



Registry Matters Podcast

Episode 186

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Andy 00:00

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Larry 00:24

Doing fantastic. Thanks for having me in again.

Andy 00:28

I tried, I tried to find someone else that I could book I was like calling down to Florida. I was calling to Illinois. It's called wash. Nobody could step up and fill your big, big shoes. Do you have big shoes?

Larry 00:41

Oh, that's really tragic if there's no one can do this.

Andy 00:46

No one else could do this. Not at all. You know, I would say that we were gonna like, bs around for a few minutes. But I think we have a little too much to cover tonight. So we're just gonna dive right in. So, tell us what we have going on tonight.

Larry 01:01

We have a litany of questions from inside and from outside. And we have a case from a trial court in Illinois that is hopeful for our cause. And we have a contest: Named that Speaker. Think we have a winner from last week. But anyway, we have a lot of stuff to cover tonight. So, let's dig in.

Andy 01:31

And then we will dig right in. And let's see, hopefully I can get my technology to work here. So let's start with clip number one.

NBC News Reporter 01:40

With stressed medical centers facing another influx of hospitalizations and deaths, preventable infections are climbing in every state. The CDC director calls this a pivotal moment as more Republicans, including the governor of Alabama say it's the high number of unvaccinated pushing the nation towards crisis.

Reporter 02:01

What is it going to take to get people to get shots?

Alabama Governor K. Ivey 2:03

I don't know. Yo' tell me. I've done all I know how to do. I can encourage you to do something, but I can't make you take care of yo' self.

Andy 02:12

Larry, can yo' tell me what is going on with this clip here? Please?

Larry 02:17

I couldn't help myself. I put that in there mainly because of the dialect. Being a southerner, it was even a little bit strong for me. But the only thing I would add without politicizing this is that this

is the inevitable outcome of when people make all the outlandish things about the vaccines are going to make you sterile and all the stuff, the misinformation that are out there. If we had had a unified consistent message from all elected officials, from the get-go, like we did with polio or diphtheria or whooping cough for all the measles or the different vaccines that encourage people to take the vaccines without all the conspiratorial theories that are out there. Probably we wouldn't have Alabama and so many of the states, particularly in the south having such a low vaccination rates right now.

Andy 03:14

It's I think I heard just the other day, it's in the mid ish 50s for at least one shot of adults. That's nationwide, and certain states have much lower rates and certain states have much higher rates.

Larry 03:27

That's true. And but in the States, you have huge variations like in our state, the Rio Grande corridor, that's called the central part of the state has very high vaccination rate. And then you go to what are more conservative parts of the state. In the southeast corner where the oil is produced, they have much lower vaccination rates. And that's the way it is I'm sure in other states. Alabama the state has a very low rate to start with. But I would imagine depending on if you were in Montgomery or Birmingham in the urban areas or maybe Mobile, you'd probably have higher vaccination rates, but the state as a whole has not done very well at getting its citizens vaccinated and now the governor is saying I'm on board. It's too bad that she didn't make these comments earlier but I'm glad she finally did.

Andy 04:17

We weren't gonna stick around that for very long but it just kind of ironic because now like Hannity and a whole bunch of other very very, very conservative, completely bashing the whole process, they've come out and said that maybe maybe it's time to get elected. Sorry, vaccinated. Let's move over, I had seen this from somebody before, but then it showed up on my radar again. So there's a there's a screenshot here there was a picture that someone sent, says: save a deer, hunt a pedophile. Um, and while I'm not easily offended, Larry, this one seems like exactly saying something about inciting violence, killing people. Where does the government then come in and step in and say something to the effect of like, this is not something that we can have in the public?

Larry 05:03

Therein lies the problem, Andy. We don't really have a government watchdog that monitors free speech. And that I don't know who you would call if you find that objectionable. Because most people find it very appalling that there would be someone in government who would make a decision that that would be unacceptable speech. So, who would you call?

Andy 05:27

I'm assuming that, so here's what I would imagine happening. Certainly, correct me if I'm wrong. So there's not the government watchdog that runs around and checks for people having offensive messages. I guess somebody may call the police or the police themselves would be like, that crosses a line saying hunt a such

and such. So then they pull you over and give you some sort of citation. And then you start running things up the flagpole going that way.

Larry 05:53

I don't know what you would cite the person for. I can't think of a statute in this state that you would cite the person for. This is one of those things where the violence has to happen first, and then we deal with it afterwards. But in terms of who you would call for this, I find it deplorable. And it's very distasteful. That someone I mean, I'm assuming that when they're say, hunt a pedophile, they're talking about a person who has a sexual offense, charge or conviction. And when they say hunt a pedophile, they're wishing bad things would be done to the person that's hunted. All that, but that's subjective. What if the person says hunt them and say hi to them, hunt them and be supportive of them? I mean, somebody in the in the big old bad government, which most of us resent, particularly the more conservatives resent. Wouldn't we find that appalling that that you could call government watchdog and say do something about this bumper sticker?

Andy 06:53

Ah, come on, it says save a deer. What? Like, we don't have any use of deer that at least that I'm aware of other than they are used for hunting. So then if that's like, to me, that would be the assumed part of that, and then you're then changing that out for them, hunt a pedophile? I mean, it says that right there. I'm not even, we don't even have to stretch. We are saying hunt a deer. No, no, no, not hunt a deer. Don't do that one, do the other one. There's no ambiguity here. This is telling you to go out and kill people with sexual offenses. (Larry: Except it doesn't say that.) It's I don't know, I'm gonna agree to disagree with you on this. Well, we can do a Patreon extra about how my interpretation is wrong. Brenda agrees. So there. I win.

Larry 07:40

Oh, I'm not saying that I like the message. But I'm saying that it is subjective. Someone has to decide and decree that that's what that meant. And are you ready to empower the big old bad government to decide what a message means?

Andy 07:59

But we do that all the time. That's what the whole Live Free or Die thing was about. Paul, a very staunch conservative says it's inferred.

Larry 08:11

So, he's okay with empowering a government official to decide that that message... okay, let's, let's advocate that. And let's see if we can get some conservative support in Congress for that, to make a law to empower some government agency, I guess it'd be similar to the Federal Communications Commission that used to monitor content that went over our airwaves. Let's see if we can find somebody who monitors bumper stickers and tells people that they've got compliance period to remove those from their cars or else and see how well we do with that.

Andy 08:44

We need like a First Amendment lawyer on here I guess. This actually could develop into like a whole segment. Really, I think. (Larry: Let's do it.) Yeah, Paul, says, I don't want to dig into this any longer. But Paul says, if you replace pedophile with black person, what happens then? I guess that's a protected class, that makes it all the difference. PFRs are not a protected class.

Larry 09:08

Well, they would probably use the N word and that would be very offensive, but I'm not sure it'd be prohibited.

Andy 09:15

Okay, we got to catch it. We got a ton more content. That's super interesting. I find that to be like a really, really fascinating thing. Um, Larry, I want to circle back to probably three, four episodes ago, I we did a segment at the end of the show where we talked about a friend of mine that had got arrested for something of a probation violation where we didn't really know all the details of it. A week or so ago, he reached out to me and told me that he spoke to the probation officer. And what turned out what started out as like some kind of image, like an image on his phone from years ago. Turns out to be, they said it was 55 images, but 52 of them all but three of them were naughty in nature. Now I don't know any of the details. So I'm having conversations with him back and forth about does he want me to find him a lawyer or not. And he was like, no. And the reason why he didn't want to at the time was because he had spent a whole bunch of money on a violation from several years ago, he spent like 20 grand on a lawyer. And that went south, because he ended up going back to prison for a couple of years. And so here we are, again. And so, I'm giving you that background information to color it to he's very gun shy about spending any money on a lawyer, where I don't think that this would be that expensive. And you can clarify there, I think this would be in the \$2500 range. And I'm not trying to really like tie numbers to this. But that's just in my brain. So, he has a hearing in about two weeks. And he wrote me. And so, I'm going to read what he said here. He said: it may be too late to get a lawyer. Anyway, that's point one that we want to cover, I'll have to sell some stock and then wait three days to move the money around from his eTrade account to my account. And then I guess it won't be enough time. I just thought at first, I wanted to know what charges there were before I could get a lawyer. Don't worry about it, I'll just take my chances with the public pretender. Thanks, anyway. So I think there's three or four points in there. First one is, it may be too late to get a lawyer. And you have advice on that part of it to begin with.

Larry 11:15

It's not too late to get a lawyer and he should definitely get a lawyer. The lawyer, the judge is not going to force in most instances, a revocation hearing to proceed with a person who desires to have representation. In fact, they prefer that you have representation because the representative is skilled and understands the process. And it makes it run a lot smoother if you actually understand the rules of decorum of the court, the rules of evidence, cross examination, what's admissible, and it's just not going to be fun for the judge if he's not represented. So, it's not too late to get a lawyer. He has to sell the stock. I mean, that would be a tragedy. But that would be, if there's no cash available, that would be one way of raising cash. Be glad that you have some

assets that you can sell. And what he's talking about is there's a three-day settlement period after the consummation of the transaction where the funds actually materialize in your brokerage account. They're available to you. So that's what he's talking about, the three-day settlement period. In terms of taking his chance with the public defender. In most states, those resources are so limited, you have to be eligible. So you have to apply. If he's got an E trade account, and he's got financial resources, I'm not sure he would qualify. Maybe that state, even though it's in a conservative south, maybe they're very liberal in terms of allowing public defenders to represent unqualified people, but they don't do that here.

Andy 12:48

How about the part... so let me ask you this question just from my own or my own advice to him. The lawyer that I would recommend is the one that helped me with my termination of probation, which is an hour and a half away. Do you think that this matters? Like should, could, should my attorney be the one that reaches out to him to be retained to help him in this or do I need to reach out to somebody locally down there in that county to represent him there?

Larry 13:15

It's hard to say without knowing more specifics, which, again, we eventually get into knowing an awful lot about the case. Sometimes an outsider is good, and sometimes an insider, a local person is good. In this particular case, you've told me he doesn't have any connections to the community, he doesn't have any power, he doesn't have any favors to call in. So therefore, I'm not sure that an insider is going to help him very much. So therefore, the lawyer that you mentioned, would probably be just fine. But what you have to understand is when they put you in custody on a probation violation, that gives them plenty of time to develop that violation. You're sitting in jail, they're going home at night. They have time to do forensics, they have time to look for evidence to support their violation. And if they don't like you, they want you in jail, that's exactly what they're gonna do. And he runs a terrible risk on this in terms of potential new charges, depending on if those images are borderline if they're underage. If they're adults, and they're all clearly adults, he's just looking at provocative photos, which is contrary to his rehabilitation and treatment. But if he's been looking at photos of minors, that could result depending on what they're displaying. If they're showing any of their private parts or being provocative, he could end up with brand new charges. This is too risky to not want a lawyer. Having said that, you want to get a lawyer that's not going to charge you a fortune, and therefore the fee is important. \$2,500 may be a bit low for a probation violation that can put you in prison for a significant amount of time. So we would need to know how much time he's got left that they could impose, assuming there's no new criminal conduct. And I would think that he might be looking closer to \$3,000 to \$5,000 for a probation violation.

Andy 15:21

But not 20.

Larry 15:24

I don't think I could in good conscience, quote that, but a violation of probation involves a plethora of witnesses. And it has complexity to it, and particularly the interstate compact like he

had when he was in Texas. Too bad, the person didn't understand the interstate compact, apparently. And they didn't provide any valuable service. But you could have complexities that would justify a fee like that. In particular if you have to associate with someone else, if you're running two states, if you've got two states involved. You need to have a Georgia lawyer protecting you there, you need to have a Texas lawyer protecting you there in case you get shipped to Georgia to try to prevent that from happening, but to protect your interest in Texas. So he very well could have spent justifiably \$20,000.

Andy 16:12

One last thing that I have to ask about. The distance is approximately an hour and a half away, I realize so many things can be done over the phone, but at some point in time, the attorney is most likely going to have to go down there. And that would factor into fees and all that stuff of him taking an hour and a half of his time to sit in the car for an hour and a half. I don't guess attorneys bill at their normal rate while they're driving somewhere, but I'm sure it's not \$10 an hour, either.

Larry 16:38

They're gonna bill that into a fee structure. If he's a sole practitioner, he's gonna try to do a flat fee rather than hourly billing. If he's looking at two hour drive, he's gonna bill that into it. He's gonna say, Well, if I did this about home turf, it'd be \$2,500. If I'm having to travel, it's going to be \$3,500 wherever he puts on the direction, but it's going to be built into his fee. He's going to have to do at least one hearing in person, possibly two. Because normally probation is a two-step process, you have the preliminary hearing to see if there's anything that merits the continuation of the revocation action. And oftentimes, people admit, because the evidence is very compelling, at the preliminary adjudication hearing, and they come to an agreement of what the sanction will be, and they resolve it. But if the person has no mindset to want to admit to anything, then they set it up for a full blown revocation hearing, so he could end up having to make two appearances.

Andy 17:35

Right, I gotcha. I gotcha. Oh, man. Okay. And one last thing is I was talking to you about providing advice to him. And just describe real quick about him be where you're not an attorney. So you don't have the privilege of private phones. Can you describe that real quick?

Larry 17:55

Well, even those who are attorneys have trouble communicating through correctional systems, phones in a confidential fashion, because they tend to not respect that anymore. You have to actually go to a counselor's office or do something where they're not recorded. But if you're making it from the standard jail system, even though you're calling your attorney, often, that's still recorded. But I don't have any way of protecting him from anything he might in admission he might make on this recorded phone line. Nor do I have any way of protecting him from being subpoenaed. Now they're not going to subpoena me, as many states away as I am. But any admission he would make to me if I'm not, under the supervision of an attorney, the attorney client privilege is no longer there. It's never there, it wouldn't be there. So therefore, I become a witness, potentially, against him. You do

not want to make any admissions to anyone where you don't have the attorney client privilege, because if I'm part of a legal team, you can't compel me to repeat anything that's been said, in the process of your representation.

Andy 18:59

I gotcha, man. Okay. So I have some information that I can at least pass to him. See where we go next. All right. And actually, the person that provided this, she's in chat, so this is cool that you can speak to this. So V wrote us that says, I have another question. I'm sure. I've heard Larry say that at least once that that the victim impact or victims rights advocates have a large presence/influence in the legislature. I have been looking for information that supports that statement. Where can I find stats or anything that shows the influence of victims in the legislature? Is there anything that shows how well they are funded? Thank you very much. That's an interesting question. Is there any way to measure this?

Larry 19:44

I have never had that question posed before. And when I first saw it, I tended to want to be flippant, and then I thought about it and I realized that a person who doesn't work in the legislature would have any way of knowing what I know. So therefore, I won't be flippant, like I thought about being. But these organizations, Mothers Against Drunk Driving, I don't think anybody would question they have an enormous amount of influence in the lawmaking process. Maryland, since we have Maryland listening, the Maryland citizens against sexual assault, I believe this MCASA, they have a full time attorney, that's their lobbyist when legislature is in session, and I've had a lawmaker tell me, and aid to lawmaker, wasn't a lawmaker himself, that we don't consider anything that we haven't ran past MCASA in terms of reform of issues related to PFRs. So, it's one of those things that we know intuitively by knowing it, because we're there, we're watching them testify, we're watching the tears flow when they testify, we're watching the reaction of the lawmakers of when they testify, and they turn off their timers and they let them go as long as they want. We watch the law enforcement complex, meaning the District Attorneys Association, the Chiefs of Police Association, the Sheriffs Association, we watch all these people who advocate on behalf of victims, they use the terminology like I stand for the victim, and they tend to get their way. So we know it intuitively, in terms of actually trying to find the data, you'd probably have to look up an organization's name. And you'd have to check their lobbying report to see what money they spend if that is information that's in the public domain. But it's one of those things that you just know, it's like when the earth is pointed away from the sun, all of us agree that it's cooler on that side that's facing away. We don't really need any, any scientific data to know that as a general rule, it gets cooler when the earth is not facing the sun. If you have victims, in the legislature in any way, shape, or form, they carry far more influence than the people who've committed the crimes. That's just a given.

Andy 21:58

It's completely off topic, Larry. But do you think the flat earthers think that when the earth is away from the sun that it's colder?

Larry 22:05

I'm not sure the flat earthers think that but tell me, tell me, tell me they're really not flat earthers out there.

Andy 22:13

Oh my god, they have a huge movement. I guarantee you, I guarantee you that there's somebody that listens to the show more than a few people that listen to the show that are flat earthers, feel free, write into me and we can have a debate, I would love to talk to you if you are actually genuinely a flat earther. They're out there Larry.

Larry 22:30

so well, it's hard for me to with all the evidence we have. When you see those ships sail on the horizon and they get smaller and smaller. (Andy: I know. I know.) But anyway, if you say so.

Andy 22:42

It's unbelievable to me. There's a documentary on Netflix, you don't even have the internet home. So how would you ever watch Netflix? But there's one called I think it's called Beyond the curve. And it's this 90-minute-long documentary about flat earthers. Unbelievable. Alright, we are going to move on. So we have a letter that you said to be read. And it says:

Listener Question

Dear Larry, and Andy, thank you for answering my question on your podcast and clearing up the confusion I had on *Packingham*. I found it very informative. A bit of full disclosure. on my end, I do not have a Facebook account, never got one before I became a PFR. I just believe in the principle of people having access to social media regardless of an individual's past crime. A person should not still be considered guilty after they've paid their debt to society. Although your point about Facebook doing what it wants, can only go so far. Yes, it's a private company. But therein lies the rub. Facebook and other platforms like it have gotten so big, it's practically a public utility. So, Facebook needs to be broken up. It's bigger than Standard Oil during its heyday, just because they can disallow PFRs, or anyone else for that matter, doesn't mean they should. Finally, I wanted to thank you. For your well wishes, I have nine years left to go on my sentence, I've dealt with a lot and have a great deal of challenges ahead being a second time offender, and I refuse to allow my problems to drag me and my loved ones down again.

Andy 24:10

Thank you again, that's nine years left and a second time that's gonna make life very challenging. But I like the points that he's made. I just don't know where you go with this Larry, how to break them up. I just don't know.

Larry 24:16

The reason why I put it in is because I wanted to talk a little bit about a public utility. Facebook is by no means a public utility in the sense of what we think about public utilities. So let's clarify. A public utility is a private company, when you say public utility, it's generally a private company that has a geographic service territory, that they're obligated to serve everyone within that territory. In exchange for that territory, for that protection against competition, they were allowed to have a rate of return that was set by regulators. So for example, Georgia Power Company, that's a company that you're familiar with. It's not really practical to have all the infrastructure to have competing power companies. So since Georgia Power owns the bulk of the infrastructure, it

lends itself to having only one company that provides electricity. So that public utility is obligated to serve everyone within that service area of Georgia Power Company. And they are guaranteed a rate of return that's set by regulation. You know, when you hear that they filed for a rate increase with the state regulators. So a public utilities goes with an obligation to serve and to provide access to people. Georgia Power will not deny you electric service based on any factor other than you have not paid your account. Or you have been a power thief or something like that. But other than that, if you're in their service area, even if you're too far from the line, they will offer you an opportunity to pay for a line extension, and they will serve you. Well, we don't have the same thing with Facebook. We have something more similar, not an exact comparison, we have something more similar to what we would have with broadcasting. The broadcasters were privately owned companies that had an obligation in exchange for their broadcast license to provide some level of community service. Now those doctrines have largely fallen by the wayside. In the 80s, primarily, in terms of the Fairness Doctrine, equal time, and duties they had, they still have to be licensed. But in terms of their requirements, to offer competing, and alternate viewpoints, all that stuff has gone by the wayside, because the conservatives told us that if we just allow the market to take care of this, it will decide, and it will do what is right for people. Well, we have the situation with social media. The barriers to entry are less than there are in broadcasting because there's a finite amount of spectrum. Nothing stops another Facebook from coming along, that I'm aware of. You're far more sophisticated on this than I am. But what would preclude another Facebook from launching?

Andy 27:17

The example would be that TikTok has come up and been wildly popular and is stealing viewers from Facebook to go on to TikTok, so nothing precludes it at all.

Larry 27:26

It's not like the spectrum when you had so much bandwidth. If you were on WSB in Atlanta, 750 kilo cycles, I think they call that. You have a limitation of what can be on that 750 band because it would be interfering. Therefore, WSB had an obligation to provide programming that served its zone of however long, whatever the regions of that station. But with Facebook, they have no such obligation to serve anybody, they are not being guaranteed a profit. There's no barrier that I'm aware of that precludes anybody else. In fact, the youth have largely abandoned Facebook, it's usually if you look at Facebook accounts these days, I'm told it's more people that are older, but the young have swarmed in other directions.

Andy 28:17

They're using Snapchat and TikTok and other platforms, correct.

Larry 28:21

So therefore, I don't see that he makes the point that he's trying to make very well here. Facebook was pressured along with other social media to keep PFRs off because of community sensitivity. Parents said I've got a child and my child is only 14 years old. And there's all these predators lurking, you've got to do something.

Andy 28:51

I was gonna make the comparison that using your WSB or any radio station that has some block of time to this radio show host. Like they're dedicated to that. And but if somebody wants to start another podcast, doing what we're doing here, like, run your podcasts, there's no shortage. Just your listeners time if you're going to be supported, and have people listen to you. There's no resource constraint to from the internet side of things. There's almost a zero cost of delivery. We release the podcast out and whether one person downloads it or a million downloads it, like it's very little difference on our end.

Larry 29:27

So, I think this is the basis of this letter is the Trump lawsuit, people want to know, and I'm having great trepidation believing that that lawsuit is going to get any traction. But that's what people are hoping for is that somehow or another that there will be a declaration that Facebook will have to welcome all on its platform. And I'm dubious that we're ever going to have that as a ruling from any court.

Andy 29:54

I understand. Let's move over to question number. Oh, I got to play a clip for you. That's where we got to go.

Larry 30:00

Let me set this up. The second question was about enhancing sentences. And the reason why sentences are enhanced for the use of a computer. And I thought this old clip from 1974 would help set the explanation I'm going to give later. So, this is a State of the Union speech, a segment from 1974. So I think we agree what is that? 46 or 47 years ago?

Andy 30:35

Yeah, depending on the timeframe. Yep. State of the Union would have been in January. Is that right? (Larry: Yep.) That's definitely 47. All right, here we go.

Richard Nixon's 1974 state of the Union Address (Audio Clip)
30:43

One measure of a truly free society is the bigger with which protects the liberties of its individual citizens. As technology has advanced in America, it is increasingly encroached on one of those liberties, what I term the right of personal privacy, modern Information Systems, data banks, credit records, mailing list abuses, electronic snooping, the collection of personal data for one purpose that may be used for another. All these have left millions of Americans deeply concern by the privacy they cherish. And the time has come, therefore, for a major initiative, to define the nature and extent of the basic rights of privacy, and to erect new safeguards to ensure that those rights are respected. I shall launch such an effort this year at the highest levels of the administration. And I look forward again to working with this congress and establishing a new set of standards that respect the legitimate needs of society, but that also recognize personal privacy as a cardinal principle of American liberty.

Listener Question 31:56

I'm a registered PFR in the federal system out of Texas. I receive your newsletter, and I am happy to hear of your efforts at legislation, litigation, and so on for families and society. I'm writing

this letter to because I have a question in regards to a subject I rarely hear addressed. Though I feel it is one of the most unfair penalties added to PFR inmates in the federal system. Within the federal guidelines, there is an enhancement that adds two points to the base of each PFR charge in the federal system for the use of a computer in the commission of a crime. However, nearly every federal sex offender charge is used off of a computer. It is generally what makes the charge federal jurisdiction. I do not see how this dewpoint enhancement, which often results in up to 24 months added to a sentence is allowed to be applied. It makes no logical sense aside from further punishment of an already high starting point mandatory minimum of federal Sos. I've spoken to LISA Legal, a federal legislation newsletter, which reports that several district judges have addressed the unfairness of the application, but no one seems to have put in any effort to change this. With the recent two-point enhancement of crack laws being applied retroactively, enhancement that was no more nonsensical than this one, I'm curious if anything can be done to lobby against this. It would be a small step, but an essential one for the many, many low security but highly penalized PFRs within the federal system. Any information on the subject you may give or any address in your net newsletter to it would be greatly appreciated. Thank you for your time. (Andy: Interesting question.)

Larry 33:35

Well, that's the reason on the clip that we just heard, President Nixon was talking about privacy. Remember in 1974, when he gave this speech, we were at the very beginning of the computer age. Prior to that, when you when you talked about computers, the Social Security Administration, the IRS, they had these huge computers, and maybe airline reservation systems may have them. But the computer was just making its entry into the American society. As far as the home life, I don't know specifically what year the PC came out. But it was in that era in the 70s, I think. But what causes these enhancements is that early as computers were being integrated, people realized that they could commit and affect crimes through the use of computers. And society found that revolting that someone could use a computer, this wonderful device, to engage in criminality. So therefore, as laws were built in the decades that passed, they decided that we needed to treat it very harshly. If you go in the bank with a mask, and you take \$3,000 from the teller cage, that's one type of crime. If you use a weapon, you get enhancement for that. But if you go into that same bank using a computer, and you divert funds, that's a different type of crime, you wouldn't get the weapon enhancement, but you get the computer enhancement, so you get my drift. These are not unique to sexual offenses. The only thing is that the people that are convicted of sexual offences have never thought about all the other things that computers are used for and in the course of criminal conduct and how those penalties are enhanced for the use of computers. But it does still make for a legitimate question. The penalties for the type of crimes that he's talking about are already very high. And so, what I would recommend, and I'm going to be a bit facetious here, but we should reach out to Senator Tom Cotton at Arkansas, who led the effort to diminish the First Step Act. And being I know he's a compassionate conservative, he would probably be very receptive to leading the charge to take this enhancement off for the use of computer for those who commit sexual offenses. What do you think, Andy? Do you think he would lead the charge on that?

Andy 36:09

Oh, without a doubt. That guy? Definitely, definitely, definitely. We should also go for that New Jersey senator, the one that did IML? I'm sure he would be very much on board with this as well.

Larry 36:17

Well, that would be representative Smith. Yeah, that is the team, we have hit it. Let's reach out to representative Smith in New Jersey, and Senator Cotton in Arkansas. And on a serious note, this is going to be a hard one, a very hard one politically. Because the penalties are enhanced to this very day, for uses of computers to commit crimes. There's something sacred about the computer. You have no business going into someone's computer and doing these things. The government is spending lots of resources tracking down people who are using computers in a way to do things like turning off... there was an internet, there was a collapse of Delta because of some internet problem this week. Was that related to hacking?

Andy 37:06

Yeah. Well, certainly it was. I didn't follow the news. I know it was something related to DNS. And we could go into that on another show if you want to. Basically, it's the 411 of internet that shut things down.

Larry 37:17

Well, when you're using a computer to engage in criminality, society finds that very objectionable. Therefore, politically, to try to remove the enhancement for our type offences, it's gonna be a tough sell. You would have to get the conservatives on board with that, to have a prayer of a chance to get it done.

Andy 37:44

Definitely. We should move on. We are going to run long tonight I can almost guarantee if we don't keep rolling. Shall we go? (Larry: Let's go.) Alright, here's a question about international travel, says:

Listener Question

My name is Adriano, and I am an inmate at the Jacksonville Corrections Center completing my parole time. My outdate is March 8 of... (Andy: something that got cut off) Once released, I am required to register as PFR. I understand that NARSOL stands for the National Association for rational sexual offense laws, and would be very grateful if you can send me any and all information that might benefit me. I am a US citizen living in the US since 1989. I would like to know if I'm able to travel back to the country of my birth as a registered PFR. Thank you and sincerely. So, I'm pretty sure that there's not gonna be a lot of positive advice for this guy here.

Larry 38:32

Well, actually, there is. He's free to travel anywhere he wants to. And the way I read the letter, and I didn't realize that it got cut off, but the way I read the letter is that he will complete his parole before he leaves. Now, I note that this came from Illinois, which has a period of mandatory supervised release. So I don't know if he's using that terminology interchangeably. But when he leaves, if he has no reporting obligations to anyone, if he's not under any correctional control, he can travel anywhere he wants to. Now whether that country lets him in or not, that's a decision they will make. But there's no American prohibition against traveling.

Depending on the type of crime he has, he may be required to notify. And in fact, regardless of the crime in some states, you have to notify of international travel. So if he is in a state that requires that notice to be filed of international travel, they've adopted that provision into their law, and he wants to travel, he will be obligated to file the report. His country may not let him in. I can't speak for that country. It seems like you were born there, you are a dual citizen, it seems like they will let you in but I've heard of people who have dual citizenship being denied entry, so I can't tell him. But I can tell you this. The United States will not prevent you from traveling. You can travel anywhere you want.

Andy 40:02

Do you get the impression that this particular individual is dual citizenship, or from another country to begin with and has citizenship here?

Larry 40:11

That's the way I've read it, yes.

Andy 40:12

Yes. Okay. So if you had dual citizenship, I'm pretty sure if you were coming in this direction, that you're a citizen, they're gonna let you in. You might not like the conditions when you get here, but I don't think they're going to refuse you at the border, if you're a citizen.

Larry 40:27

The US is gonna let you in if you're a dual citizen, but can we be certain that what whichever country this is that they're gonna let him in?

Andy 40:35

I'm just going to then assume that that's correct. I realize that we don't know the answer, because he could be from anywhere with the name Adriano. He's, I don't know, he could be from Spain. He could be from Brazil. I don't know. But I'm going to, that's my assumption is that by being a citizen of that place that they would let him in. But no, we certainly don't know. But that was my thought was that he's dual citizen.

Larry 40:56

I would not make that assumption. I've heard of countries denying entry of their citizens because of stuff that they've done while they're outside the country. So I would not make that assumption, but he was asking about the US. The US doesn't prohibit you from traveling, you can travel all you want. You just might not get in, but you could travel.

Andy 41:15

Yeah. And they're gonna tell them that you're coming

Larry 41:19

They very well may do that.

Andy 41:24

Alright.

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And then question three. Hopefully I won't screw this one up. This one has a whole bunch of parts to it. But I'm just going to skip to the:

Listener Question

Dear Larry and Andy, one thing to note is that I've always been puzzled over what software used to create the podcast transcripts. It makes some unusual errors. For example, I referred to men in prison trading for meat logs and cookies. But the transcript says men trade for meat legs and cookies. I have not had anyone trade for my legs recently, but maybe I haven't been offered the right trade.

Andy 42:50

So I learned kind of accidentally about a transcript, an automated one called Otter. And that's what makes the initial cut, instead of having someone listen to the hour-long podcast and sit there and bang away at the keys. This one does the bulk, probably 85% of it. And then like this, if we mush mouth something or if we start talking over each other, it can't figure out what it is. So we do have a person that goes behind it and cleans things up. This one was just missed for whatever reason. It is not intended to be, I don't know like it's not going to be a book copy that we're going to put together that would get passed to an editor and all that stuff. It's just to get you super close.

Larry 43:26

All right, and then I'm going to follow up. This is a four-page letter, and we're going to take parts of it on this podcast and more of it on the next podcast and future podcasts. He says:

Listener Question

I made no admission to the police when they interrogated me. Granted, I probably wasn't as eloquent with them as I'd have liked. After all, I've never been in trouble with the law before. But I did not admit to planning to have sex with a minor. In fact, I think I was quite clear with them that I doubted the person I chatted with was a teenager. (Larry: Well, that cuts both ways. We read the statutes, I won't go back and read it again. We read the statute as it existed, when I did the research, the state would have to have been able to prove that he at least believed he was talking to a teenager. That saying I doubt you're a teenager, that may not be the totality of the chat where he might have been more receptive to the fact he was talking to a teenager. So we don't know the answer to that. But saying that, that you told the person I don't think you're a teenager, that statement standing alone would not be enough if you have other statements that you made that contradict that. So that's what I'd like to say about that one.)

And then he says: that speaks to another point you mentioned, I did not have condoms (Larry: Because I said most of the time they show up with evidence that they're going to have sex.) He says I did not have condoms, sex toys or anything on me or in my car

that would have been indicative of someone planning to have sex. In the end, the DA had copies of the emails between the undercover policeman and myself. Yes, I spoke of things I would have enjoyed doing sexually, but also say unequivocally that in our meeting, that I would not have sex with her. (Larry: Well, now, this is a pet peeve of mine, because you do have the right in this country to fantasize. So having a fantasy is not prohibited. Where your argument begins to break down is you had the fantasy, so you're having a digital or a verbal fantasy, saying, I would like to do things that I'm not going to say on this family program. I would like to do those things. That's the fantasy. But when you say I would like to do these things, and then you traveled, you've taken a substantial step in further and furtherance of the consummation of the act. And that may be the reason why the attorney advised you to plead guilty. But I don't know all that.)

But he says: If I had gone to trial, I know that juries tend to be narrow minded on these matters. So I could be better off not trying to raise an appeal. Given additional information I pointed out, what do you think? (Larry: Well, I don't still have nearly enough information. But I can tell you this, if you did a plea, you're pretty much dead in the water, because you waived everything, almost everything when you did the plea. When the judge asked you, do you understand that in the whole litany of questions that they asked you, do you understand this and are you knowingly waiving these rights? When you said yes, and you answered those correctly, are you under the influence of any intoxicants, and they go on and on before they take a plea with asking these questions. You waived any of the ill-gotten evidence. Any defense you could have raised. The only thing you really didn't waive was the constitutionality of the statute itself. And I can assure you that statute, in my opinion, is very constitutional, the way it existed at the time. I read it. Remember we read it? It has all the requisite elements in terms of protection. So that is a constitutional statute as existed at that time.)

Andy 47:29

Without a doubt, definitely, definitely. All right. Okay. And then there's some additional stuff that we'll cover later as well?

Larry 47:37

Yes, this was such a long letter that we're going to come back, we're still gonna have Ashley and she had a flood so she couldn't come today. We're gonna have Ashley in to talk about exceptions to hearsay. And then we're going to talk about more of the points in page three and page four of his letter.

Andy 47:53

Now, we haven't had Ashley on in like, I don't know, two years. She hasn't been on since COVID. I don't think. (Larry: It's been a while.) Yep. Okay, I guess we roll over here to the main event. Is that right?

Larry 48:06

What's the main event? Tell us a little bit about the main event. Tell us how we found this case.

Andy 48:11

Oh, shit. I don't know. I guess we got a letter from the director of legal affairs from Illinois Voices. And that is from Scott. And we will read the following email from Scott. Shall we begin?

Larry 48:24

Let's do it.

Andy 48:25

A man by the name of Martin Kopf recently won a district court ruling here in Illinois, challenging the residence restriction laws. The Attorney General is appealing this ruling directly to the Illinois Supreme Court. I guess we can start there. This guy took the case pro se and is looking for additional assistance as this matter moves forward. Adel Nicholas has offered to review whatever he plans to file, but I was wondering if NARSOL / Vivante would be able to provide him with any further assistance. I note that there's a permanent injunction was entered in favor of the plaintiff and against the defendants enjoining defendants from the following conduct and that was declining or refusing to register plaintiffs at his address based solely on his proximity to a daycare home, as it presently defined in the childcare act. Also then taking any action to force plaintiff to move or vacate the property based solely on its proximity to a daycare home, as it is presently defined in the Child Care Act. And finally prosecuting plaintiffs for any criminal offense based solely on its proximity to a daycare home as a president defined in the childcare. Is this case something NARSOL will want to get involved in and tell us more about it?

Larry 49:41

Yes, it is. It's a case we're interested in and I just learned about it a couple days ago when I got this email. The decision has been out there for a month but I guess they didn't intend to tell anyone in case there was no appeal. But the case involves Kopf's challenge to The Illinois sex offender registration Act, or SORA. And in 2003, Kopf was convicted of an offense of aggravated criminal sexual abuse. The offense involved a 15-year-old minor. He was sentenced to three years' probation. Can you imagine that? Which he successfully completed. I keep telling you folks, when you say probation never, I say, I hate to tell you, a lot of people get probation. Although Kopf was told he would only have to register as a PFR for 10 years, the law changed. He's now classified as a child PFR and sexual predator. And as such, he must register for life. Now remember, in 2003, that's when he did the plea. So you couldn't have advised him of all that stuff. But now he has to register for life.

Andy 50:46

And I'm just going to jump in there because it's a civil regulatory scheme. They can change everything they want, at any point. (Larry: Correct.) Okay. All right. And I'm going to read excerpts from the order. According to the district judge, Kopf has diligently registered without incident since his conviction. He has also led a law-abiding life and now lives with his wife and two minor children. In 2017, Kopf sought to purchase and build a home designed to accommodate his disabilities. He consulted the Illinois State police's sex offender response team, ISORT, mapping system to locate suitable sites that would comply with his SORA obligations. See, that sounds like he at least did his due diligence. I mean I realize it's what he said, but like, that's what you would go do. Based on a search, he determined that the address was compliant. ISORT initially confirmed that the site was suitable but advised the plaintiff that he needed to check with the local law enforcement. In November of 2017, Kopf contacted the Hampshire police department, and was told that the address was

compliant. Based on this information, Kopf constructed his home and moved into the home in August of 2018. In November of that year, the Hampshire police advised Kopf that the existence of a daycare home on his block that was within 500 feet of his address, and that as a result, he would have to move. It seems like Kopf did all the right things. Yes, it sounds like it. How can they order him to vacate after they approved his address? Were they not negligent when they approved his address? Hasn't Kopf been damaged?

Larry 52:10

My goodness, where did you come up with all those questions? So, yes, they may have been negligent. Unfortunately, there was no recovery for him on that negligence. The court stated as follows. Plaintiff alleges that both the Illinois State Police and Hampshire Police Department owed a duty to plaintiff to accurately inform him of SORA compliant homesites. He asserts that by not doing so they were negligent, thereby causing him to suffer damages. The court stated quote regardless of these claims, the state enjoys statutory sovereign immunity that defeat plaintiffs claim. Plaintiffs attempt to plead the special duty doctrine is of no consequence as the Illinois Supreme Court abolished it in 2016. And then they cite *Coleman v. East Joliet Fire Department*, a case from 2016. Therefore, the claim must fail, according to the court.

Andy 53:05

But the Hampshire Police Department also approved the address. Were they not negligent? So we got two agencies to approve the address.

Larry 53:13

I would say that they were, but ultimately, as the court held, the negligence claim against the Hampshire police department must also fail because the police department is not an entity subject to suit for damages. The police are employed by the domestic municipality, and any suit for damages would have to be brought against it. Even then, the municipality enjoys statutory immunity from suits that do not involve willful or wanton conduct.

Andy 53:42

So is abolishing sovereign immunity one of those situations where the liberals have it right? I know that the liberals are for it, and the conservatives are against it.

Larry 53:53

That is correct. I agree that sovereign immunity is an issue that needs to be examined carefully with the intent of making it possible to hold bad actors accountable. But in this instance, I'm not sure that we can conclude that anyone acted in bad faith. I just don't see it. I mean, maybe the evidence was there, but I just don't see it. When you're trying to determine if someone can live somewhere, there's so many variables and so many things. The the larger the exclusion list is, the more likely it is you could overlook something. But in terms of sovereign immunity? That's exactly correct. This is an invented doctrine that the courts invented, and it is time to revisit it because a lot of bad actors are not held accountable. In this case, I'm not sure we have bad actors here.

Andy 54:36

Can you do me a favor and explain what sovereign immunity is?

Larry 54:40

It says that, that they are not able to be sued as a sovereign because of their actions, and there are very rare exceptions to where a lawsuit can go forward. So they are immune. It has to be a deliberate and wanton disregard. And even you see cops beat people, and they dismiss the case because of immunity. And that's what the liberals are trying to change. They're trying to say, Hey, wait a minute, this has gone too far. But in this case, I'm not sure we have all that bad faith. I think it might be a miscalculation, but I'm not sure it's bad faith.

Andy 55:16

It's just, it bothers me that so he did his due diligence and talked to the people that would have approved him. I suppose he could have gone the extra step and like practically knocked on doors, or sat in the neighborhood looking for cars to come and go to see if there was a daycare in the neighborhood. But then he goes out and spends all the money. It's not cheap, generally, to build a house, you don't build one for 20 grand. So he's gone forth and spent all the money to build a house. And then they're gonna tell him sorry, you can't live here. And we don't know what disabilities he has necessarily that he's built one that specifically accommodates his needs. We're talking about potentially, like wheelchair access and wider hallways and bars and stuff like that in the showers. That's where I'm going with the disabilities.

Larry 55:54

It's a tragedy that happened. It certainly is.

Andy 55:59

Paul says, in chat says every PFR should become a sovereign citizen. I don't think that exists, actually. Alright, well, then let's move on. Says the court stated most of plaintiffs constitutional claims must also fail, as they have been rejected by prior courts in favor of the legislative schemes and issues. Furthermore, all statutes carry a strong presumption of constitutionality. To overcome this presumption, the party challenging the statute bears a heavy burden of clearly establishing its constitutional infirmities. Any reasonable construction, which affirms statutes constitutionality must be adopted. And any doubt regarding a statute's construction must be resolved in favor of the state statute's validity. I think this means that the court begins by presuming that the statute is constitutional. Do I have that right Larry?

Larry 56:47

You do. And that's what I emphasize on every one of these decisions. I always like to remind people that upon enactment, it's presumed constitutional and guess who gets to carry the burden of proof? You do. The state doesn't.

Andy 57:03

And which claims to the court then deny?

Larry 57:07

Oh, they denied count one, which raised the challenge based on ex post facto. They said that that has been resolved numerous times. Count 2 asserted a procedural due process violation., which I'm not sophisticated enough to explain the difference between procedural and substantive due process. And counts 4 and 5 raised

challenges based on the alleged disproportion of penalties and cruel and unusual punishment. Also, he alleged that the statute was void for vagueness, all of those claims have been dismissed. So he didn't get very far. People say if you just throw everything but the kitchen sink and hope something sticks, Well, he threw everything but the kitchen sink and only one thing stuck.

Andy 57:47

We actually talked about that probably a year ago where somebody had like 174 claims against the registry.

Larry 57:53

I remember that case. Yep.

Andy 57:56

All right. The court initially granted injunctive relief based on a finding that the plaintiff's equal protection argument had merit. The court has now found that the SORA provisions at issue specifically the definition of daycare home and its impact violate both the Equal Protection Clause as well as substantive due process. How did the judge get to that outcome?

Larry 58:17

Well, in terms of the injunction, the preliminary injunction, it means that Mr. Kopf showed at the onset of litigation that he was likely to prevail on the merits when the case finally did go to trial. And that he would suffer irreparable harm without the injunction. Those are the basic standards for obtaining injunctive relief and those have not changed. Anytime you want to enjoin an action, you have to show the court at the very beginning, when you're playing your cards, that you have such a compelling case that you're likely to win when it goes to trial. And you have to show even though you're going to win, that without the injunction, you're going to suffer irreparable harm. And let me add one more thing. It can't be speculative. It has to be a given irreparable harm. Him being thrown out of his home that he built to accommodate his disabilities would clearly be irreparable harm.

Andy 59:12

Yeah, that's not speculative at all. He's totally like, Hey, I'm going to go move in. Sorry, you can't live here. Like, Oh, shit. Now we don't have a home. That's not speculative at all. (Larry: Not at all.) Um, it seems to me that the trial judge is calling bs on them. I'm reading from the opinion here. A daycare home is a private home that is licensed to care for three to 12 children under the age of 12 for less than 24 hours a day. The number of children includes the children living in the home under age 12 as well. This definitely leads to some absurd results. Take an imagined neighbor who cares for one unrelated child and has one child of their own under the age of 12 at home. With only two children in that daycare setting, plaintiff can still live next door to that person and still comply with SORA. Likewise, he can legally live next door to his neighbor with 5, 10 or a dozen children without consequence. Further, it is reasonable to assume that there could be dozens of children under age 12 within 500 feet of the plaintiff's house. And that would be permissible. It is only when that first neighbor invites a third child in the home, be it through birth, adoption or daycare, that plaintiffs' ability to reside at that neighborhood is terminated. This example becomes even more absurd when the next-door neighbor has two to 11 of their own children at home and brings in one unrelated child for daycare. Plaintiffs could have

become a model neighbor to that family, yet that one additional child suddenly disqualifies him. Moreover, a home with 13 children is outside the possible definition of daycare home.

Larry 1:00:46

Yes, he is actually calling them out on their BS. But I haven't had enough time to figure out what the state could do in response to that legislatively to clean up what this trial judge was concerned about. But he is clearly calling them out on the absurdity. You would have ample opportunity for that person to live there. Except for when you take in one child for daycare that's between three and 12. But you can have however many unlimited amount of children and it's not a threat. But magically, if you're caring for one as a daycare sitter, it changes everything. Well, the judge is calling that, that is total BS.

Andy 1:01:26

Yeah, like somebody could just be on their way to work and some event happens. Like, hey, my neighbor, can you please watch my kid for the day, and now you're disqualified from living next door to that because someone needs you to watch their kid which now turns you into a daycare home?

Larry 1:01:40

Yep. So I'm going to actually read what the judge said. The judge said such a scheme is not rationally related to the legitimate state interest or protecting children and does nothing to promote it. It is unreasonable for statutory scheme to turn a blind eye to the many children potentially living next door and within close proximity to plaintiffs only to attempt to afford protection to a limited few. The constitutional right to equal protection of the law guarantees that the state must treat similarly situated persons in a similar manner. When it comes to daycare homes, SORA violates these principles. Plaintiff living down the block from a private home with three children under the age of 12 is treated differently from a PFR living next door to a comparable family if the former has at least one child has been provided daycare. Such a bizarre result cannot survive scrutiny. When viewed in that light prohibiting the plaintiff from living within 500 feet of such a home is irrational and it does not protect children. End of quote.

Andy 1:02:46

Do you think there's any chance they'll abandon their appeal?

Laugh track

Larry 1:03:00

Actually, in this instance, I think they should. Do I think they will? I don't think that they can bring themselves because that's their wiring. But in this particular case, they should. Because this is only a trial judge opinion, it has no precedential value. This is from Kane County, Illinois, which is a suburb of Chicago. So, you have a trial judge who has no power outside this case. You have the risk by doing this appeal, that the Illinois Supreme Court, which is a direct appeal to the Supreme Court, they may agree with this trial judge that this statute as it's constructed for daycare homes is not rationally related, and it does violate the equal protection clause. And if they do that, then you have a real problem. Your whole Ponzi scheme comes crumbling and crashing down. You can minimize that risk by letting this guy go. He has an injunction. He has some form of disability. We don't know to what extent. He

apparently is going to be a minimal threat, if any threat. He may be zero threat, depending on his physical condition. Let it go. Let him go. But I think the risk is too great to go forward with the appeal. That's why we had the laughter in there. But they should let this one go.

Andy 1:04:38

And we're talking, I think it said his crime was in '03. So, it's 18 years removed. But I want to say from where we started the whole program was about they can't help themselves. I think this applies again; they can't help themselves.

Larry 1:04:54

They really can't. They don't like losing, and the way the AG's office is going to look at it is he put his hand on the Bible, he has to enforce the laws of the state. And it may be even a she, but he or she is going to look at it that way. And they're going to say, I'm doing my duty, and they're going to go forward with this appeal. But if I had my way, I would say, we're gonna let this one evaporate and go away.

Andy 1:05:22

I see. And if that were the case, then how does that then transfer? How do you feel that this applies to all of our people? And the proximity to things like daycares and churches and schools and whatnot. How does this transfer over to still in Illinois but then out to other states?

Larry 1:05:42

As a trial court, it doesn't do anything. This is the law of this case. And so therefore, if you wanted to bring a similar case, in Kane County, since the county has well over 500,000 people, they've got multiple judges, you may not get the same judge. And this is not in any way bearing on any other district judge in that court. It's not bearing any on any... it has no control on any judge anywhere in Illinois. Now, what you would do if you brought a complaint, you would say this well thought out, Oh, beautifully written, organized opinion is so spot on, that they should adopt it, but they're not obligated to. They're only obligated to if an appellate court says that the trial judge got it right. And that's the risk Illinois' taking by asking the Supreme Court to look at this. What are you going to do if they say the trial judge got it right?

Andy 1:06:40

Yeah, sure. But does it become persuasive at least to file a challenge in another state?

Larry 1:06:47

At this level, it's not even persuasive. This is a trial judge. It'd be very persuasive if you got the same trial judge, if you were in that county, it would be a little more persuasive of people who, judges who sit in that same courthouse because they probably like their colleague, and they'd take a look at it say, well, that's pretty compelling. Sounds pretty good to me. But you could even have a judge that sits in that same courthouse say I disagree with this judge. So it's not binding on anyone.

Andy 1:07:18

Okay, anything else? We're running short on time. Anything else before we scoot out of here? Well, scoot as in this particular case.

Larry 1:07:26

yeah, I think I've covered this as best as I can.

Andy 1:07:30

Interesting, super neat, though, I like it. I like the concept of challenging them on their definitions of what of how you come to the term of the daycare home and all that.

Larry 1:07:39

It's awesome. And we need to give a shout out to the judge so that people know. This is judge Kevin Busch. And the case, since it's not precedential, it's not really important that people know the name of it, you really can't cite to it. So therefore, don't start scribbling down notes saying I'm gonna file something on this case, because you can't. It's not any way precedential.

Andy 1:08:04

I guess this should be almost like the name of the of the episode would be something about what determines a home daycare or something like that?

Larry 1:08:11

Maybe.

Andy 1:08:13

Let's move over to our new segment it's called who is that speaker? And last week, we had a bunch of submissions, but ultimately, the winner was Ron from Lorton, Virginia, and he has the right answer. He wrote also, I will mention that he is a Patron. But although I wasn't able to watch the live stream this week, I did get the early release, because he's a patron, link to it in the email. And now I'm listening to this as I type, and the speaker was Donald Henry Rumsfeld. He was the US Secretary of Defense within both the Ford and the Bush administrations, which is pretty awesome. And he died last month at the age of 88. Congratulations, Ron, we don't have any prizes for you, but certainly a pat on your back. We should then move over to this week's version. And so if you want to us shoot me an email message at registrymatterscast@gmail.com if you can guess who this one is. Last week was a something of a softball, Larry. This week, I don't think... I bet you nobody gets this one Larry. Of course it's not gonna play for me.

Pres. Gerald Ford 1:09:23

And I must say to you, that the State of the Union is not good.

Larry 1:09:30

Well, since it's such a hard one I'm going to give people, the clue that they've probably already picked up on, it's a presidential address. And it's from a long time ago. And the State of the Union is not good. So, you figure out what president said that.

Andy 1:09:48

Okay, so send your messages to registrymatterscast@gmail.com and we will see if you can win. Larry, did you know we got a new patron last week?

Larry 1:09:59

I did. That's awesome. He came in at an at an awesome level.

