



Registry Matters Podcast

Episode 202

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Andy 00:12

Recording live from FYP Studios, east and west. Transmitting across the internet. This is episode 202 of Registry Matters. Good evening, Larry. It's a little bit later we had an interview that we recorded. So we're a little bit later. How are you tonight?

Larry 00:32

Awesome. Let's get going.

Andy 00:34

Yeah, we should dive right in. Tell us what we have going on and not time travel, because we already recorded an interview. But what else do we have going on?

Larry 00:41

We have several questions that have come to us by various mechanisms that we receive questions here at FYP education. And we have a news article from Tennessee that we're going to try to cover. And we have our Name that Speaker.

Andy 01:00

Beautiful. All right, well, then we will just dive the freaky-frack right on in. And we will jump on over to the first question of the evening. It says, I have a friend that has just been released from incarceration and is currently on PFR probation, has been for a couple months. He is starting a job as a truck driver and is going to be using an E log system. And I guess that's electronic driving logs system to track miles and times for truck drivers. I think that is very much accurate. But in order to use it, he needs Internet access to upload his logs. When he asked the treatment counselor, he was told that he had to be in treatment for a minimum of six months before she would even consider thinking about it. But when he asked his probation officer, she told him that he would have a judge amend his probation. He then told us PO that he would like to get a different treatment provider. His PO told him again that he would have to get a judge to approve that as well. I wasn't aware that this was the case, as I have not seen anything like that in Florida Statutes. Is there something I am missing? Larry, look, I'm just gonna tell you, as a tech person, having some sort of digital device thingamajigger that's in the cab that lets you press the button that says I'm driving, I'm not driving is not the same as saying I have internet access. That's somebody that's really passing the buck.

Larry 02:23

Well, I'm taking the question at face value, said they have to have internet access. But I see a merging of two issues that are unrelated in this question. I would not jump to the conclusion that you need a new treatment provider. I don't see that connection. What the probation officer said is to get a judge to order it. Why would that translate to needing another treatment provider? Of course, I know the answer to that. He's like, I don't like the fact this treatment provider said I won't consider it for six months. That means that this treatment provider's not going to be fair to

me, which means I need to need a new treatment provider. That's what he's thinking. But I would not jump to that conclusion. I would merely go to the judge and... the PO is not likely to violate you for going to the judge, when they've told you to go to the judge. That's a long shot there. So I would go to, if Internet access is needed for this E log system which that's not in my wheelhouse, go to the judge and ask for that. Do not ask the judge to give you a new treatment provider. That will upset the appletart like you have never believed. It's like going to the polygraph office with your lawyer in hand and saying I'm here to take the polygraph. Do not do that.

Andy 03:38

What about having a polygraph in your house when they come shake you down?

Larry 03:42

That's even worse if you do that. I think I think we learned the consequences for that.

Andy 03:47

We may have learned those consequences. I'm sorry, my friend for saying that. I'm sorry. I'm just poking fun at you.

Larry 03:53

But yes, they're two unrelated issues. You make your compelling case to the judge that you need internet access for employment. It's more likely than not I would speculate unless the crime had a direct tie to the internet. And unless there's a justifiable reason to totally ban or severely restrict, I would just about bet that that access would be granted for employment. But here's the part that they didn't raise in the question that I'll go ahead and raise it. Are we talking about interstate driving here?

Andy 04:26

Or just within? I would think that even local drivers, Larry, probably have like the driver log thing because if you're in a state like Georgia or New Mexico, you could drive all day cross state and you are going to run into the limits of the eight hours or 10-hour limit, whatever it is. Someone correct me, but somewhere in that ballpark.

Larry 04:45

That's not where I'm headed with this. If you're going to be on supervision as a person forced to register, driving interstate trucking is not going to be an easy task. I'm not saying it's impossible. Some jurisdictions may be more tolerant to try to make that happen. But if you tried to do that job in New Mexico they would laugh at you and tell you to go find another job.

Andy 05:04

Because they're not going to let you just randomly leave the state and go to the next 10 states that are in your proximity.

Larry 05:10

That is correct. They're gonna tell you that you needed a travel permit. And by interstate compact, they're not allowed to do that. They have to let the other state know that there's gonna be a PFR in their territory. And I'm sure we'll get some emails saying, I drove

a truck. I'm not even contesting that. I'm telling you that my state would never allow you to do that. I don't know what Florida's position is going to be if he's going to be driving out of state. But that's something to consider, as well. Will they allow him to have this job? There are jobs that people can be restricted from doing, if they imposed a restriction as reasonably related to the offense. For example, I don't know what the level of adult bookstores that exist in Georgia. They don't exist across the country the way they once did, because of the internet. But they do have adult stores that sell toys and some degree of sexually stimulated stuff. (Andy: What kind of toys, Larry? I'm just kidding. Don't do it.) They would never allow you to work at a sexual toy store while you're under PEFR supervision. That would be a reasonable prohibition on your employment opportunities. And it wouldn't matter that you said you worked at that store for seven years before you got convicted. Doesn't matter. They're not gonna let you do it. So it may not be appropriate for him to drive a truck depending on what he did and how he did his offense.

Andy 06:29

I completely understand. I was just kind of poking at you on that one, because that was funny. I wanted to hear you describe what adult toy stores were. Okay, I think that is everything there. Shall we move on then, sir? (Larry: Let's do number two.) Number two, then it says: Dear NARSOL, I know from personal experience, as well as anecdotal evidence of others, that fighting a sex crime charge is probably one of the hardest cases to make. Most lawyers will tell you that there is no defense, and they urge defendants to take a plea, any plea. And then it continues, so my question is, what are the best defense strategies for someone accused of a PFR type offense? Just generally, as I know a large multitude of factors will affect any individual case. Are there available statistics on the rate of conviction ratio of plea to trial, etc. for PFR charges. Interesting question actually.

Larry 07:30

I don't know about those particularized statistics, but overwhelming majority, 90 plus percent plead guilty. And I would say in the sexual arena, it's even higher than that. Already, an astoundingly high number. But what are the defenses? It's really specific to the allegations of the complaint of what was alleged. What type of PFR case we have. If you're talking about a porn possession charge, we're going to be more interested in terms of what's being depicted in the porn. And the age of is very important. It's not illegal if the person's not underage. So we sometimes get into disputes about the age of what's being shown. Sometimes there's no doubt. I mean, if you look at a nine-year-old, a nine year old doesn't pass for an 18 year old very often. But a 15-16 year old can very well pass for an 18 year old. So we get into trying to prove that that that depiction is an image of a person who's underage and cannot lawfully pose for that photograph. So, but if it was a forcible offence, we're going to be looking more at evidence that would suggest that the force happened. So we're going to be looking at that the Sexual Assault Nurse Examiner, the SANE nurse or what the report says, what was alleged to have happened and we're going to be looking for evidence of force. Because at the bare minimum, we're going to try to try to cut it out to be consensual. I mean, that's just what we do in this business. We don't go in and say, yep, state you made a valid charge, we're gonna plead the person guilty. You look for defenses, that's your job. That's why it's called a defense attorney.

So we're gonna be looking for ways to mitigate the harm that's been done. The defenses can be diminished by your confession that you made when they read you your rights and told you that you had the right to remain silent. That would have been a good point to stop, but most don't. So and then if we're looking at an offense where the person, it was merely criminal because of the age, then as an attorney, we're going to look at, do they have to prove this mistake of Age in defense? Oftentimes, it's not, but we'll look for that. And any representations that's been made in terms of age by the accusing party, we're going to be looking can we prove that there was a misrepresentation? Because we're gonna try to do mitigation. But in terms of defenses, it's gonna be variable to what the allegations were specific to each person as to what defenses are best asserted. But the victims industrial complex and law enforcement complex have worked vigorously over the last 20 years to diminish our defenses. You know, we can't aggressively cross examine, because that's victimizing them the second time. We can't introduce any sexual history, because that's not relevant to the instant accusation, doesn't matter about that stuff. So we have a lot of things we cannot do. And remember, give your defense attorney a little bit of slack. They didn't make the law. They're just simply opening up the statute book, and blowing the dust off of it and looking at what the elements are that have to be proved. They're looking at what the criminal complaint alleges. They're looking at your statement, they're looking at the video of you confessing. They're looking at all those things. And oftentimes, that weighs very heavily in terms of negotiating a plea. Because without a plea, guess what? Your sentencing options are wide open. If you don't do a plea, you do the plea to contain the range of sentencing. So if you have five counts, and the state agrees to drop three of the counts, you've just diminished the range of punishment by a significant amount. And then if you negotiate even further, the sentence will be no more than maybe, of those two remaining counts, they could stack those and give you 10 years on each one. You may negotiate that those will run concurrently. That's not something that you could achieve in a trial, because that would be the option of running those convictions consecutive. So you may have a plea that says I will give the person, in exchange for the plea, a guarantee of no more than eight years max. Isn't that a whole lot better than 20 years stacked or 50 years stacked, if you had all five counts and the jury convicted them? That's the reason why we do please, folks, because you're looking for certainty of outcome versus the uncertainty of the outcome.

Andy 11:49

Well, now I'm going to make your head explode. But Larry, we should all stop taking pleas and then we would blow up the criminal system, the court system, and then they would have to, like, start lowering the requirements of everything.

Larry 12:01

That's an interesting theory. But there's only one problem with that theory: the defense attorney has a job to represent the best interest of that particular client. You will not find anywhere in the Rules of Professional Conduct where your job is to try to blow the system up so you can redesign the system. So your job is to look at your case specific, your clients specific, and try to come up with the best outcome in view of the circumstances that exist for your client. So that's never going to happen. You can wish, and you can wish, and you can wish, but that is never going to happen. And I

just told you that. So there'll be a lot of ugly emails I'll get this week. Well Larry, you just don't understand, if everybody would stand together, stick together, it would work. But it won't work, because it's never going to happen.

Andy 12:45

I gotcha. All right. Well, then, let's go over to question number three. It says, first of all, tell you gentlemen how much of a life line your podcast has been for me. Often, I find myself feeling very alone and needed to listen to you guys just to remember that I am not walking this walk all by myself. As soon as I am no longer a full-time nursing student, I will become a patron. In the meantime, I will wait my turn to hear your humor and insight. But however, thank you very much seriously, like this is my own commentary. Thank you very much for becoming a patron. If you're waiting, then you somehow got off of being a nursing student. My situation here is much like many others, my husband and I have resided in our home in Florida since 1998. In 2018, he was arrested on 10 counts of CP. 10 is some sort of magic number for felonies of this type in Florida. We fought it as hard as we could without putting our house on the line to keep him out of prison. But the DA would not allow anything that the that didn't include state prison time. So as of December 2020, he has been in prison and we expect with good time, he will be released in June of 2023. He will be on PFR probation for five years after his release. And this is Florida. So that means like forever. SO probation will be difficult enough. But our main concern is housing. Our county ordinances state PFRs cannot live within 2500 feet of a school daycare playground. Pretty much all of humanity. Our home is well within a 2500-foot radius of a few schools. Yes, multiple schools, public, private, private and charter. The closest schools were built around us since we've lived in and owned the home. But of course, prior to his arrest, the million-dollar question is will he be able to come home? Has he essentially given up his residence status in our house by being in prison? Is there legal precedents regarding this type of scenario and who or what state entity decides this or approves residences? Thank you for putting your time and effort into such a great podcast and source of information to support the PFRs and families. I appreciate all that you do. Keep us in the know. Sincerely, Liz and FYP. Thank you for signing it FYP Liz. That was really very clever of you. And wow, thank you for becoming a patron also. Larry, go at it.

Larry 14:56

Now is this the \$1,400 monthly one?

Andy 15:00

Yes, absolutely. Came in right at the stimulus check money, and then also added on the Child Tax Credit too.

Larry 15:07

Because you know, this podcast is ALL about the money, right?

Andy 15:11

It's all about the money. Every second of it Larry.

Larry 15:13

So well, there are a lot of questions buried in here. And I don't know the answer. What I would tell you how to go about getting the answer, though, were probably talking about Miami Dade County, because that's the county I'm familiar with. For those that

don't know, that's in the southern tip of Florida, and they have the 2500-foot rule. So I'm guessing that's what we're talking about. But there's a lot of unknowns here. We don't know, if within the county ordinance, if there is a grandfather clause in the ordinance. So we would need to have the ordinance. This came to me like an hour before we went live. So I don't know that I had enough time to even begin to look. But we would need to know if there is a grandfather for people who lived there prior to that. But then what we also need to know, does a stint in prison break the residence? Because technically, he's not residing there. And at the moment, we don't know if his residence has been forfeited by his residence in the Florida Department of Corrections. So we don't know that. But then we can get to what we do know. We know that there is a restriction that may apply to him. And we also know that the probation authorities have the ability, if they so choose, to impose restrictions retroactively. So what I wish we had here was some information from the attorney if there was even a discussion about this because their attorneys knew, I'm assuming if you get to know your clients, which most of the people who are good at this we do, we want to know for several reasons for stuff like situations like this. And we also want to know, because it helps to figure out if you can pay the bill. And most of the attorneys when they do small talk, they're coming at it for wanting to know if you can pay them, pay the fee. But also, I want to know if we can help protect you. So knowing where you live, particularly on a PFR offense in a state that has just hopscotching all over the state. I think there's 1000 foot requirement in state statute. And that doesn't apply to every single PFR. But then the jurisdictions are free to impose their own. And it can vary from that 1000 up to 2500 in Miami Dade. And maybe there are other counties who have that. So we would need to figure out if the attorney did anything in the pre-negotiation process to deal with the issue of housing. Did he even care he or she care about that issue? When the client pays you big money, and I can assure you, they paid big money for this, it's your duty to try to help mitigate the damage on the backside. The prison is only temporary. Three years if he gets all his good time. So you need to you need to look beyond that. So I'd like to know what the attorney discussed in terms of housing, if anything. And if the attorney didn't say anything and that attorney practices in this county, and they didn't do that, I'm really dubious about the competency level. As was pointed out in the prerecorded episode that we did, an attorney may be an attorney, but that doesn't necessarily mean that they're a good attorney. But what I would do, if I were her, I would start with the Florida Action Committee. And they may or may not respond, these are volunteers, which they are an affiliate of NARSOL, which I'm on the board of directors of NARSOL. I would contact them and see if they have any insight about if there's a grandfather provision, if they don't know or if they don't respond, then I would say that we can probably make a couple of attorney referrals off air to this patron in terms of who they might contact to get some reliable information. But he may in fact be precluded from coming back to that house. I just don't know, and that would be tragic.

Andy 19:16

Um, this is not going to help any but a friend of mine here that I met while I was gone, when he moved back home, there had been a pool put in since they had moved in. So it came in in their neighborhood afterwards. And he was grandfathered. Now I know that that's a one-off example in a different state, different conviction, all that stuff. So like it may be possible. I'm only saying

that for that reason. That maybe there's some sort of grace out there that would let you stay there, since I think the way you stated it that they lived there before all the other things moved in, I think.

Larry 19:49

Yep. So we'll have to wait and see. And then of course, she can feel free to provide us additional details.

Andy 19:56

Very good. And then moving along. So this is a for RM 202 Public something or another. It says state's sex offender registry faces questions. This is from Tennessee lawmakers. I'm assuming that this is a newspaper article. This is actually like a printed... the Tennessean. Oh, that's the newspaper. And here are some highlighted blocks that I got to read. The concern is the state's system established in 1994 and revamped in 2004 may now be deemed unconstitutional for being too punitive lawmaker said. What we don't want in Tennessee is for our registry to be struck down and we wake up tomorrow morning, and there are roughly 20,000 kurt PFRs on the registry that we've got no good way to keep up with, said Representative Mike Bell Republican of Riceville, who co-chairs the joint committee. Did I did I add enough to dramatic inflection there, Larry? (Larry: You did a great job.) All right, then it continues. Davis recommended lawmakers look at model legislation produced by the American Law Institute, a Philadelphia based advocacy group consisting of judges, lawyers and legal experts. The legislature should also allow trial courts more discretion in determining how long and whether an offender should remain on the registry. But the solution in a roomful of conservative lawmakers with a tough on crime stance is unlikely going to be abolishing the system. Bell said he could look at establishing a board to assess individual offenders' risk to public safety. House Criminal Justice Committee Chairman Michael Curcio, Republican of Dickson, said the legislature realizes the system should be changed. The change isn't to weaken the system, he said, but to fix the legal problems. Nobody was saying that we need to be soft on PFRs, he said. What we are saying is what we are doing is not workable. We need to fix that. Where are you going with this craziness, Larry?

Larry 21:51

I'll put it in here because we've got some listeners in Tennessee. And they keep reminding us that they're in the Sixth Circuit, which we're cognizant of that fact. This Davis person is a defense attorney, who's from the Tennessee association of criminal defense attorneys. And he's trying to point the legislature toward that prestigious group called the American Law Institute, a Philadelphia based... Now I can tell you as a Southerner, you come in starting talking about Philadelphia, they have no interest in wanting to hear anything from Philadelphia. That's the last place they'd look for advice. But the main thing I put in here for folks, the Tennessee legislature is under Republican control. And you hear that because you hear the committee chairs, that means they have the majority. So don't waste your time going to the Democrat Party. Because they can't do anything for you other than be sympathetic. You need to go to the party who's in the majority to these key people. If you want registry reform, that's who you need to talk to. I put in here for a snippet of what lawmakers are likely to say when you go talk to them. They've already told you that they're not interested in letting PFRs go, they're interested in

doing the least they have to do to save the status quo. That's what they said here. This is from the from the Tennessean newspaper. It was sent to us by a listener. And so I told him, eventually we would talk about it. We've had it a couple of weeks. So now we've talked about it. It's not likely that this is going to result in any major changes. The only way change is going to come to Tennessee is if you start electing different people, which is not likely, or the courts collar them like they did in Michigan, and they're finally forced to make some token reforms, but the registry is not going to come crashing down. And there's the rest of my hate mail coming.

Andy 23:42

You are trying to run off all of our listeners, Larry.

Larry 23:45

I'm doing a good job, don't you think?

Andy 23:48

Yes, absolutely. Especially with the numbers that we've seen lately. Um, yeah. Okay. So you don't think... I think this is stemming from the High Court - not the high court - but the appeals level court, is that right?

Larry 24:03

The Sixth Circuit Court.

Andy 24:07

And that's from the Michigan case, correct? (Larry: Correct.) Okay. And so, since they're in the same district, they have to follow the rules of what they said in that little quadrant, correct?

Larry 24:17

Yes, there are dozens of cases pending in Tennessee in Federal Court and there's eventually going to be decisions that are going to force the lawmakers' hands. But they have just told you that they're going to do the least that they can do. If you listen to them and trust what they said, that might encourage you to vote for different people.

Andy 24:39

And there could be people of the same party but just different ones, perhaps Larry? (Larry: Well...) I was trying to throw a bone out there for something, but you can do with that how you want.

Larry 24:50

Well, this party is the party who actually needs to do it because they will vilify the other party if they try, but see the other party's not gonna try because they're in such a minority in Tennessee, they couldn't pass anything if they I wanted to. So why would they stick their neck out on something like this when they can't pass anything? So this is actually the party's side of the majority you need to be talking to. So make your journeys to the people that represent you and tell them this. That this is a real problem and see what they tell you and remind them that you're a constituent if you are.

Andy 25:21

Is it gonna sound like go pound sand?

Larry 25:23

It's not gonna be good.

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Andy 26:16

Joining us now is Brandon Thomas and Mr. Thomas operates the law office of Brandon A. Thomas located in Atlanta, Georgia. The firm specializes in criminal law cases, including PFR petitions and failure to register offenses. Mr. Thomas received his law degree from Emory University of Law. He also received his bachelor's degree cum laude in political science from the State University of Chicago at Albany, and that's SUNY. Mr. Thomas is a former assistant federal defender for the Middle District of Alabama. That's in Montgomery area. As a Federal Defender, Mr. Thomas has handled serious felony cases ranging from white collar crime to drug and firearm cases where defendants were facing life sentences. Prior to this, he was an assistant public defender for the Eastern judicial, excuse me, Eastern Judicial Circuit of Georgia. And that's near Savannah, where he exclusively handled felony cases and served as lead attorney on jury trials. Thank you so much for joining us, Mr. Thomas. How are you tonight?

Brandon 27:13

Oh, good. Thanks for having me.

Andy 27:15

I really appreciate you coming on kind of short notice. But you are a... you attended, you joined us at the Atlanta conference. I think that was in 2015. And that's where we first met. But I'm sure you don't remember me for all of that, because it was a long time ago.

Brandon 27:31

I do. I do. It wasn't that long ago. Must be three years. Four years. Maybe.

Andy 27:34

Larry, Larry, remind me when was the first Atlanta conference?

Larry 27:39

Think we did '15 and '16 in Atlanta, but I'm not sure. I don't believe in '16 and '17. But we did two in Atlanta back-to-back.

Andy 27:45

Yeah. Um, but so you are a defense attorney in Atlanta, Georgia, and the majority of your career has been criminal defense. Can you tell the audience what attracted you to this area of law?

Brandon 28:03

I've always liked criminal. I actually, at this point of my career, do pretty much half criminal half employment. But the bulk of my career prior to having my own practice was criminal. So it's

something I've always liked. I think I watched all the law and order episodes growing up and all and maybe internalized some of that. So it's never boring. There's always something new in criminal law. It's also very... it's someone's real life. So that keeps it interesting as well. People facing significant amounts of time. Here in Georgia, we have pretty lengthy sentences based on these statutes, so there's a lot to lose. So I think I like that excitement aspect of it. It is something I enjoy and we don't run out a crime in Atlanta, tell you what. We really don't. So there's always something to do.

Andy 29:05

Yeah, I can only imagine that you never run out of anything to do up. Specifically, the reason why we are having you on is because we are going to be talking about the removal process for the PFR types. And PFR, if you're not familiar with the acronym is person forced to register. We don't use, typically, we try not to use terms like sex offender, whatnot. So we use PFR, person forced to register. And that code for the GA side of things is OCGA. And that's 42-1-19. And let me begin by asking first, are there certain offenses that are not eligible to be removed from the registry?

Brandon 29:41

There's a lot of offenses that are not eligible. Um, and like we were discussing before, one of the reasons that I have like a very high percentage of success, like 90% of the people are represented able to get off the registry and the reason that for that is I pretty much cherry pick my cases because I can look at a case and get a very good idea about whether somebody is gonna be able to get off the register or not. And so right off the top, rape is not going to work. 100%, you're not getting off the registry in Georgia with, if it's a literal rape, like an actual first degree, there's no way. Because it's written into the law that certain offenses, you cannot get off the registry. For example, if you have a conviction that lead to physical harm to the victim, you can't get off the registry. And so rape implies sexual contact by force. So that by definition, that implies physical harm. And so for that reason, you're not going to be able to get off. If the victim was restrained in any way, like, let's say they got tied up with like a rope or anything like that, or even depending on the facts, there's such a thing as you can incapacitate someone using drugs. Like let's say you, they gave somebody Rohypnol, or some type of drug that like knocked them out, and then they have sex with them. That can also be a bar from getting off the registry. Multiple transactions, that's another problem. So like, let's say, somebody commits a sex offense, and then they commit another sex offense, the fact that you have more than one will operate as a bar in Georgia. So every state has their own law. That's what's important to know. So I'm in Georgia, and I practice in Georgia, all over Georgia, but my expertise is limited to Georgia. And so you can be in Montana or something, and you have completely different law. And maybe you can get off the registry in Montana with a rape conviction. But I just know what you can do here in Georgia. And to some extent, I'm familiar with Alabama, just because I get a lot of Alabama calls just because we're right next Alabama. But other than that, you really need to consult a lawyer in your state so they can tell you what the requirements are in your state.

Andy 32:13

Under OCGA, 42-1-19(a), provides some of the opportunity to file a petition even before the passage of 10 years. Can you go into that a little bit on this subsection?

Brandon 32:27

Um, so pretty much anyone who's been living... Let me back up. In Georgia, again, everybody has their own system, but in Georgia, everyone's gonna be level one, two, or three, and you get that level from the sex offender Review Board. So in Georgia, level one is the lowest level, three is the highest. That's called a sexually dangerous predator. So if you're level one, you're eligible to be removed from the registry as soon as you've completed your sentence. And completing your sentence means there's no incarceration left, there's no probation or parole left. So if you still... what happens to a lot of people is they may, like let's say, they got, I've seen before somebody committed a sex offense, and they got a 30 serve 10, which means they got 10 years in prison, 20 years' probation. So even though they're out of prison, they're not eligible to be removed from the registry, because they still have the 20-year probation. And so what will have to happen is, they'd have to file a motion for early termination, and get that 20 years cut to something less. Typically, you're going to have to do at least half the time. So like, let's say you're 20 years on probation left, you have to do at least 10 years don't get in any trouble, then you can ask the court to cut your probation sentence and I've had success with that. You can do that. Then after that, you can try to get off the registry, but you can't get off the registry until your sentence is over.

Andy 33:54

I can attest to that one being true. I just did that roughly a year ago. Um, I've heard that a person has to be leveled prior to getting the court to consider the petition. What does this mean? And how does a person go about getting level? Do I just pick up the phone and go, Hey, Review Board, I need you to do me a favor, and can you level me? Or is there something more of a formal process that needs to be done?

Brandon 34:18

So typically, there's two ways for that to happen. The first way is if you go to prison. And if you go to prison in Georgia, very often before you're released, the sex offender review board is going to conduct what's called a risk assessment. And then they're going to give you level one, two or three. And they're going to give you a narrative telling you why they put you at that level. So, the more serious the offense, the more likely your level is to be high, but they also look at different factors such as, for example, multiple transactions. If you have multiple instances of child molestation for example, that's more likely to place you a level two or a level three. Certain offenses aren't as serious as other offenses, even though they are all sex offenses. So for example, rape first degree would be like the most serious offense. Statutory rape, in my opinion, is probably the least serious because it implies consent, that, you know, they didn't, they wouldn't force themselves on the other person, it's just that, as a legal matter, the other person was not of an age where they could have consented to the sexual contact. So those cases, more likely are going to be level one, whereas a more serious offense is more likely to be level two or three. So to answer your question, the first way to get leveled is if you go to prison. A lot of people don't go to prison, and sometimes they even go to prison, they still don't give you a level. The other way to get the level is that you file a petition to be removed from the registry. And then the sex offender review board will give you

a level before the court makes a determination about whether they'll let you off the registry or not.

Andy 36:07

When you do that process with filing the motion, do they have some kind of time limit to respond to that kind of petition?

Brandon 36:17

Um, they have 90 days for the risk assessment by law, but I've had it happen before where sometimes they come back faster. I've had them come back as fast as 45 days. And I've also had situations where it took much longer than 90 days, and they just asked for special permission. Basically, they just told the court look, we need more time, and then it ends up... I've seen it take as long as three months before. Excuse me, not three months, 90 days is three months, so I guess three months longer than that. So I've seen it take like six months before. If the convictions are really old... so let me back up. The sex offender Review Board, this is what they're doing, they're trying to get police reports, they want to see the guilty plea transcript, they want to look at the indictment, there's a lot of documents they want to look at to try to figure out, okay, should this person be level one, two, or three. And the problem is like, some people's conviction are so old, like, like right now, like since year 2000, criminals have become very computerized. And like everything is scanned in nice and neat on a computer. But if your convictions are from 1980 or something, a lot of times they gotta like pull it up off like a microfilm, or you have to like literally, like, blow the dust off the archive, like an old dusty box somewhere in the back. And they have to dig it out. And that can take time. And sometimes even when they dig through all the boxes, they still can't find it. So that's the problem. And so I've had that happen before. I had a client who was seventy years old trying to get off the registry, and his conviction was, I want to say it was like from the 80s. And they really were having.... And then on top of that, like the more rural the county, the more likely it is that they're not technologically advanced. If you're in a major city like Atlanta, or Nashville, Los Angeles, they probably have their archives pretty well put together. But like that particular case that I'm thinking about, he was like, in a rural place in Tennessee, when he got the eviction. So they are a lot slower to get things like computerized and scanning and stuff. So they really have to look for it.

Andy 38:41

I completely, completely understand that. So we just covered how does the person file the petition? And then but where? Like, which county does this happen in? And I guess then to extend that question one step further, does it matter if they're from out of state by chance?

Brandon 39:02

Again, here's the problem, like every state is going to have its own procedure. So I can only speak to Georgia. And the way Georgia does things is if your conviction is from Georgia, you file a petition in the county that you get convicted in. If your conviction was not from Georgia, you need to file the petition in the county that you reside in. So, I have a lot of clients who they got convicted in Ohio or California or something, and we just file the petition wherever they live. So but if your conviction is from like, you know, Macon County or something, it has to be filed in Macon County, there's no way around it. But that's how Georgia works. Other states,

what I find is that most states have similar laws in terms of, like, half the states have a way for you to get the registry and half do not. And the ones that do have a way for you to get off the registry, I feel like they largely like borrow from each other in terms of the law and the structure and how to get off the registry. But that doesn't mean it's the same procedure at all. Like it can definitely vary. So what I'm talking about is very specific to Georgia. If you're in New Mexico, it won't be like this at all.

Andy 40:20

Yeah, we talk about this pretty frequently on the podcast that they are similar, just like you describe it, but every state has their own nuances. Larry, do you want to add anything in there for that?

Larry 40:33

Sure. Brandon, he's got it pretty accurate. A significant amount of states do not have a process at all. But the states that do, there are fragments that have similar characteristics. In Arkansas, you'd file in the county where you're convicted. North Carolina, you file in the county where you're convicted. The same process applies for the out-of-staters, you file in the county you live. That would almost seem, Brandon, like that might present an opportunity for a little bit of forum shopping if a person had the resources to pick their county. If they did their research carefully enough, they could say, oh, well, 90% get off in Fulton County and 30% get off in Sumpter County, I think I'll live in Fulton County,

Andy 41:12

I was just gonna go there.

Brandon 41:15

That would be better. But that's not typically how life works. Like, I have a client right now who is a woman and she is in a rural county in Georgia. And I was asking, I was like, I'm just curious, not criticizing, Why did you move there? I'm like, it's probably as conservative as you can possibly get. And I'm just curious why somebody would move there on purpose knowing that they have a sex offense. And she's married. And she's like, well, my husband got a job here. And so that's why we came. And I said, Okay, um, but like, I mean, sex offenders get a hard time everywhere, but she's in a, I want to say, a particularly, it's a lot less tolerant, I would say, to sex offenders than other places. And, but she, you know, she went where they can make a living, because her husband has a job there. Okay, so the petition has to get filed where she lives. And so we just got to deal with it. But in hindsight, if you really want to get off the registry, if that's your number one priority, maybe you should move to Fulton County where things are a little more balanced. But people have to live, especially kids, responsibilities, you have to go where the employment is and that's where her employment is. It's gonna be hard to just sleep on a street corner in Fulton County, just for the purposes of getting off the registry. Like if you don't have a job, what are you supposed to do?

Andy 43:00

Totally, we had a person with a situation that we covered. And he was trying to move to, like, the most rural part down the southeast part of the state. And they kept pulling the rug out from underneath him. And this wasn't to get off the registry. But this was just registry conditions in general. He's coming from New York, and it was just a nightmare of like, why did you pick to go

there? You could have picked kind of sorta anywhere in the state to go, but he chose to go pick to like, one of the toughest areas with no population, and they're just going to be all up your hiney trying to make a point that we don't want your kind here,

Brandon 43:35

Basically, yeah, to me, they did that on purpose to kind of chase people away.

Andy 43:40

Totally, totally. Um, when you do go to court, though, how do you prove... like who has the burden of proof? I mean, I'm going to come up with like a non-legal scenario, but like, how do I say that I'm not going to be a threat to society? So you're presenting my case saying, so, Your Honor, we have evidence that this guy's not going to because we went to the future to try and predict. But so how do you prove that I'm not going to be a threat that I deserve to be off the registry at this point?

Brandon 44:08

Okay, so um, the short answer is the person seeking to get off the registry has the burden of proof. And there's a few things there. The first is if you come back level one, that's the sex offender review board determining that you're the lowest risk level. So that speaks for itself. So that's a feather in your cap right there. Just by itself, you're level one. And I've had that before be influential to the court, where, you know... so let me back up. This process, like my job is to argue for the, for the, the sex offender to get off the registry, and the prosecution's job is to argue for them to stay on the registry. That's just their job. I was telling my clients, don't take it personally, that's just their job. Just like, if it was an actual pending criminal case, my job is to get you out of jail, and their job's to keep you in jail. And that's just what it is. So when we go to court, the prosecution is doing everything they can to argue that this person shouldn't be released from the registry, danger to society, etc. So the very first thing is, if they're level one is that your honor, the sex offender Review Board are experts in determining risk. They know how to discern between someone who's a low risk, who's an intermediate risk. Level two includes a high-level risk. They said that my client is level one, that's the first thing. Second, would be length of time since the offense. So the ideal situation is something like, which I have a lot. Like, let's say their offense was like, from 20 years ago. So we're trying to predict the future. And basically, the courts trying to figure out, okay, if I let this guy off the registry, is he going to be like kidnapping little kids and throwing them into the van and doing all this stuff? Or is it gonna be okay? That's what he's trying to figure out. But no judge wants to be the judge that lets somebody off the registry, and then the sex offender went out and did something crazy. And now they put the judge on the news. And the judge was crazy. Like, why did you let him off the registry? Didn't you know, he did this, this, this, this, 20 years ago? That's the problem with society judges like this. And so nobody wants to be the judge that's on the hook for that. So that's really what the whole thing is about. The judge is trying to see, do I trust this person or not to not make me look crazy? And one of the biggest things like I said, after we get beyond the level of the person is the length of time that they've gone without being recidivist. So, if their offense was like, from the year 2000, and it's now 2021, that's 21 years they haven't done a sex offense. They haven't done anything in 21 years. I think the risks that if we let them off the registry, that

they're gonna go out and do something crazy is very low. So, a trickier situation is which I've had before, where, let's say somebody gets a relatively short sentence. Let's say somebody gets like, let's say they got five years in prison, no probation, okay. So their offense was committed in let's say, let's say the offense was committed 2016. And it's now 2021. They just got out of prison. The sex offender Review Board has found them to be level one. So they're eligible to be removed right away. I have people contact me all the time, who they just, just, just finished a sentence. And they are eligible to be removed from the registry. And I've gotten people like that on the registry before, but to me, that's a tougher thing. It's much tougher than somebody who it's been like 20-30 years, and they haven't done anything. Because that puts the prosecutor in a position where they kind of have to make somewhat ridiculous arguments to the person is a risk, when it's like they haven't done anything in 20-30 years, like, why are you even saying that? Whereas somebody who just got out of prison, you really don't have much of a track record to base anything off of because they just got out. They haven't had the opportunity to do a sex offense, you don't know, one way or another. A third thing that's been very effective is people being married, marital status. Um, I've had a lot of success with that. I've had cases where I felt like the judge, the court was on the fence about should I let this person out the registry? Should I do it? Should I not? And the wife coming to the court and just talking about that this person is a good man. And that's why I'm married to him. I knew he was a sex offender. And I married him anyway. That, just somebody like being married to you, like, that's the biggest like cosign that you can get they're vouching for that person. Like, I wouldn't be married to this person, if I didn't think they were a good person. And furthermore, I think there's somewhat of a bias, which works in the defenders favor, it's a good thing, and I use it to our advantage. People think that if you're married, basically like your wife is checking up on you and you're less likely to commit a sex offense. So that's just what they think. And so we just go with it. So it's like, the court thinks you're less likely to do something crazy because you're married. So that's been very effective. And then following that, maybe something about really good jobs, that helps sometimes. But it's really the first three things. Level one, ideally, a long time since the offense occurred, like, you know, 20 years or something. Ideally. An ideal world. And third, if they're married, they have a stable life. That's better than you being single. The worst case scenario, just to illustrate, the worst case scenario is like, a single person who's not married, they just got out of prison. And so they haven't even been out that long. So they don't have a track record of not being a recidivist. And then let's say they're homeless or something. Compared to someone who's married, has a stable house, maybe even a homeowner sometimes, and they have a good job. So just to show you those two extremes. Like the ladder, the ladder situation is where I say judge, he has everything together. He's doing great. We ask to be released. He's not a risk. And like I said, 90% of my people get off the registry. But that's just because I cherry pick things. If I think something's gonna be a problem, I tell people in advance that this is not gonna work.

Andy 51:15

I gotcha. How about somebody filing on their own? I guess that's called pro se. Does that term apply in this context as well? (Brandon: Yes.) Do you recommend that people file this on their own? Or do you recommend that they hire an attorney. (Brandon:

I do not recommend it, but I mean, I mean, um...) This is another conversation that we have, like, you are allowed to, though, correct? Like, I can go, Hey, Judge, I would like to petition to get off the registry. Like, I'm allowed to do that?

Brandon 51:47

Yes, but...

Andy 51:51

I can also go change my own oil in my car, too. But I might not know how to, is that where we're gonna go.

Brandon 51:56

I mean, I think I saw a movie once where like, somebody got, like, attacked with a sword. And then they did their own surgery and sold themselves... I think I saw it and but for the most part, I mean, I used to work. When I was in Savannah, being a public defender, like, sometimes you will have defendants who want to represent themselves and the judge will just be like look, I mean, you can try to pull out your own teeth if you want to, but it's probably gonna be a lot less painful if you go to the dentist. They know how to... it's a serious thing. But it's a complicated thing, because as a class, um, sex offenders very generally, they don't have money, because it's like, it's already hard enough to get a job when you're convicted felon. It's like times 10 If you're a registered sex offender. So now it's like, okay, it's easy to say go out and hire a lawyer, but you have somebody who's either (A), they're homeless, they don't have a job. So there's no way for them to do that. Or (B) maybe they have a job. But they really just have enough income to survive, and they don't have like an attorney. So all they can do is file by themselves. But what I what I would tell you is that even lawyers who are like practicing attorneys that do criminal law, if they had to try to jump in and do these registry petitions, they'd be lost. And I've seen people do it before, unfortunately. I've seen people just file these petitions, and they look like a mess. Like lawyers even. And that's because, I mean, some lawyers, they'll just tell you straight up, look, this is not my expertise. This is not in my wheelhouse. I'm not going to represent you on this. And the reality is, though, lawyers with law practices, like they have bills too just like regular people. And some lawyers will take someone's case and try to figure it out as they go. Unfortunately, you're not going to know, as the person who's hiring an attorney... like oh, well, that's a lawyer. I'm sure he knows what he's doing. But they may never have done the registry petition. But this is a very sophisticated, complex thing in my opinion.

Andy 54:24

Look, man, I can see that on your wall. I can see your degree back there. You're a lawyer, you know everything about all law everywhere. Like, right?

Brandon 54:33

Well, I just think that...

Andy 54:37

I'm being very tongue in cheek on that one.

Larry 54:42

So we stress all the time on this program about having an attorney, having an attorney, having an attorney. It's like man, the

stakes are so high on this, and you don't want to do it because there's a wait. The wait time after you file it pro se and botch it up, how long you have to wait before you can file another one?

Brandon 55:00

In Georgia, it's two years. But it's more than that. In my opinion, like the hidden thing that people don't think about, like, judges are human beings too. And like human beings are just a certain way. And like I try to explain to people, there's what's called a confirmation bias. And, and what that is, is like, in people's minds, like, like your mind is predisposed to confirming whatever you already thought. Like, once an idea gets into your brain, your mind, it does all types of cartwheels and gymnastics, even when presented with new evidence, your mind wants to believe what it already thought the first time once it gets set in there. And so, if you have a judge who heard your case, you did it yourself pro se, but you screwed it up, you didn't know what to present, you didn't know how to present it and you messed it up. Then you go out and get a lawyer. And then you go back in front of the same judge or maybe it's a different judge, but the judge, even if it's a different judge, they can see, for example, that this petition was filed before and got denied before. And the judges look at it, well, what's new now? What's different now? I think I should just deny it again. It was wrong before, I should deny it again. And so that's the problem with just kind of just throwing your petition in there, because a lot of judges, they're just gonna want to confirm what they did the first time, which is the denying you again, if that makes sense.

Andy 56:37

Right. Oh, it totally makes sense to me, Larry, I'm assuming it makes sense to you.

Larry 56:42

It absolutely makes sense to me, because I tell people since you do not know the rules in this in this arena, there may be evidence that the judge considers that an attorney would have prevented the judge from considering by objecting. And of course, sometimes you have to play the reason for the objection. And you have to argue the objection of the judge says, oh, I'll disregard that. But lots of times with the attorney, you can preclude that from coming in from the beginning, because the attorney knows what to tell the prosecutor who's the adversary in this proceeding. And they can pre agree on a lot of stuff. You can't do that, because the prosecutor is not going to talk to you.

Brandon 57:19

If I'm being honest about it, I have some of my colleagues, I have very prestigious colleagues in Atlanta and prestigious in criminal law who've been around. They've been practicing like 30 years, they bill at like \$450 an hour, and they make very good money doing criminal law. They would not be able to make heads or tails of the petition if they had to file it. I say nine criminal law attorneys out of 10 are not equipped to deal with this. And the problem is a lot of people, especially in a small town, somewhere like, you know, Macon, Savannah, a lot of people still just ask their cousin, hey, you know, any criminal lawyers? Or they know a guy who's like a big criminal lawyer in town, and they just go with what they know. But that person is not dealing with registry petitions, and they're not equipped to deal with this. And so that's a big problem. Um, but you don't know that as the consumer, as

someone who is trying to get a lawyer to represent you in a petition. You just know, oh, he's a lawyer. I'm sure he knows. But a lot of lawyers don't know. But they'll act like they know. And you're not going to know the difference. Just like, if you're not a mechanic, you're not really going to know that your mechanic is screwing up your car. Not really, you don't know what they're doing. You just hope that you're giving this person that money, and they're gonna fix it.

Andy 58:54

You know when your tire falls off in two weeks while you're 80 miles an hour down the interstate, you'll know for sure then.

Brandon 59:00

I just think you're just not equipped to make that evaluation. And so just some friendly advice, if you're gonna look for a lawyer to get you off the registry, at the bare minimum, what I would do is look on their website and see if they have a section on their registry petitions. If a lawyer is advertising for like sex offenders in registry petitions, then more likely than not they handle those at least somewhat regularly, and they can help you. Whereas most people what they're doing is they're hiring just any kind of kind of general criminal lawyer. They don't have anything on their website about registry petitions. That to me is a clue that they're probably not dealing with this regularly enough that they can help you.

Andy 59:53

I completely understand. Alright, but now that you've explained the risks of going at it alone and all the other things that we've talked about before, the Registry Matters Alliance, folks that listen to this program, like, can we talk about, I don't necessarily want to, like, ask you what your fee is, but what would the fee be roughly in general? And since Georgia has 159 counties, it seemed likely that your fee would be adjusted for travel and miscellaneous, other expenses, etc. Can we dig into that to some degree?

Brandon 1:00:23

I'll put it out there, let me just... I'll just put it out there. So like, in Georgia, like I'll charge \$5,000 for a registry petition, which is very low. Like for the level of experience that I have. And for the work that I'm putting into it, it really is at least a \$10,000 thing. But I like helping people, like I used to be a public defender, I guess I'm still trying to save the world or whatever. So I recognize that as a class, the sex offenders don't have money. It's like I said before, it's already hard enough to get a job as a convicted felon. Now you're a sex offender on top of that. Like, I've had clients who client he used to be a teacher, he had a bachelor's degree and everything, then he became a sex offender. Now he makes a living by, he goes to like junkyards, and like picks up scrap and stuff and tries to sell it on eBay or something like that. And he makes probably, like, \$700 a month or something crazy. Like him doing the best that he could do. Um, so it's like, it took everything for his family to be able to afford. Even that reduced rate of \$5,000, like, a lot of people don't have it. Um, the average American, they say, you know, they probably have less than \$1,000 in their bank account. Like 60% of Americans. So like, you're talking about sex offenders, where are we supposed to get the \$5,000 from? And a lot of people have meritorious cases, and they really could get off. But they don't have the money. And, you know, so I do what I can on my end, like, I reduce my fee, I don't charge people like

\$10,000. For that, I'll do it for \$5000, which is really like doing it for like \$4,750 in terms of money that goes to me, because \$250 of that goes to the filing fees just to file it in court. So, um, yeah.

Andy 1:02:27

I didn't even think about that part.

Brandon 1:02:29

Well, I have to think about it, because hey, I have to do it. So it's like, you're basically filing a lawsuit against the state of Georgia, just to file that in court is going to cost you like \$250. So it's really like \$4750 in terms of money to me, but I just let it go. Because it's like, it's a very life changing thing and that I like to do. It's not even the registry petition, like, that's not even 10% of my firm's gross income. So like, I make a lot more money doing other things. I just like to help people. So that's why I do it. That being said, I've come to the conclusion that I can't work for free because I'm in my office now. I'll be out on the street. Like, they don't want to hear like, Hey, I know. I know the rents due this month, but you know, I got someone here and like, I got him off the registry and now he's like living wonderful and married to kids and all that stuff. So is it okay, if I don't pay the \$1,500 for my commercial lease? Is that okay? And they're gonna look at me like I'm crazy. And I can't do it for free. I just can't. Now maybe one day, you know, because like I said, I do half criminal, half civil, maybe when I have some multimillion dollar cases that settle and then it's like, okay, I have a lot of money so I can afford to just work for free, but that's not my situation right now. My situation is I make a very good living, but I can't afford to work for free. So unfortunately, you can't help everybody. I just do what I can where I can.

Andy 1:04:19

Completely. Larry, is there anything else that you want to cover before we let Mr. Thomas go?

Larry 1:04:24

You've done a splendid job. I would just like to get his contact information out there for the hundreds and hundreds of people that are listening, will be listening to this.

Brandon 1:04:33

Sure. My website is BrandonThomaslaw.com. My office number is 678-330-2909. That's 678-330-2909. and my email is brandon@brandonthomaslaw.com. So you can do any of those, and I suppose you can even contact Larry and then they can pass it along to me. But again, I'm licensed in Georgia practice in Georgia. And so there's going to be little to nothing that I can offer you, if you're in California, for example. The only thing that I could probably help you with is if you're in another state, and you think you want to move to Georgia, and you're trying to get off the registry in Georgia, because maybe they don't have a way to get off in your state. That's pretty much all I can help you with is if you're moving here. But if you're in another state, often what they tell you is you need to try to find a person who handles registry petitions in your state.

Larry 1:05:51

So I'd like to do a plug for Brandon. I referred a case to him. And in three days, he turned the case around and did a felony resolution in Cobb County, Georgia with a splendid outcome where the

person will have no felony conviction if they do what they're supposed to do. So I can personally attest to his effectiveness.

Brandon 1:06:09

Thank you, Larry, that's so of you. Glad we could help.

Larry 1:06:12

So it was literally about a three day turnaround, wasn't it?

Brandon 1:06:16

I mean, she needed it, unfortunately. Like, um, sometimes it's, I mean, when you're a public defender, you do that. But I still do that in my regular practice where it's like, it's almost like you're like triage, and it's like an emergency room and somebody comes in, they need something immediately, they gonna die, and like, like, that particular person had a warrant for her arrest. And if we did not resolve the case, she could have been in jail for weeks waiting just to go to court for the first time. But we resolved it in a way that she didn't even have to get locked up. And if she does everything, right, she doesn't have to have it on her record. So, you know, that worked out.

Larry 1:06:58

So but thank you. Really, really, really appreciate you stopping in there like that. And we appreciate you being here with us. (Brandon: Thanks for having me.)

Andy 1:07:07

Thank you. Thank you so much for coming on. And I hope you have a great rest of your weekend. Thanks again. Thank you. Bye, bye. And I'm going to stop recording this. Thanks, Mr. Thomas, appreciate it.

Brandon 1:07:24

I did forget, the most important thing I want to say, which I should have said is that, um, this year in Georgia, there was a bill to change the registry, so that people will have to wait a minimum of 10 years before applying to get off the registry. And the reason is, because people are thinking that, Oh, it's too easy to get off the registry in Georgia, we want to make it harder. So I would encourage you to if you're thinking about getting off the registry, you need to go ahead and try to make that happen now before something bad happens. It just so happens that the bill that they tried to pass failed, it failed this time, it may not fail the next time. So and then maybe, for all I know, there's a movement across the country to use sex offenders as a political hot potato. And it's gonna be very difficult for a candidate to, if we're being honest, to take up the mantle for sex offenders, because nobody wants to be the candidate that's easy on sex offenders. So it's really an easy target. And so I'm just saying, Georgia, we narrowly missed having a new law that would have made it very difficult for a lot of people to get off the registry. So if you're thinking about getting off, you need to try to make that happen now before they change the law. And that's it. That's all I wanted to say.

Andy 1:08:55

I appreciate you coming back on to add that on there. Perfect. (Brandon: No Problem.) Perfect, though. I appreciate it. That's kind of funny. All right. Well, then I think we got to close this out really, really soon. We're bumping up. Um, do you want to do the times recorder thing from Ohio? Or are we going to bump that also?

Larry 1:09:15

Let's do that next weekend. (Andy: Okay, cool.) Let's get on to this closing out with our wonderful mystery speaker.

Andy 1:09:23

Absolutely. So last week, I played this:

Richard Nixon 1:09:27

Because people have got to know whether or not their president is a crook. Well, I'm not a crook.

Andy 1:09:32

And if you were paying attention, watching on YouTube, then you would notice that I used a picture of... who Larry?

Larry 1:09:40

That's Richard Nixon. The 37th President of the United States who served from January 20th, 1969 through August 8th at noon, 1974.

Andy 1:09:57

And no one Larry wrote in and I have a hard time believing that that is because nobody knew it. I have a hard time with that one. But maybe just nobody felt like writing in. I don't know, out of the 1000s of people that listened to this program I would have thought somebody would have written in said that was Nixon. But alas, they did not. But now so for this week, do you think that we need anything other than the individual? I think this one is kind of obscure, I can't say that I recognize this individual's voice just right out of the gate.

Larry 1:10:24

So well, I can tell you that it's in that era, a little bit earlier. It's in 10 years leading up to that era that I just described. So tell us who said this.

Who's that Speaker? 1:10:38

Accordingly, I shall not seek, and I will not accept the nomination of my party for another term as your president.

Andy 1:10:53

Do I need to play with that again to Larry, you had me replay it last week?

Larry 1:10:57

So well, I don't know that voice is kind of old.

Andy 1:11:01

So one more time,

Who's that Speaker? 1:11:02

Accordingly, I shall not seek, and I will not accept the nomination of my party for another term as your president.

Andy 1:11:18

Alright, there you go. So write into registrymatterscast@gmail.com. And give me something in the subject line says like, Who's that speaker? WTS, something like that. So I can sort of search for them easily. And do that before next Saturday afternoon or something like that so that I have time to pick it out. And you can be a Winner. Winner, winner, winner,

winner chicken diggin. And with that, Larry... Oh, so we got some new patrons. The new patron, we already covered it from the question that was asked. Thank you, Liz. So very much. And then we had some transcript subscribers, Larry, why don't you read those off, Please, sir?

Larry 1:11:52

We have Donald and David and Lester. David is in a military prison. Lester is a guest of the Bureau of Prisons. And Donald is actually in the free world. And and it's always great to have someone the free world, it could be that he prefers to read paper copies, or maybe he's not allowed to have internet access. But thank you to all of you.

Andy 1:12:12

Excellent, excellent, excellent. With that, Larry, I think we should close things out because we are pushing the limit of the transcript. And otherwise, you should go over to registrymatters.co to pick up all the links to everything that's going to be talked about in the next 30 seconds. And so registrymatters.co Voicemail is 747-227-4477. Larry, do you remember like on episode five or something like that someone wrote in saying I don't understand what you said. Could you repeat the phone number? And I'm thinking Larry, why didn't you just press rewind and play it again? That was what I was thinking at the time.

Larry 1:12:53

I think there is that provision.

Andy 1:12:56

And then email again, is registrymatterscast@gmail.com. And because we're all about the Benjamins, please feel free to go over to patreon.com/registrymatters and support the program. It is greatly appreciated. It is mostly a charity thing. That's not the right way to word it. But we're not doing this for money, that is for damn sure. But it does offset the time a little bit. And I appreciate every one of you so very much. And I thank you all very much. Anything else, Larry, before we get out here?

Larry 1:13:30

And next week, we're going to cover a case that we didn't have time for tonight out of Connecticut. An awesome win. And we're gonna have a special guest that's going to be talking about an amazing topic about entrapment. So be tuning in next week.

Andy 1:13:43

Perfect. Sounds very good, sir. As always, Larry, I appreciate your time very much and all of your insight and setting everything up and all that. And I hope you have a great rest of your weekend, and I will talk to you soon.

Larry 1:13:56

Thanks for having me.

Andy 1:13:57

Goodnight, Larry.

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Episode 202

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Glossary:

- PFR – Person Forced to Register
- NARSOL – Nasional Association for Rational Sexual Offense Laws
- AWA – Adam Walsh Act
- BCC – Bureau of Community Corrections
- CCC – Community Corrections Center
- CCF – Community Corrections Facility
- ICAOS - Interstate Compact for Adult Offender Supervision
- PC – Protective Custody
- PREA - Prison Rape Elimination Act
- DOC – Department of Corrections
- CSL - Community Supervision for Life
- DCS – Department of Community Supervision
- IML – International Megan’s Law
- SOMP – Sex Offender Management Program
- BOP – Bureau of Prisons
- CAGE – Citizens Against Government Entrapment
- COMET - Collaborative Offender Management Enforced Treatment Program
- PV – Parole Violation
- SMART Office - Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking



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