachable moment. Now, there would be some attorneys who would want to file a removal petition, even though by black letter law, he's not eligible. What you would file would be a petition for declaratory judgment and a case like this. And you would ask the Missouri Court, which I don't know what they named their trial level courts, but you would ask a superior or circuit or district or whatever the trial, a general jurisdiction court, if you would ask that court to declare that as a citizen of Missouri, that you would have the same rights and expectations that a person who, who was convicted out of state should have the same rights once they became attached to Missouri, and you can only achieve that in a declaratory action. You would invoke the Constitution of Missouri, you'd look for the equal protection clause, you would cite to the equal protection clause in the US Constitution, and you would argue vehemently in that vehicle, if you were to file a petition for removal, using this process. The judge would say, Well, now, now, let me get this straight. You were convicted in Arkansas, right? Yes. Okay. The black letter law says you're not eligible to file one of these petitions. Why are we here? If you were to file a petition for declaratory judgment, you'd be putting forth arguments that could be raised in that vehicle using that process. And you could, you could expand the scope of the judicial examination. So that's why it's so important. Did you find the right type of action? But let's go through this list if you were ever required to register on that abolish Act. The Federal Sex Offender Registry, SORTA is a straight copy of Missouri's sexual offense registry website. This is where I got these bullets. Or if you currently have a pending case, or a prior case for failure to

register. So, it looks like to me that he has a prior case because he's in prison for it now of FDR failure to register. So, he's disqualified on the basis of that, that looks like that they could easily declared that he's these required under the Adam Walsh Act criteria of a sexual offender. And it says he's out of Missouri, I would say no hope and emphatic petition for removal. Now remember, this is a non-legal opinion. This is my personal opinion, but I can read, and I can reasonably understand what I'm reading. So therefore, the only hope I would see would be for him to file a petition for declaratory judgment and to make some constitutional claims that sort those, whether they're whether they will work or not, we don't know. The bad thing is if he goes back to Arkansas now, if he files in Polaski County, he has a conviction out of state. And if I'm the Polaski County prosecuting attorney, I'm going to say well, Judge, you shouldn't release this guy because during the time that he had left and lived in other states, he had difficult to comply and we would be turning loose a tidal wave of risk on this community if we're really step that's what I would say. And if I can think of that, I'm quite sure they can think of that.

Andy 36:36
You would think should I play the track now?

Larry 36:39
Sure.

Andy 36:43
Course now it doesn't want to do it. Oh, my God. Technology explodes on me, Larry, right when I need it right.

(Audio Clip)
The most hysterical laughter ever. Just imagine the craziest laugh you've ever heard but times it by over 9000.

There. Right when I needed it explodes.

Larry 36:59
Well, you can clip it back.

Andy 37:03
And I'm shaking my fish Damn your technology. So, and then we'll move on to the next thing and you gave this to you put this in the box to share you want me to do like me to read the poem. Forgotten walls? Sure. This was just a heart tugging thing that I thought that they deserve some recognition, and it is very well, and we're going to give the full name? (Larry: No.) Okay. I will then clip these things out later if it says its person named Jeremy says

*You cannot love from prison.
You cannot know the way
Your little child's arms embrace you.
They take that part away.*

*They take away the friends the family
They call us to fray most cherish ties
Too much time, excessive time
From inflated charges. And P.S. lies*

*Judges judging askari judging judges without compassion
Leave a spark of hope so small*

*As distance between each phone call grows
Behind forgotten walls.*

*Sometimes the sadness of it all hits home
The more you're here, the more you'll see
When 162 inmates live together
And you walk by those phones*

And.....
They're empty.

There is truth in that part. Larry, they I have seen banks have phones and there's 100 people in there and the phones are just like they're just empty. So sad.

Larry 38:24
Well, the touching part to me was the note apparently from the kid

Andy 38:31
that says I miss you. Dear Dad, how are you? School is finally over. We are moving and going to is that Wisconsin? Sorry, I can't read the little young person's handwriting

Larry 38:48
But I'm assuming sketch a sketch of his child and then and then that for to receive that from your child.

Andy 38:56
Oh, yeah. And the kid is holding someone's hand and the outline of dad is like dotted lines. It's, it's very sad. That it is its pretty crappy system that we have Larry. And then moving right along. Are you ready to go on? Ready to be a part of registry matters. Get links at registry matters.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 (747)227-4477. Wanna to support registry matters on a monthly basis. Head to patreon.com/registrymatters. Not ready to become a patron. Give a five-star review at Apple podcasts or Stitcher or tell your buddies that your treatment class about the podcast. We want to send out a big heartfelt support for that. On the registry, keep biting. Without you, we can't succeed. You make it possible. I think we're at the Georgia case now.

Larry 40:08
Yep. That's where we are. Cool.

Andy 40:11
This is a whole list of questions that we put together regarding the thing that happened in Bucks County a couple years back where they were putting signs in people's yards to tell them to don't Trick or Treat here and whatnot. And that went to court. And then there was a, what was the thing where they accepted the two parties? I can't remember what that's called there. Can you remind me quick? The summary judgment summary judgment, I think, right. No,

Larry 40:38
Yep. Yep. Yep.

Andy 40:40
Okay. Um, so I will be giving you people put this 64-page brief in there. And there I read a lot of it in the folder it has to do with challenge NARSOL filed against Butts county sheriff in Georgia. And I thought you said this case was settled. That's kind of where I kind of remember us leading off with this.

Larry 40:56
So well, I got confusing because there were two cases filed in Georgia. They were filed in Bucks County and Spalding County, and they were two adjoining counties in the central part of North central part of Georgia. And, and the Spalding county case settled. But the butts County Sheriff vowed that he had put his hand on the Bible. And he would take this all the way to Supreme Court. So that's the one that that we're still in court litigating.

Andy 41:27
Now that you did confuse me because of the two different cases, I thought the judge granted an injunction in the Bucks County case which prohibited the sheriff from imposing this requirement. Let me back up a little bit here. Is this law in Georgia or by what authority do the two sheriffs require the signs to be posted?

Larry 41:44
That's the whole basis of the ...you're correct. That's the whole basis. We did get an injunction in 2019. In the Spalding County Sheriff decided that, that voluntarily not to erect the signs, but the birds can assure insisted on a flight. So, we did get the sign the injunction that prohibited the displaying of science in 2019, for that Halloween, and the court presumed that the case will be resolved by the time Halloween rolled around in 2020. And in fact, it was the court ruled in favor of the defendants. And that that's the basis for why we're appealing the county defendants one

Andy 42:27
and this happened in the US Court of Appeals?

Larry 42:30
Yes, we're up on appeal now at the 11th Circuit Court, which is based in Atlanta. And we were we filed a brief last week and then the amicus briefs will be coming in this week. I'm working on an amicus. I'm involved on both sides of it. The appellate brief by the attorney that that we retained. That brief was filed Wednesday, then a week later the amicus briefs are due. So NARSOL in conjunction with Axel are filing an amicus brief. I'm involved in that as well. So, we are at the Court of Appeals.

Andy 43:09
Okay, and remind me the Court of Appeals, there is 125 1020 steps below the Supreme Court.

Larry 43:15
It is just one step blows Supreme Court.

Andy 43:18
All right. Um, I went to the trial that was here that was held it was in the Macon Georgia area. And did this come up on a second trial? Did I miss something?

Larry 43:28

You did not miss anything. What you went to be the injunction hearing. And you where you were sitting at the courtroom. But then, after the injunction was granted to protect the parties during that Halloween of 2019. Then the next thing process would be for the case to proceed to trial. So, the court confers with the party's counsel and says Where are we going with this? And this case, both parties decided that they were going to move for summary judgment and

Andy 43:57

they did. I've heard you rail against summary judgments the way you dislike them greatly. I've heard you say on multiple occasions that you just don't want to do that you want I mean; we can walk back to the case are Alaska, the Smith versus doe that if I'm not mistaken, that was summary judgment. And so, in this case, it was not clear like the signs were they on private property or within the public right of way. There were a whole bunch of questions that weren't answered if was it permissible that the sheriff be allowed to do this? Does it include signs that make a sheriff happy? Right away, land is still owned by the person and the usage is very limited. Those two issues. Oh, I'm answering your question. Darn it, man. Sorry. I flew off the script a little bit.

Larry 44:52

Yes, it was decided by summary judgment and I do rant and rave about summary judgment because what happens is when you're litigating a case and you're trying to decide how to get resolution. The lawyers will come tell you one thing. And I'm telling you the whole story. The lawyers will tell you that they do this because it's the right thing to do. To resolve the claims quickly, what they leave out, is that that preparing for a trial is an awful lot of work and a lot of awful lot of expense. And it's going to delay the resolution of the case. So, they, they file for summary judgment when they shouldn't. And I have no objection to summary judgment when it's appropriate. But that's when there are no facts in dispute. And this case, in this case, there were facts in dispute. That's what I was gonna say, a dispute where we're, we're, we're the science on public right away, as the sheriff asserted? We don't know that. And if they were on public right away, what is the permissible use of that right away? We don't know that. Does it include signs that like the sheriff happy? Or does it include only utility easements, and traffic control science, we wouldn't need experts to testify on all those things. Because the right of way, is still owned by the private party who owns the property. And these issues would have been more appropriately fully developed at a trial. But we didn't have a trial because we moved for summary judgment.

Andy 46:22

I was reading through the brief. And it's not just as simple as the easement is 10 feet past something, it's not nearly that simple. Because maybe they put the waterline 20 feet in instead of 10 feet in, did they mark, did they do any sort of land surveys of where the easement ends on everyone's property. They didn't mark where they placed the signs, there were a whole bunch of other things that were going on in the case that that could have been swayed in our favor, that would have just made it a slam dunk, it seems to me.

Larry 46:53

That is my concern. Now since I'm not licensed to practice law. And I don't have the horrendous overhead that these lawyers have. And I think the last count I got they said that they've got about a half million dollars' worth of worth of billable hours now that the core site is trying to try to maximize your billable hours. But it takes us now been going on since 2019. So, we've gone through quite a lot of activity. For this time. When you have a high dollar office in downtown Atlanta, you have considerable expenses. And there's a lot of hours involved in this case. And so, it's easy for me to say what you should do. But the reality is that that's one of the things that that holds us back is that we end up trying to take the shortcuts, because of funding issues. We've had, we've had attorneys' approach, I'll say that they they're going to bring down the registry, if we'll give them \$100,000 in their nest egg so that they can so that they won't have to be worried about out-of-pocket cost. Well, we wouldn't be able to write very many \$100,000 checks before we'd be out of business, because that's how little funding we have. So, we couldn't write \$100,000 check. But even if we did, if they're into it for a half million of billable hours already, you would see that that would have already been extinguished. So that's one incentive for summary judgment, you want to get a resolution. And then you want to be able to file your petition for attorney's fees, which are recoverable out of 1983 action. And that's what they're hoping for.

Andy 48:27

And just to clarify a point, I guess the reason why you would use a summary judgment is I think the term would be judicial economy. I think we talked about when we were going to file that Georgia case of bringing everything like a class action where we would like kind of Sue all the courts, all the counties in the state under one big, not class action, but similar, and that would make it just easier for them to do one judgment instead of 158. Is it here? 159?

Unknown Speaker 48:58

Yep.

Andy 49:00

Isn't that a reason why you would use a summary judgment is just to like, Hey, we just agree the judge can rule it no trial, no jury, no, all the extra overhead.

Larry 49:08

It does aid in judicial economy. But there must have to be no facts in dispute. Now, that issue that you're citing judicial economy would have been that we had several Superior Court judges that despite the Georgia law that said that a person after two years of active supervision, if they had paid their if they had done certain things that they would be automatically converted on supervised to administrative probation. And those judges had invented by judicial field, something that wasn't in Georgia statute. So, we were trying to figure out how to subject all the Superior Court judges who had issued such orders without having to do one by one what we could file but, in the meantime, the Georgia legislature changed change the rules of the game, which is exactly what we figured they would do.

Andy 49:55

And I guess we could make a somewhat of a comparison judges don't write long Neither do sheriffs.

Larry 50:01

That that that is correct. That's the whole basis for this appeal is that there is there is no Georgia law. And that's what the attorneys argued he's arguing the district court which the trial judge Treadway believes name is; He entered and granted the Applies motion for summary judgment and dying appellant denying a balanced motion because it misapplied the Supreme Court standards for determining whether Applies were compelled speech. And that's what this whole thing, our biggest argument is compelled speech. And our attorneys argue regarding whether a citizen endorses a message, forcing her to host or respond to a message which the science were with what which she disagrees violates her autonomy over what she chooses to say or not say, the science deprived appellants of their autonomy to determine what they would and would not say on their own property. And then he goes on to say no court has ever found such government dictate expression to be constitutionally tolerable. And so that that's what that's what this is all about folks, you know, the sheriff of butts County, decided that he, Gary long, was going to force people to not engage in any decorations or any handing out of candy, or at enjoyment of Halloween, because he felt like that was the good thing to do for his community. And he was going to force the people who were on the list of registrants in his county to convey that message to the entire well, whoever happens to see the science that that that that was his prerogative, do that. That is not his prerogative, we felt strongly about that. Just like the driver's license, conveying that that your PFR we feel equally strong about the states who require you to convey that message. And thankfully, the courts are beginning to agree.

Andy 51:51

You have something there at the end of that block that says, but nonetheless compelled to host it, which triggers strict scrutiny. Would you dig around that for a minute?

Larry 52:02

Yes, we're arguing our attorneys are arguing that this is that this should it be reviewed under strict scrutiny relevant than the most relaxed standard, which is, which is so low that just any anything qualifies as strict scrutiny. Then there's intermediate scrutiny. And so, we are arguing that this requires since its first amendment, strict scrutiny that are compelling a person to speak, you are obviously you can convey can compel people to speak. We do that in several circumstances. And we've done that all throughout the ages back during times of epidemics we can we compel people to announce to the public that their house was under quarantine. We compel people in some states, ARVs included that if they have convicted of a DWI that they must have a specially DWI interlock and their licenses so noted, I mean, but you cannot just compel people to speak without a very narrowly tailored in the case of DWI. It's narrowly tailored, you went out. You didn't, you did this, and you're still being punished for your offense. Many people in the sexual offense registry have long since completed their punishment. There's no unique and narrow tailor to this. And the case with the width of the sides that were posted on people's houses back. And I brought this up to an attorney, he said, Blair, can you think of any situation where people are forced to speak or have been asked, I can think of dozens of them. And I said, example that will, that we as a but those people had had due process, they were determined to have a contagious disease that

put the public at risk, if there was any contact with them. That is a justifiable use of compelling a person to speak because otherwise, you might not know. And you might become infected and spread that infection that's different than being able to PFR list.

Andy 53:57

Sure, sure. I mean, I don't think it'd be a stretch. If someone had abducted a child on Halloween, that that person would be narrowly tailored to have a sign in the yard saying, Don't Trick or Treat here.

Larry 54:09

I think that would be narrowly tailored. And I think, I think I think that would probably survive the test of what you could do with strict scrutiny, but it must be the strictest scrutiny requires the narrowest tailoring of a compelling governmental interest. There's no narrow tailoring here, if everybody in his County was required to do that.

Larry 54:32

Sheriff long, if you're listening, you need to learn to narrowly tailor these things, and you might get away with them.

Andy 54:42

Moving along, where will the will there be amicus briefs filed as well?

Larry 54:48

Absolutely. My understanding is that the ACLU of Georgia is going to file I will not be involved in that and my understanding is that Axel delights for constitutional sexual offense laws. As taking the lead, and we will be signing on with them, which are our input will be that we will say, gee, this looks pretty good. Thank you for your assistance. And we will be signing on I will have just very modest involvement in that I'll bet to get to be the grunt who produces the printed copies and transmit stuff to the 11th Circuit Court of Appeals.

Andy 55:22

Outstanding. Any anything else, I find this the first amendment stuff, I find it to be super interesting. Regarding like your license plate, I kind of think you don't own your license plate, you go register, and you pay for the privilege to have that on your car. So, you can then go drive around. So, the government can't force you to put their message there to beyond whatever would be necessary to identify the vehicle itself. I To me, it sounds like that. And so, then posting some other kind of sign in front of your yard that says things about you seems problematic. That is one of the cases

Larry 55:59

is excited to Live Free or Die that you New Hampshire, whoever it was that. So, but we're looking forward to this case, we hope we went Of course, because we've put a lot of energy into it. But you never know what the courts are going to decide.

Andy 56:15

If you want to find the appellate whatever submission, what's the right word

Larry 56:24
Opening brief,

Andy 56:25
okay, though, it'll be in the show notes over at registrymatters.co. Larry, we're going to cover a few articles that we haven't done in quite some time, and we have 10 ish minutes to do it. And do we have anything else before we get to this? Yeah, let's

Larry 56:40
let's skip the first one. That's going to take too much time.

Andy 56:42
Alright, so and then we will move over to one from Newsweek that says Washington State Supreme Court rules, drug possession law unconstitutional, and five, four decisions the state of Washington State. Why did you put this here?

Larry 56:56
Well, there are those who mistakenly believe that sexual offenses are only things that are strict liability offenses. And that's just simply not true. And I put this in here because it gives me a chance to bash the Democrat Party.

Andy 57:12
Oh, God, here we go again. So why is such a republican?

Larry 57:17
So, I get I get accused of being partisan. And I keep saying it's the whole about policy. Now, this is an example of the courts have provided the Washington State Legislature all the cover that they need. But the problem is it calls 1000s of convictions into up into doubt, because the law was unconstitutional. And they don't want to have to go through and undo 1000s of convictions. So, what they want to do is to try to make something that's unconstitutional constitutional, so a democrat lawmaker, has proposed a rewrite of the unconstitutional law to salvage it. So okay, I'm not any happier about a democrat lawmaker, if I were if it had been a Republican lawmaker. So therefore, put this down on your list that Larry said that he was unhappy about a proposal to salvage a bad law. it's unconstitutional. You have the cover? Let it go. Let's unravel these convictions. It's going to take some time. Let's get these people back to pay in taxes and working and let go of it for Christ's sakes, let go of these people.

Andy 58:27
Do me a favor, and Could you expand on how strict liability applies here?

Larry 58:33
That's when you don't have the knowledge that they were in fact, trucks.

Andy 58:39
Okay, okay. They're my mom's they're my kids. And I'm borrowing their car.

Larry 58:43
Yep, several things. Okay, so, so. But so, let's make sure we call out this guy by name that the proposed this democratic state Senator Mark Molot. Call the court's decision, an overreach. He has

entered a new drug possession law that explicitly mentions knowing intent and I haven't read the proposal, it might be that it that it contours, the constitutionality, but just let these people go. You had a bad law for all these years and get over it. So

Andy 59:19
I think it seems that hyper generalizing Team Read is, in certain respects is a little bit more like do what you want to do in certain respects. I don't know that it's necessary in this case, and old not

Larry 59:35
in this case. He'll have plenty of Republican support if there's any if there are any Republicans in Washington still left. Because they're part of the law enforcement industrial complex, but they'll write but I'm just disappointed that it did. It would be I would expect it to be introduced by a Republican, and I would expect the democrats to be vilified for not supporting it by the Republicans. But I'm always I'm always disappointed when it's a democrat that takes the lead, but they need to be called out and they're being called Hold up, just like I've called on democrats so many times before.

Andy 1:00:04
I'm wondering, I don't see anywhere in this article, which justices voted Which way? Just curious. Went down, trying to look quick to see if I see any of the Supreme Court justices' names, but I don't see anybody. All right. Interesting. I would like to know, I'm always curious about how they voted by which President nominated them and whatnot.

Larry 1:00:24
Well, both things are state days a state Supreme Court, so it won't matter. You have a president, nevermind,

Andy 1:00:28
nevermind, nevermind, nevermind, then I wouldn't know them anyway. The next one comes from the collateral consequences Resource Center, which is really a total mouthful to say, President Biden orders Department of Justice to fill facilitate voting for people in federal custody on under supervision. That's kind of neat, because we've talked about the logistics of trying to bring in ballots for people setting up how like it would be very challenging should be done, but very challenging for people that are in custody, I guess that would be pretrial.

Larry 1:00:59
There'd be people in federal custody, that would be that would be eligible to vote and some state laws there, okay. It's where you're where you're where you're not disenfranchised. So, but only put this in here, just to point out that those of you who claim that you're for criminal justice reform, and you have a hard time acknowledging when the democrat party does something good, here's an example of the Democrat Party, putting forth something that potentially is very good. They've put a copy, I'll put a link to the executive order. And the fact that it won't restore voting rights to a lot of people because you must be eligible under state law. But at least if you are eligible under the state law, that you're incarcerated, or on supervision or whatever, this is a directive to help facilitate the voting of those people. That is a positive step. And I'm going to come in President Biden for doing that. Just as I'd be criticizing him if he did something that was contrary to what he

ran on, which was criminal justice. One of the things was criminal justice reform.

Andy 1:02:03

I would like to read the opening line here on purpose. Number one, it says the right to vote is a foundation of American democracy, free and fair elections that reflect the will of the people must be protected and defended. That's cool. I have a hard time disagreeing with anything said they're there.

Larry 1:02:20

So Well, all right. Let's watch it and see if they get anybody to involved in voting.

Andy 1:02:28

Sure, sure. Sure, sure. I think you're going to call this one funny. This one comes from the San Francisco Chronicle. Old age is not reason enough to release a PFR. State court rules. What happened here there?

Larry 1:02:40

Well, this is a person 74 years old, who was in civil commitment. And he had done, he had done his best previously to get discharged from civil combat, but what just what anybody in their right mind would do, because it's all a hoax. The whole Sham of civil commitment, after you've done your time, is a disgrace to this country's basic moral. I mean, it just defies everything about who we are. But anyway, he had, he had been disappointed that they had not released him on one of his efforts to be discharged from civil commitment. So, he told

Andy 1:03:14

Larry, why did they deny them?

Larry 1:03:16

Well, he had he had to, he had told the judge, and that and that process, that he that he did not like the fact that they were denying his petition for release, because he might reoffend and he said, quote, nobody can predict what I might do. Even I can't predict what I might do. So, so this, this petition to be removed to be released because of COVID was denied. And the court cited to his every word. So, if what he said previously, that don't want to predict what he might do, including himself. So, this just goes into Larry's general rules do not say, at a court proceeding with a stenographer, typing away, and in a usual auto recording, do not make statements like that.

Andy 1:04:12

Anything else? And then we can wrap things up here with the final little tip here to cover that.

Larry 1:04:22

That was all I wanted to say was that it said that's that he couldn't get out. But he kind of had his own words used against him. So be careful what you say.

Andy 1:04:32

Yep. And then finally, from the appeal, we have an article that says Biden must nominate us attorneys who Whitlam implement needed criminal justice reforms. I was glancing through this. I didn't realize that there were 93 I think it says 93 federal

prosecutors, and I'm thinking that we should nominate Larry Krasner Yes, there are 93 us attorneys. Larry Krasner is the Philadelphia one that's super progressive. I think that would be it. You've said repeatedly that the person that can slow down like put the brakes on it immediately would be the prosecutors and this would happen at county, state and federal levels. We wanted to slow down the number of people in prison is to have prosecutors that don't prosecute as hard.

Larry 1:05:12

That is correct. And as we, as we're beginning to launch this administration, as we're not launching it, but as it's being launched, one of the things that that's one of the important things, we hear a lot about judicial appointments. It's also very important about the US Attorney's offices around the country. Normally, they're asked for their resignation, because they're holdover appointees from a previous administration. Some are reappointed and some are not. But if you're serious, President Biden about criminal justice reform, you've got to take a little political heat, like Obama did, and appoint people that will actually issue orders that will undo what the previous Department of Justice did, which was to seek the maximum penalties, and to throw the book at everybody. And you're going to have to do that these people are gonna have to be serious about that. And we'll be watching, and we will be criticizing you, if you don't do that, because that's what you ran on. And, and we will hold you out to the public saying that you ran, and you are not doing what you said, just as I said about the Vice President, I'm hoping that she had that epiphany, and that that was a real epiphany. And if she actually does support reforms, and stop locking every everybody up, that's not what she did when she was Attorney General. So, we have to wait and see. But these are very important appointments that are going to be made, and we'll see how they operate. But jeff sessions are the first thing he did is instructed all 93 of those to seek maximum penalties and all the enhancements correct. And, and, and Obama had done, and I had done that by saying, to not seek enhancements don't fall at the highest possible charge. And those things affect how long and how many people go to prison.

Andy 1:06:56

There's a clip of one of the bullet points, Biden has pledged to scale back mass incarceration and address the racial gender and income disparities in the criminal justice system. He was attorneys are responsible for many of the decisions that lead to those problems and will be essential to fixing them. I guess it's probably comments more so from the, from the appeal. But yeah, that I don't know why we lock people up for so long there, other than it's what we've always done, so it should be what we continue to do. And it would be someone stepping out, potentially taking a risk to do it less than then, quote unquote, the tidal wave of criminality that you often reference.

Larry 1:07:33

Actually, we have not always done that. It's really been since the decade of the 80s, that we that we cracked down on crime. But there was a time when the federal prison operated on a medical model that they believe that that crime was based on something could be treated. And the goal was to rehabilitate people but for decades now we've believed in this very tough lock them up and the conservatives will tell you that it's worked, they will tell you

that the reason why crime is down is because this toughness that they that they have advocated for has been successful. And you have to you have to give the sub concession. As they locked up more and more people for longer long periods of time, crime rates have gone down precipitously.

Andy 1:08:14

Sure, I remember when we're covering Larry Krasner that he said to his prosecutors that if they're going to spend more than I think it was three years to write him quote unquote, an IOU to say it was 40 grand a year, whatever the number was, they're using 4050 grand a year. So, if you're going to put a person in prison for 10 years, you're going to write me an IOU for 50,000 times 10. So, 500,000 bucks. That's what the person's crime is worth the state for putting them in prison for 10 years that like for 500 grand you better there's so much other stuff, the person loses income. They're just a mess. I hate it. I hate it.

Larry 1:08:52

So, well. I would like to try experimenting, using that money with the offender. A portion of that to see if we can actually train them to but see that's too much of a liberal point. We can't do that.

Andy 1:09:03

I understand. I think that that makes a lot of sense. But do something to it to put some of that money back into helping the person not continue to have a criminal lifestyle. I think that sounds like an amazing idea. I vote you to run for the next politician that can do these things. So, I did it. Anybody else want a second?

Larry 1:09:28

How do people contact us?

Andy 1:09:31

Oh, of course, we're going to run right to contact us. Well, you want them to send voicemail. (747)227-4477 write it down, read it out. Don't um but make it short. 30 seconds. 60 seconds and I will damn sure play it on the on the podcast. You could also reach us over at registry matterscast@gmail.com You could also find us over at registry matters.co. You can find a way to contact us there as well. Larry, our Patreon people are the and they support us, and they make it worthwhile. And it is a token of the appreciation that they send us a little bit of money every month. And you can find us there at patreon.com/registrymatters. And Twitter, YouTube. Where else there is a Facebook page. Don't tell anybody. And that's all I got, man.

Larry 1:10:20

Well, it's a pleasure joining you again.

Andy 1:10:23

And that is why I am here. Perfect. We did it awesome. Every time. I love it there, you're the best. Appreciate it. And we will oh one other thing we will probably not be we will not be recording. It'll be April 3 that we are going to skip. So, two weeks from tonight, we will not be recording. And otherwise, Larry, you're the best and I will talk to you next week. Goodnight

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