



Registry Matters Podcast

Episode 267

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0:00:00

Announcer

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0:00:18

Andy

Recording live from FYP Studios East and West transmitting across the Internet, this is episode 267 of Registry Matters. Good evening, Larry. How are you?

0:00:29

Larry

I'm doing awesome. Glad to be back one more time.

0:00:34

Andy

Again, I went down through the whole Rolodex. God, does anybody in the audience know what a Rolodex is? This audience probably does. My kid doesn't know what a Rolodex is. So anyhow, do me a favor, and not you, but the other people, make sure that you press, like, subscribe and do the bell notification, do all those things, and try to share it with everybody. That way we can grow this audience, right?

0:00:59

Larry

That sounds like a good plan to me.

0:01:01

Andy

You sound so much clearer tonight, Larry. Any changes on your end?

0:01:06

Larry

We did make a slight change. I changed from my 11-year-old PC to a brand new, almost new unused Macintosh, and we were working furiously to configure everything so that it would work. And it appears to be working thus far.

0:01:27

Andy

11-year-old.

0:01:29

Larry

11-year-old, that would be correct.

0:01:32

Andy

That's pretty old. All right, well, do me a favor and give me a rundown of the show this evening. I don't really have a whole lot of banter because the banter will come in the little section where we're responding to some listener feedback.

0:01:45

Larry

Well, this is going to be an abbreviated version, possibly, depending on the depth we go into extemporaneous chat. But we have one main event we're going to be talking about international Megan's Law, particularly travel, international travel, and requirements. We've got a guest and then we've had some listener feedback about the podcast in general and we're going to go into that. And then I picked out this one question from the submission from a prisoner that I think is interesting. We've touched on this before, but we always have new listeners, and we always have the reason to go back and discuss it again. So that's what we're doing tonight.

0:02:28

Andy

Fantastic. Well, let's dive right in. Let's do this question from this poison, the person says. I was convicted in Michigan of criminal sexual conduct a long time ago. I was ordered by the court to register as a condition of probation for four years. I then moved to Alabama, back to my hometown, and all was fine until I got arrested. They discovered my Michigan conviction required me to register for how long? For life. I've written to every organization, and nobody wants to help me. I was beaten and almost killed when the other inmates found out about my conviction. This is obviously unconstitutional. Everybody knows about Doze versus Snyder. So just to give a teeny, little bit of details, like he moved from Michigan to Alabama in 2000. I believe it was. Then got into a bar and brawl in 2004, which brought the attention to himself to the registry folks.

0:03:23

Larry

Yeah, I think that I may have put that in wrong. I think he got convicted in 2000 in Michigan, then he moved to Alabama 04 or 05 after he finished his supervision. But nonetheless he lived successfully in Alabama for a very long time. The hovercraft left him alone and there were no problems. It reminds me of the one from Colorado who went to Nebraska and got into a barroom brawl. Do you remember?

0:03:53

Andy

One I think I do, yeah.

0:03:54

Larry

Yeah, well, that's what happens folks. If you've got off the registry, try not to get into barroom brawls.

0:04:04

Andy

That sounds like some good advice, even kind of in general, Larry.

0:04:08

Larry

Well, I would encourage it, particularly when you've gotten off of the registry. Because he was in Alabama as an unregistered

person, legitimately in terms of Michigan didn't have to hand him off because apparently, he was only registering as a condition of his supervision. Michigan has that Youthful Trainee Act and the HYTA, as it's called, and he may have been relieved through that or some other mechanism, but he didn't have to register. Without the bar room brawl, the hovercraft didn't pick up on his presence, but the bar room brawl did.

0:04:44

Andy

I thought it picked up everybody.

0:04:45

Larry

Well, the PFRs tend to think it does, but we have shown episode after episode instances where that's not the case. But he did get a background check run as a part of the booking process. At some point, they discovered he had the conviction in Michigan, and they advised him of his duty to register. And then I cut this short because it was such a long submission. He also ended up violating Alabama's very comprehensive requirements. So, what I told him in the letter that we sent back, you know, I told him that we're sad to hear about these terrible experiences. They're all related to the old conviction in Michigan. Unfortunately, Michigan's law does not control registration obligations unless you're actually residing there. When you decided to move to Alabama, you were then subject to their registration laws.

Most people do not recognize this reality, and they mistakenly believe that their state of conviction controls. Alabama has one of the most comprehensive registration regimes in the United States, and he may have had a viable defense when he was charged with failure to comply with Alabama law. He may have been able to say that he didn't know it because he'd been released from registration in Michigan, and that defense may have worked. It might not have, but nonetheless, at this point all of his references to Doe's versus Snyder are totally irrelevant because that case is not binding in Alabama. I told him that he would do very well to read the case of McGuire versus Marshall, which was originally McGuire versus Strange. That was the guy who moved to Alabama and he went down to the local sheriff and said I don't have to register, do I? And he'd never had to register in Colorado. And his brother told him just to be on the safe side, and go check with a PFR office. And they told him yes, by the way, you do.

This Marshall decision, we talked about it back in late 2022. It's about 84 pages and we did talk about it, but that's the case he needs to look at rather than Doe's versus Snyder, unless he goes back to Michigan.

0:06:50

Andy

Would you give me the brief rundown of that? Why is that the decision he should look at instead?

0:06:56

Larry

Because that's controlling in Alabama, and that was based on that particular hit. The McGuire case was tried in federal court and then taken up on appeal to the 11th Circuit. The 11th Circuit, held at Alabama's retroactive application of a civil regulatory scheme

was constitutional. They came up with it came up with a different outcome than Does versus Snyder. They did not find it punitive, and therefore he has no beef because he chose to subject himself to Alabama's registration when he entered Alabama.

0:07:28

Andy

I see. And he was in. He was living quietly under the radar, whatever you want to call it in Alabama for seven years, I think we said in Pre, show.

0:07:39

Larry

It would have been longer than that if he went there from 20/05 and got in trouble more than a decade later. He lived there successfully for a very long time. And again, folks, I never advise anyone not to call the PFR office. I can't give that advice. I can only tell you that if you. Do get detected in a state, all my experience in the professional arena has led me to the conclusion that they just simply give you a notice to register. They don't arrest you if you've been dutifully discharged through a process. So, I'm not saying that you should go to the state and not register if you've been removed from registration. I'm just telling you that the experiences if it were me, I would not be rushing to check in with registration if I had been dutifully discharged. You can make your own decision, that's what life is about. But when you make that decision to insist on registering that you want to check with the PRFR office, there's a good chance you make it an answer that you're not looking for. I would prefer to wait until I'm told to register.

0:08:50

Andy

I do understand that, so this is just I think rule #1 here would be. Don't go to Alabama, right? I mean, that would be step number one is don't go to Alabama.

0:09:05

Larry

I would agree with that. Or Florida or Mississippi or a number of states that are really tough on PFRs.

0:09:11

Andy

And it's funny if you went, I bet you if we could go back and get some sort of...Like how many times we've talked about this state, this state, this state, this state, there's, I don't know, ten of them that we talked about all the time for being the worstest. And then there's a whole, there's several that we, like, never talk about, right?

0:09:35

Larry

That would be correct. There's somewhere, it's really a very modest imposition on one's life, not that I'm condoning it, but it's relatively modest and minor inconvenience on your daily activities. The Deep South is generally an exception. It's a significant intrusion, particularly in the states we mentioned, Louisiana, Florida, Alabama, Mississippi on and on. Tennessee, where Tennessee has a law that you can't have your own biological children. It's under legal challenge and there's an injunction, but if

you can avoid moving to the South, it would be wise that you don't do that.

0:10:16

Andy

Very good. Shall we move along?

0:10:18

Larry

Sounds fantastic.

0:10:20

Andy

All right. I want to have a little bit of an AMA with you.

0:10:23

Larry

A what?

0:10:25

Andy

An AMA? You? Come on, Larry. You don't know what an AMA is.

0:10:29

Larry

It's not ringing any bells.

0:10:31

Andy

OK, and the AMA has asked me anything.

0:10:35

Larry

Oh, OK, if you say so.

0:10:38

Andy

All right, so let's start off with a question that I want to address with you maybe almost like a bone to pick with you. Why? Why, why, why? Why do you present content to us that is so far over our heads? Can you please dumb it down for us non-legal beagles for one cotton pickin time?

0:11:02

Larry

Well, I pick the content that's I think relevant to most people's questions. I look for cases that are precedential in value, and I look to try to explain how the court got to their ruling, whether I personally agree with it. And since I'm not licensed to practice law, I'm very careful in terms of how I interpret the cases. And I prefer to read from the court's decisions as much as possible because it's the court telling the people that. It would be like the case I think it was out of. Idaho, where the court decided that there was a discriminatory practice because of gay sex. Do you remember that one, a year or so ago where the judge decided that there was a discrepancy and how they treated same-sex convictions in Idaho?

0:11:59

Andy

I think so.

0:12:00

Larry

And I read directly from the opinion, and we got this snarky e-mail saying, Larry, it had nothing to do with homosexual sex. Well, that's your opinion. But the judges said differently. The judge. Writing the majority opinion said just the opposite, that it had everything to do with that. But I'm not authorized to say that it was about homosexual sex because that would be my personal opinion. And if I have a personal opinion, I think I'm okay. But if I'm giving it to you as a legal opinion, I give you what the courts say. And that sometimes includes those Latin terms that when I use them, usually you go say what? And then I explain what the term means, and I generally read that from the legal dictionary. Again, I'm allowed to read, so I will tell you in most instances what the legal definition is. Reading from the law itself in terms of the Black's Law dictionary or some resource I happen to reference, but I'm trying to be extra careful. There are people out there who would like to shut us down. I have no doubt that we have some detractors out there. And therefore, we try to be very careful in terms of what we say. And I try to reduce it down to a level that everybody can understand it. And that's part of why we have the little jokes back and forth. When you tell me, can you dumb this down, that's been deliberately scripted so that I can dig a little bit deeper, try to make it more understandable.

0:13:35

Andy

In chat somebody said but what about the stupid people? Yeah, yes, we may need sometimes Larry, to further dumb it down, so.

0:13:47

Larry

Well.

0:13:48

Andy

Here I am laughing about it for real because it is like there are words like I, the one that comes to mind it. I think it's scienter.

0:13:56

Larry

Yes, that one is very confusing, and even the pronunciation. By the way, how long have we been doing this program? It seems like it's been a while now.

0:14:06

Andy

Yes, we have. We, released the first episode on October 22nd of 2017, and the first episode was titled Is the Registry Unconstitutional? Yeah, yeah, yeah, yeah. So, we've been doing this for a long time.

0:14:24

Larry

Well, I got a question for you. Why do you make fun of me all the time? And then why do you crack such ridiculous jokes?

0:14:32

Andy

All right, well, I just like what just happened. I guess it's just a personality trait of mine that when I find something that is a

completely ridiculous, shitty situation the only response I have to it, I mean I can't do anything about it, is that I sort of make fun of it. I suppose it's just completely insane. Larry, I know you'll appreciate this, but think about this. We have people that have been pushed out of every possible place that they could live in. In a place like Dade County, Florida, where they are banished into homelessness, and I can't come up with any other way to describe this other than to just say it's shitty and it's awful, it's atrocious. We have people living in various degrees of harmful, unacceptable situations. If somebody does something, you know they've come, they've committed some kind of offense. And because of that, we cast them out into these deplorable living conditions. And I can't, and I can't get on board with that one, because these are still humans. It's I just, I can only respond by poking fun at it. And I know it's serious. And I think everyone listening appreciates the seriousness of the situation. And it's probably the most important subject that is affecting your life right now, where you can live, where you can work, and the relationships that you can have. When you do a background check on some kind of job, you may not be able. You probably can't get that job. We have you, you know, of some of these folks. We have people that are very, very successful and have gobs of money and they have been successful in spite of the registry. But they also have educations and things, you know, doctor's degrees or things about long and they can't work in those fields because of this conviction. And I don't understand why we don't have 100 times more listeners because of the content that we're covering. And honestly Larry, like I always do, I don't ever want to inflate your ego, but I don't know anybody else that can explain this any better than you can.

It's just you're the person that can explain it to improve the situation in each of our respective states. And it boggles my mind that the number of people that are impacted by the registry is well over 1,000,000 people. And once you move out a degree or two of separation from the person, that's the PFR, so to speak, you include spouses, or you include the kids and brothers and sisters and parents and so on. Take all that into consideration. We should have thousands of people downloading the show and trying to figure out how they can become more active. Our Patreon account should be flooded with people helping support the program. And the NARSOL affiliates, they should all also be overwhelmed with volunteers. But they're not. And then finally, the NARSOL conference should have people beating down the door in a positive way not to, like, burn and torch us, filling up a small arena. I just can't figure out why we don't have such much, a much bigger reach than what we do, considering the impact that this has on people's lives.

0:17:46

Larry

Well, before I go to the next question that we've planned, I'll make an observation here. When you and I met some number of years ago, that was your precise reaction that if you had knowledge of NARSOL and the various advocacy efforts you would have been beating the doors down. But yet when you got out and started doing your advocacy, you did the same model that we had done all across the country of sending out letters trying to solicit involvement all throughout the state where you were living and the response was very tepid, I think would be a polite way of saying it and that's they try that all over the country when these new affiliates of NARSOL develop, They just know that if they

compose the letter and there's a head cocking joke that I make. They just know that if they composed the script, despite that we've done the script dozens of times, if not 100 times, they know that it's going to make all the difference and it doesn't. And I've concluded from my many years of this advocacy, there's a fair amount of entitlement mentality with people associated with it. They know that they're being screwed, and I agree with that. And they feel like since they're being screwed, they have an entitlement to be saved. And that's just not the way life works. Yes, you're being screwed, but it's going to cost you something to be saved. It may cost you part of your days and weekends, if you have the capacity to volunteer a skill. It may cost you some economic separation from your dollars, if you happen to be fortunate enough to have a good job and for some reason people don't want to let go of their time or their money, and I tell them, look, we're grateful for both. If you can only do one of the two, we're grateful for either one of those. We need money and we need time, skill, time particularly. And so, I'm disappointed as well. But tell me about on this program that we're doing. Tell me about the production process, meaning how do you make. And then deliver this podcast because I just show up and create content and questions and analysis that we can talk about. But I don't have any clue what you do tell me about that.

0:20:18

Andy

All right. Well, first of all, I do what's called a double ender. And what that means and now that you're on the Mac that this is all dead. But I've always wondered how NPR records stuff when you hear, "yes, I'm sitting on the president's airplane" or "I'm sitting in an airport", how do they do those things? And it still sounds like they're in the studio and what they all do is they have a really high-end recorder. They have a three or \$400.00 recorder and obviously some high-quality mics and they each record their audio locally. But again, because you switched computers, I don't know how to work with a Mac, but any who what we were doing until this week was, I recorded a copy. You recorded a copy. The Internet could die, and it wouldn't matter to me. Once you send me the file, then I put it together. And so, at FYP we do the same thing where possible. Each person that's going to be on the podcast records locally and then I get all the copies together. And I think we're about 1500 miles apart and we're using the Internet. And who made the Internet, Larry? Al Gore made the Internet. And so that's how we get connected as if we're in the same room. I use some software to put the two copies together and then I release it. I have to make like a thumbnail picture. We have to come up with titles. We have to do the whole thing of getting a transcript done. But I also record a video piece that goes up on YouTube. When we first started doing YouTube, I was just posting a static image along with the audio. But now to make it visually more interesting, I do a little video piece too and then you can see the show notes that are running by, and you can also see whatever article we're talking about. So, because of all that, I end up releasing 3 copies as the Patreon copy that has it's a little bit compressed because there's not any little extra fluff in it. And then the main feed version and then there's also the YouTube version, but I want to let you know that I go through a whole lot of headaches to try and make it, like where you're trying to make the script as high-quality and explain things, I'm trying to make it so that it is the most pleasing to listen to and that the audios are balanced and all that stuff. And I would like to try and achieve the

quality of NPR because I think that would be the gold standard. And so, anyhow, the double-ender part takes care of that, but now that you've killed that. So, thank you for that part. Do you mind if I ask you the next question?

0:22:41

Larry

Well, just can you drill down a little bit deeper in terms of the actual production, how much time does an average episode make you? I know sometimes we have multiple guests and that would probably make it more complicated. But from the time that you start preparing for us to go live until the time you have released it and turned everything back over to me as far as getting the transcript, the paper copy out, how much time are you spending on the, on the transcript? I mean on the production end of this.

0:23:10

Andy

Well, you'd have to figure I have to get the copy from you. I have to load it up that maybe take 5 or 10 minutes to get all these because these are hour-long shows and it's a lot of data to pull in. And then I have to do a whole bunch of splicing to get the intro and all that stuff, and then I have to listen to it. So, and I don't listen to it at normal speed, but I listen to it at almost 2X, so that takes me at least 30 minutes. So post-production takes me probably on the order of 90 minutes if there aren't any problems.

0:23:41

Larry

So, all right, so you've got an hour and a half of post-production, plus you've got preproduction because we start well before we go live, we start planning and you're in here working. I can see you or your mouse running around on the document and I know you're here at least an hour, sometimes an hour and a half before we launch.

0:23:59

Andy

Easily. Easily.

0:24:00

Larry

So, all right, well, that's what I wanted to make clear to people. We don't just turn the microphone and start talking and then we're going to get more into what I do. We don't just mic up here and start talking. So what do you want to ask me?

0:24:13

Andy

I want to ask you, what in the FYP does FYP mean?

0:24:20

Larry

Well, we don't really say what it means, but you can figure it out if you pay attention to what I say now. We had a joke one time about people who feel entitled to know who lives next to them. If a neighbor moves in, because if a PFR is ever interviewed, inevitably the reporter will ask them, doesn't the community have a right to know? And the PFR always says yes. And I made the comment, where does that right originate from? There is no such right. I said "if someone were to knock at the average person's

door and say I've got a clipboard here, I'm recording the names of who lives here, who lives in this household", what would the reaction be from the average person? And that's what FYP means.

0:25:04

Andy

I see. So, in chat, it's find your profession. Is that what it is?

0:25:09

Larry

You could make it mean that, but I don't think the average person, if you got a knock at your door and the average person was asked who are the occupants of this house, I doubt they would tell that, for they might tell them to find another profession, but that it would probably be less cordial than that.

0:25:28

Andy

I see. All right. Tell me why. Tell me, Tell me, tell me, tell me. Why do you even do this? Not just the podcast, but I know that you do a little bit of other advocacy work. Do you donate bazillions of hours to board member of this board Member of that? And so, I'll ask you bluntly, how many hours per week do you think do you spend? Let's keep it isolated to this cause of PFR stuff.

0:25:57

Larry

It's really hard to track. I'll tell you that I spend easily 1/4 of my time related to this advocacy, and that's with an expanded work schedule. Because despite my recent infirmities, I still work a lot of hours and it's easily 1/4 of my time. And I'm on the national board. I'm on the state board of our small state organization, and I do this work because I feel like I was blessed with knowledge and understanding that very few people have. My life experience and my professional training and I just have a vast amount of political experience as well as a lot of political connections. And if someone who has these resources and gifts, if they don't use them, who would we rely on? Think about it. If people who make things happen have a particular gift in terms of developing things if they don't give some of that gift, who would make these things happen? So, I feel like I need to spend the remainder of my productive years trying to make a difference for people. I do this because I'm committed to doing it. There's very little economic reward in it. This podcast pays so little because as you mentioned if we don't have a huge audience, but I might be making \$10.00 an hour and that's probably about what you're making doing the podcast.

0:27:19

Andy

It's so I think we have it roughly split between the pre, and post production and script writing and all that stuff. Absolutely.

0:27:25

Larry

And I spend far more time on this than what the economic reward is now. I appreciate everybody. We have some very loyal patrons who give more money than I ever think about giving to a podcast.

0:27:39

Andy

You shouldn't say that because now they'll reduce it.

0:27:42

Larry

But there's just not enough of them after 5 plus years of doing this. Remember our Saturdays are ruined for all practical purposes, particularly mine my Saturday midday all the way from around noon and sometimes earlier to 7:00 PM. I'm working on this program, and I suspect that although you join later in the afternoon that you're working a little later at night, making the technical stuff happen when I've signed off, but it ruins my Saturday and for five plus years I've given up my Saturdays. Very few people would be willing to do that. That's probably why I'm guessing we're the only podcast that there is because putting together quality content and doing it consistently over a long period of time requires a phenomenal commitment.

0:28:31

Andy

I think that sounds about right.

0:28:32

Larry

So, well, let me ask you the same question back.

0:28:37

Andy

So, I think the easiest answer and if I wanted to like super condense it is I don't have the skill sets that you have, so my role is to make it easier. Since you're not a techie person, my job is to give you a way to make your life easier with tech, civiCRM, with like something like this, with a podcast to help you deliver tool strategies, techniques, thoughts on what is wrong and how to fix it. So, I donate a crap ton of time to NARSOL and again I don't want to boost your head, but I don't know anyone with the skill set that has. The historical knowledge and all that stuff of what you have. So, to change policy to understand the politics and all that from this or that administration. I mean you go back to like the Lincoln administration. Gosh, I know of Edwin Stanton from like serious Larry come on. I figure I can use tech to help deliver you and others out there. This has got to be the most important thing impacting my life and everyone's life and everyone that would be here in chat, so thank you for being here in chat. And so, I'm hoping that you can, that it is you that you can teach us how to talk to this Democrat or this Republican and speak to them from the point of view that will resonate with them. Whether it's from an economic model of hey, I thought you guys were the ones that control, the stewards of the finances. Or the people that are trying to reduce the incarceration rate. You have to use a different message even though you're trying to achieve the same goal. And I don't know that I've ever heard any of the NARSOL in action calls that we did way back in the day. Larry, no one ever talked about this stuff. You would always ask attorneys about how they were pursuing a certain kind of case. So, I spend hours each week making sure that the NARSOL server stays up and all of those different properties including the social media network. And I get notified 24/7 if anything goes down and I don't do it for money, I volunteer my time to them to make sure that these places exist and that maybe from my standpoint, I don't charge them the rate

that I would get. And therefore, then the money could be spent on hiring some high-dollar attorney to go pursue a challenge that would make an impact on someone's life more directly. So that's why I do it.

0:31:08

Larry

So well. I would like to just expand on something that's not in the script here. This is coming about because of some feedback we received. And I was very disturbed about some of the feedback because clearly it actually hurts to hear that kind of feedback knowing how much effort that we both put into this. And some of the criticism was like, I don't know where that comes from because the old NARSOL in Action calls. We did those with attorneys primarily, and I did everything I could to control the amount of time the attorneys spoke. I prepared a script with questions. I prepared their answers. I tried to shut them down when they rambled. But as you joined the team, you saw that it's impossible to shut some of them down.

Without naming anyone, we have people who would just go on and on and on, and it's very difficult to invite a guest and then mute them. And I, you saw me mute countless numbers of regular callers when we took live calls. But I tried to keep the program moving and I tried to keep it focused and at a level that the audience can understand it. But attorneys do in fact like to sound very super intelligent, and when they don't know something, they like to pretend that they know it, and they distract you by rambling. So that part of the criticism was valid. But on this program, it's just not valid in my opinion because I go out of my way to script a show where we keep the questions compact, we share the time. I tried to make it as understandable as I know how to do. And I don't know where that comes from about me being high and mighty. I put those questions together so that you can poke fun at me when I give a sophisticated answer so that we can continue to try to drill down into it. I want people to understand. So, I'm just shocked that if it's coming across to people like that, this is supposed to be someone being high and mighty. I'm not trying to do that at all. So, I don't know how I can improve, but it's certainly not my intent.

0:33:16

Andy

I understand. I get. I get similar criticism of trying to explain something to someone and they're like, why you gotta be so arrogant and ass about like it's not my intent. I'm sorry that I come across that way. It's not my intent.

0:33:31

Larry

Alrighty. Well, what else?

0:33:32

Andy

I have, I have one final, one final question for you and it is in regard to being outed or being it being public, so to speak. So do me a favor, pontificate as to the danger of us doing this work and being in the public eye?

0:33:51

Larry

Well, I've heard of people on the registry being hassled, and I've heard of all these technologies that'll recognize a face and turn it into a name. Facial recognition, I think it's called. And I've heard of a podcast that did exist, and I think the person got threatened. At least that was the rumor. And, I would say that anyone who has been on the registry, whether or not they're on it now, the fact of the matter is something put them on the registry at one time. And anybody who's brave enough to go on this podcast on camera and one of the two that does this every week is on camera weekend, week out with a family. And I would say that if that's not recognized as putting themselves and their family at risk, I don't know what is. That to me says a lot about commitment because I'm not even willing to do that.

0:34:49

Andy

I just say whatever, man. Throw it out there. Whatever happens. Just kidding. There are some people that are incredibly public. We were talking about somebody that's in North Carolina that is ridiculously willing to have his face on everything and be public about it all.

0:35:05

Larry

Yeah, I think I know that person.

0:35:08

Andy

We've done episodes on the show where just because someone moved into a neighborhood, they ended up moving into a new neighborhood that might be actually underground by a few feet.

0:35:22

Larry

I'm familiar with that.

0:35:24

Andy

So, I mean like that is a legit risk that you, me and others that are public in the in the in this place that that's a real fear that we a situation we could run into.

0:35:35

Larry

Well, it certainly has hurt me in the political arena in terms of the attack ads that were run particular in 2016, and it's not a pleasant thing to be ridiculed in public on media in the media. So yes, I'm I think you deserve kudos, and I don't have the bravery to do what you do.

0:35:57

Andy

Let me and the reason why I do it is if I'm going to ask anybody else to do it, then I can't sit in the backfield and be like, well, you should do it. I'm not doing it. So that's part of the reason why I do it is to set an example I suppose.

0:36:13

Announcer

Registry Matters Promo Deleted.

0:37:02

Andy

Shall we move along?

0:37:03

Larry

Yes, we got this great episode on International Megan's Law coming up.

0:37:08

Andy

We do, and I have to throw a curve at you because the real Neil has arrived.

0:37:13

Larry

Well then, let's fire this up.

0:37:15

Andy

Right. Well, let me welcome Neil to the podcast. You're a first-time participant. Can I get a quick little sound check?

0:37:24

Neil

I'm here. How about you?

0:37:26

Andy

Perfect. Fantastic. Thank you for coming on such short notice and as I understand it, so you emailed the podcast and sought legal advice from an attorney regarding your international travel. Larry thankfully has agreed to go over what the attorney opined to you. The attorney stated in his opinion, you have asked me to provide advice on your ability to travel internationally for work-related purposes in pursuit of your career as a pilot. More specifically, you have asked if you may legally travel out of the country of Texas and out of the United States country without providing PFR registration authorities advance notice of your intent to travel, and the short answer is yes, you may. Do you agree, Larry?

0:38:10

Larry

I do, indeed. There's nothing in the International Megan's Law or otherwise known as IML that prohibits international travel. So, I agree with the attorney.

0:38:19

Andy

The attorney also stated as a tier I PFR Neal's duty to comply with SORNA's international travel requirements is 1/5/15 years which are reduced to 10 years. The 10-year duty began on 8 on July 8th of 2002 when he was placed on probation and started to register. Even if your 15-year duty was not reduced to 10, it would have expired in 2017. Any argument by the government that Neil's duty to register was only started after he was discharged from DA probation on July 8th of 2012, meaning that his duty to comply

with SORNA last until 2027 would be clearly contrary to the Office of the Attorney General's National Guidelines for PFR Registration. Did the attorney get that right, Larry?

0:39:06

Larry

Well, I'm going to try to splice it here because I haven't done a lot of Texas research, but he's not right in my nonlegal opinion. If Neil resides in or has a connection to Texas that triggers a duty to register under Texas law, it's their law that controls the duration of registration. The feds cannot reduce or otherwise discharge in any way or modify his registration obligation that's imposed by the state of Texas.

0:39:32

Andy

I can see this is going to be a long, long segment, Larry. Neil asked the attorney; must a person continue to comply with the Adam Walsh Act requirements of notifying authorities of intent to travel overseas after their federal duty to register expires if they remain under a duty to register in Texas? And then the attorney responded to that. He stated that the notification of the international travel requirement of the Adam Walsh Act is a condition of registration. Once the federal duty to register expires, so does the requirement of international travel notice. Larry, do you agree with that statement?

0:40:12

Larry

I do not. First and foremost, there is no federal registry. This means that the states establish their own rules. Although the attorney cited the federal code section correctly, I believe that is subject to a different interpretation. For example, if Florida requires that a person register for life. I'm not in agreement that the federal law would supersede the state law. If Florida has a requirement to the person registered for life combined with that that person also provides 21 days advance notice of international travel, I totally disagree that the PFR would not be required to provide that notice to the state as long as the state requires such a notice to be provided. Now listen, as long as the state requires that we're going to get deeper than a little bit later. And if we do have the applicable statutory section, we don't have to go into deal. Thanks to the attorney, we have that here.

0:41:03

Andy

You don't want to read 18 US Code subsection. I hate all those letters and paragraphs, Neil, feel free to go ahead.

0:41:13

Neil

So the attorney he, you know, he wrote this opinion. He said he would you know like for me to ask the opinion of other attorneys to get their sounding on it. He would like to know if he's right in his thinking and then. From that and so you know does this opinion hold water in legal arguments and if it does and you know I can solicit other opinions then you know what do I do with that information? Basically, you know, is there an avenue to you know try to get some resolution from this.

0:41:53

Larry

Well, we've got several of those questions scripted below, but in terms of whether is this a good opinion? It is. He did fabulous work. You paid a lot of money for this. This is not a \$100 letter.

0:42:04

Larry

So, you paid thousands of dollars for this. But he did, he did great work, and this is a great opportunity for me to give him those kudos and to explain that the practice of law, that is why it's referred to as a practice because. He has rendered his opinion based on his research and he is a professional. He's allowed to have an opinion. He did do what a good attorney does, said to seek another opinion. Off the top of my head, I don't know who I would refer you to because I don't want to refer you to someone who will just vindicate what you want to hear. I want to refer you if I make a referral to someone who will actually think through what he has written and give you a totally independent analysis. So, none comes to mind, but if I come up with anybody, I will certainly make that recommendation.

0:42:55

Neil

Yeah, that's good. And so, there is one of the components of the AWA/SORNA under that 18 U SC 2250-B it in, I'll surmise it here, intended travel and foreign commerce, so I'm not sure. I think that's the Attorney General or somewhere is that, you know, they put that in there. I'm thinking as like a catchall or something. But that's what I do, and I've been doing the last 22 years now, except from 2016 when IML came, till here just recently, when I was kind of forced back into the international arena. And so, it sounds like it's prohibiting international business and not specifically aimed at sex tourism, but you know, I guess if somebody travels overseas for sex tourism, they're engaging in international commerce.

0:43:49

Larry

Well, you got that part right. It is the underlying stated intent is to stop the commerce of sex trafficking. But I don't see it that way in terms of that particular clause because I think they're just trying to make it clear that they have a jurisdictional hook. They're establishing that jurisdictional hook because remember our federal courts, they're courts of limited jurisdiction. In order for them to claim jurisdiction, there has to be subject matter jurisdiction. They have a similar clause in AWA about a person who travels in interstate commerce. And that was to establish that jurisdictional hook because otherwise, the feds have no say so about those who are convicted of offenses in other jurisdictions in the country. And they said how do we gain jurisdiction? We need a hook here because we don't have it and they modeled it after the Interstate flight to avoid prosecution, you can rob a bank. That's not a good example because that's a federal crime. You can rob a convenience store, and you can flee Georgia, and you can be caught in Arizona. And the feds can charge you with Interstate flight to have greater apprehension resources. And they can track you down in Arizona, and they can charge you with Interstate flight to avoid Georgia's prosecution. And generally speaking, once they transport you back to Georgia, they will drop that charge because that was to give them a jurisdictional hook to pick you up and get you back to Georgia. And I think that's probably more of

the reason why that clause is in there. But I can't say for certain because I was not a part of the Congressional debate or didn't go into the laborious resource of the Congressional record, but I suspect that was why it's there.

0:45:31

Neil

OK. So, one of the other things that was kind of discussed on that. And kind of all related back to the AWA was at the tiering and so you know in Texas we're not fully AWA compliant. And so if you look at the, it's the risk level static 99. So here in Texas, I'm low risk and have always been, but there it's kind of confusing whether or not you know I'm even tiered, and I think I've seen it somewhere in my registration paperwork, but it's not really clearly spelled out. But regardless if it's if the attorney is correct on the summation of the hybrid analysis and the categorical approach to this is correct and my offense is correctly translated to the federal scheme as a Tier 1. Then that's kind of where he was all going with that you know the duty of having to notify and whatnot and so in Texas you can it was it is lifetime, but you can petition for removal if you are can prove you know for the federal guidelines. So, they kind of go back and forth a tier one you know you can. Well, when you're quote that federal quote, federal duty quote UN quote has expired and you can petition to get off. So, tier one at 15 minus the five years to 10:00 and then the Tier 2 would be 20 and tier 3 is lifetime. So, in Texas you can petition once that is kind of been met on the federally level and then jump through the Texas hoop. So not always it's successful but there is a path there. That's The thing is trying to figure out if it was, if there's any kind of declarical judgment that says yes, you are a Tier 1 or whatever tier.

0:47:41

Larry

Again, I'm going to keep deferring to people who are Texas practitioners, but if Texas has not chosen to tier you that way under whatever mechanism they use, whether it's a hybrid, whether it's categorical. I don't see any mechanism to force Texas or any state's hand. These tiers are mere recommendations by the AWA. They're floors, they're not ceilings. This means that a state can and many have chosen to go above what's recommended by the AWA. In some states, it's lifetime for everybody. And our long-term listeners have heard me say that adopting registration laws consistent with AWA would be an improvement for many states. That would be like if you went to Florida, if it's lifetime and Florida actually went by the AWA, and they gave people the 15 years for what should be tier one and a five-year reduction. A lot of people rather than being lifetime would be off after 10 years and then the Tier 2 after 25 years. A whole lot of people would be off the registry. But unfortunately, once the state has established longer registration periods that are required by the AWA, it's very politically almost impossible to roll those back. Can you imagine? Try to be objective about the political process, Person campaigning to be a Texas State senator. Well, I'll tell you what I'm going to do if I get elected. That's one thing we got to do, is we got to get these sex offender registration periods shortened. How do you think that would fare in most parts of Texas? Honestly, how do you think that would play in most parts of Texas?

0:49:13

Andy

Landslide elections? Well, the attorney then stated that the federal statute and regulations adopted by the United States Attorney General set out the requirements of SORNA and the duration of registration requirements. Since the travel notification requirement is specific to SORNA, once the requirement to register expires under SORNA, the travel notification requirement expires as well, he stated. This is clear from the statute listing, the requirement, as well as the statute that criminalizes lack of compliance with statutes. A whole lot of codes and things that I'm not going to read cuz I will mess them all up. Specifically, one that applies only to people required to register under the PFR Registration and Notification Act. And that's 42 US code, subsection 16901. What is ETS EQ Larry ETS EQ?

0:50:07

Larry

I don't think I'm qualified to explain that.

0:50:11

Andy

I'm gonna say it's like, etc. So, can't you simply acknowledge Larry, that he is correct, and that you are continuing to honor your role as a Mr. Doom and Gloom?

0:50:24

Larry

No, I can't do either. I'm not being Mr. Doom and Gloom and I'm simply stating the reality of the law. If Florida has a law that a PFR must provide 21 days advance notice, I'm stating that I see no federal power that would prevent Florida from enforcing its own laws. Now listen to what you're saying here. I have heard people bemoan the reach of the federal government to supersede and trample states' rights. That seems to be a pervasive theory coming from the conservatives. Correct? All right, so well, in this instance, it almost sounds like there's a flip-flop happening here, that you want federal law to trump state law. But in fact, I think the attorney agrees with me because if you look at what he said, he stated while the text of the statute appears fairly straightforward, I did not find any case law litigating the issue or any opinions or regulations from the Attorney General directly on point. If you would like for me to look into this further or research more broadly, the impact of federal registration requirements when local registration requirements exceed federal requirements, please let me know. The attorney said he can't find anything. And I can guarantee you, in my professional opinion, is being a consultant for the state public defender and for the New Mexico Defense Lawyers Association, I am not aware of anything that would cause the state to have to succumb to the federal law. If they have that duty in the statutory scheme of a state that you have to give that notice, I could care less about what the federal duration of your registration is. You will go to jail if you don't do that. So, I would disagree with the attorney on that.

0:52:07

Andy

Do you have any questions there Neil let?

0:52:11

Neil

Let me think about it for a second here.

0:52:14

Andy

Okay. Well, so otherwise, Larry, what is a PFR supposed to do?

0:52:17

Larry

Where you the most important that you do is comply with the state laws that you're subject to. You might even be subject to more than one state law if you want those who happen to live in one state and work in another. And that nuance does happen in the smaller states or if you live in a border town. But if the state law exceeds federal law now it is true that the federal authorities could choose not to prosecute the person if their federal duty had expired. The attorney is correct about that, although he didn't say it, they could elect not to prosecute but I don't think I would want to roll that dice and hope that they didn't prosecute, and I certainly wouldn't recommend anybody to ignore their state law because their so-called federal duty has ended. If you want to find your way to prison, go ahead and follow that advice and see what happens.

0:53:05

Andy

The attorney responded to this question from our guest. Neil, what is the length of your federal duty to register and comply with federal SORNA registration requirements? And, he opined 10 years because of your offense, is properly categorized under federal law as a tier one offense, and you qualify for a reduction of the normal registration duty of 15 years down to 10 years. Do you agree with that, Mister Doom and Gloom?

0:53:32

Larry

I do not agree with that either, because Texas apparently has chosen not to follow the federal recommendation to give that five-year reduction and their law again is controlling. And I mean beyond that, I mean, he's just mistaken about the interpretation in my opinion of the duration for a Tier 1 offender because a Tier 1 offender is actually required 15 years, and that is a voluntary reduction that the state can elect. And in the show notes, you'll see there's some provisions to get that reduction. You have to have a clean record, meaning no convictions for any crime that would imprison you for a sentence that would be more than one year and a sex offense, no sex offense regardless if the maximum sentence is less than a year. You've got to successfully complete periods of supervised release, probation, parole, and you've got to complete a program of PFR treatment that's certified by the jurisdiction or itself or the Attorney general, and I just don't see how he can come to that conclusion. If I were advising a person under the direct supervision of attorney, I would say something completely different.

0:54:38

Andy

And if you've come up with any questions, please jump in Neil. So, should a person comply while they're still in custody?

0:54:49

Larry

Yes, if the state chooses that. Now, honestly, the attorney's correct when he did his analysis, he stated where the PFR is confined, the public is protected against the risk of reoffending in a more direct way, and more certain means are available for tracking the whereabouts. Would you agree that the tracking is fairly good when a person is in prison?

0:55:08

Andy

It's pretty easy too. I mean they sometimes lose count. Of the people, but pretty rare.

0:55:14

Larry

So, he says SORNA does not require that jurisdictions apply the registration procedures applicable to PFR's in the community during periods when the PFR's are in custody and are committed. Now I agree with that, but if the jurisdiction chooses to register you while say you, you get sentenced and you and you don't get a probated sentence. You go to prison. If they choose to put you on the public registry, there's nothing in federal law that would preclude them from doing that. Now, you're not going to be able to go down to your local PFR office and do it yourself, but if they choose to do that, I can't see anything that would be wrong with that from a constitutional perspective. But you're not going to get in trouble for not doing it because there's no way you can do it most times. If you say, well, I'd like to take the day out of custody today because I need to run down to the PFR office. Do you think they would release you to do that?

0:56:07

Andy

No, I don't think so. You know the friend of mine that is he's getting out of prison in just another month. The Sheriff's Office after he got locked up for a violation, they kept coming by his house and I was like he's going to get a failure to register because he's in prison. But I hope that they would overlook that being that he would be in custody. To go back to this, you are kind of like spinning my head around, the attorney stated, federal law sets out a structure for setting registration requirements composed of three tiers. The most severe offenses are specifically identified and grouped into Tier 3, which requires lifetime registration. Of course, the second most severe offenses are specifically identified and grouped into Tier 2, which requires 25-year registration. All remaining PFR type offenses are placed in Tier one, which requires a 15-year registration. To determine which tier a state offense falls within, it is necessary to look at the state offenses and determine whether it is comparable or more severe than the specifically identified federal offenses listed in the definitions for tiers 3 and two. See some gobbledygook of state codes of US code. This sounds to me like he's implying that there are some federal laws that are in control here. Larry.

0:57:27

Larry

Actually, I don't think he is. He actually stated in brief, this means that the determination of whether state offenses will be deemed comparable or more severe than a federal offense will focus on the elements of the offenses as written rather than specific facts of

each case. When a state offense contains the exact same elements as the federal offense, the comparison is easy. When the elements differ, greater analysis is required. It is the state that determines if the person is required to register, not the feds. In other words, the state again can declare a person to be a PFR even though the federal does not require such a designation. A prime example would be indecent exposure. All the states, at least that I'm aware of, having indecent exposure and in most of those states that offense must register. There is no recommendation whatsoever from the federal government. It is not in any of the AWA compliance recommendation list. Nonetheless, indecent exposure is a registrable offense. The states have decided that and there's nothing the feds can do about it. It's their choice as a state to have that requirement. Remember, the AWA is a floor, not a ceiling. As long as they have the universe of offenses that the feds are recommending, they can have additional offenses and that's their prerogative to do that. You do believe in state rights, correct?

0:58:46

Andy

I do, yes. Well, let me try this again, the attorney stated. Because you successfully completed both probation and PFR type treatment and you have not been arrested for any other offense, you qualify for a reduction of your 15-year registration duty to 10 years under 34 US Code, subsection 20915-B Larry, do you agree with that?

0:59:11

Larry

I do agree that he qualifies but now listen to the word he qualifies for the reduction, unfortunately, unless the state provides for that reduction, it is not there as a matter of law. The feds cannot reduce his registration obligation just because they allow that opportunity. So, I agree with it to the point that he qualifies. I cease agreeing when he says he's entitled to because he isn't.

0:59:36

Andy

And so, let's just be clear to kind of like summarize where we're going, Neil asked if he has a duty under state law to notify authorities of intent to travel out of state or overseas. And the attorney said no. He had a thorough analysis, and he found no duties imposed under Texas law for failure to report intent to travel if you are not charging, changing, sorry if you are not changing your intended residence. He also stated I found no requirement in this article or anywhere else in chapter 62 which requires notification of intent to travel except 62.059 registration of person regularly visiting a location. Based on our prior conversations, I do not believe that that provision applies to your international travel. Larry, do you agree with that?

1:00:24

Larry

I don't know that I'm qualified to agree. I'm going to defer to the Texas Attorney regarding whether or not it's in Texas law. I didn't do the research. If the Texas Attorney is right, and I have a feeling he is because of his thoroughness. If it's not in Texas law, I would agree with him that he doesn't have that duty. Now that's going to go contrary to what some other people who practice law are going to say. They're going to say that there's this form out there that you can download it online. You remember the form we talked

about on the episode, A guy in New York said that he insisted and I said look at that. It's clear that's intended for law enforcement agencies to submit that form. But I agree with the attorney that if it's not in the state's law that you're required to notify them, our guest would not be required for that number, so I do agree on something.

1:01:09

Andy

It's about time you agree with something.

1:01:12

Neil

So, I had somewhere in some website information that's a notification, sex offender notification, etcetera. And so, I filled it out and took it up to my registering agency that the deputy Sheriff's Office. And we had this discussion when I was there for my annual registration about this, and she said why? I don't really know how this going to work because I don't have the time to, you know, to do this all the time. I've had other clients that travel that are like over-the-road truckers. And she said I just don't have the time or the resources to, you know, constantly be updating this. So, you know and their standpoint, it was like, yeah, it was a burden for them and when I first did this in December, I took the information up there and they were kind of clueless of what to do with it. They really didn't know. It's like, well, I think we send it to Austin, but I'm not sure. So even in that point, you know, it was, it was kind of unclear. So, you know, I can take what I believe is my itinerary for the month. I can take it up to him and then from there, you know, I guess it gets, you know, sent to I guess to the correct authorities at some point. I'm not sure exactly how that goes. So, you know, I did it, but the schedule changes so much that it's, you know, kind of pointless. You know, I can say I'm going to point A and then and it changes to point B instead.

1:02:49

Larry

Well, I don't know why you'd want to report something. You're not required to report that if your attorney is telling you that. And there's nothing in the law of the registration authorities telling you that. Why on earth would you want to continue? You almost sound like the guy in Alabama. That said, please, can I register? Are you sure? Actually, that's North Carolina. Why do you want to keep pushing it if they don't want the information?

1:03:07

Neil

That's it. That's the whole thing. That this thing is so confusing is OK if you know they don't do anything with it. But you know I do travel in and out and, so far, I've been in and out a few times and there's not, you know, been anything triggered. I've known other PFRs who've traveled in and out. And then after, let's just say four months later, they got a notice from the State Department requesting their passport be confiscated so they can put the stamp in it. So, it's just kind of that, you know, the state level, you know, doesn't make a difference. But then on the federal level, you know, are they going to recognize this? Automatically, you know, on this tiering. That's where it's all very confusing.

1:03:57

Larry

They may choose to put stamp in the passport. That doesn't prohibit you from traveling. It still doesn't constitute a prohibition. It means that the country that you travel to may not admit you, but it still doesn't. You can travel anywhere you want to.

1:04:06

Neil

I agree with that, but it's just whether or not you know they're going to force that 21-day notice requirement.

1:04:14

Larry

Well, until you're told to do it by someone. Why do you insist on wanting to do something no one's telling you to do?

1:04:20

Neil

Well, I don't.

1:04:22

Larry

Well then stop doing it.

1:04:25

Neil

That's what the attorney said. He goes, well, I think we just should not just you should not give notification and it's like, OK.

1:04:35

Andy

Larry, Larry, haven't you presented to me that once you're off of the registry and supervision and all that stuff, like to whom would you go register and tell them that you're traveling? Like there's no federal travel office, so to speak.

1:04:48

Larry

Yes, but I don't think he's off the registry.

1:04:50

Neil

Well, that's I'm not.

1:04:51

Andy

Because it's. Yeah. Oh so I see. So you do have some kind of registry handler?

1:04:57

Larry

But he doesn't. But he doesn't have these obligations. They are in Texas statute. So, he's creating something that doesn't exist. No one has told him to do it. His registration people have said we don't want it, we don't know what to do with it. We don't have time for it. And he says, well, but please, I want to do this. Please, can you send this to somebody? Can you please try to disrupt my life? Would you send this to somebody? It's like, really, why would you do that? And I'm not trying to be rude. I'm just trying to understand your thought process.

1:05:21

Neil

I get what you're saying and.

1:05:25

Andy

And then Larry, can you then what are the consequences? I mean, is he going to get shackled and thrown in the gulag when the US Marshals when he comes back, or even if on his way out the door?

1:05:36

Larry

If there's no obligation in Texas law, it's my non-legal opinion that he has no obligation to do this. This is something the feds would like for the states to incorporate as a requirement of registration. It's on the of the AWA checklist is one of the things. But if the state doesn't collect the information and they don't want it, there's nothing the feds can do about it because the state of Texas apparently has chosen not to collect the information and not to require it as a part of their statutory scheme. Now, West Virginia, on the other hand, even though it wasn't in the statutory scheme, the West Virginia State Police sent out letters to everybody some years ago and told him you have to do this. And everybody went dutifully barreling down to the state police to turn in those letters and say I received these and I'll do this. Now, if you sign such a letter, then don't be surprised if you get prosecuted later. If they tell you here's her where you report it to, you're under the notice. But right now, no one's telling you to do this. Let it go.

1:06:35

Andy

So, to continue along, the attorney seemed to have spoken from both sides of his mouth, and he stated to determine whether Texas has imposed any requirements of notification of intent to travel internationally, those requirements must be embedded within Texas law. All throughout this long missive he attempts to say that federal law controls, then he conveniently states that Texas is in control when it suits his purposes. Being silly? Sorry.

1:07:01

Larry

That's all too common with people generally across the board. We look at something for what we like. And the attorney looked, and he liked the federal law as it applied to the tiering. He liked the federal law where it recommended the five-year reduction. He was in love with federal law but all of a sudden, he did a massive flip flop because he says well gee, it's not in Texas State law so therefore you don't have to do it. So, he can't decide whether he believes federal law controls completely or he can't decide whether he believes state law controls. And the reason why I can't decide is because there's lack of clarity. There's some decisions out there, like in the 6th Circuit where they interpret an independent federal duty, and I think there's some other case law out there. So, this is unclear. But my position is until you're told to do it, don't do it.

1:07:49

Neil

Copy.

1:07:50

Andy

And then it continued. And it continues. I hope this advice clearly answers your questions in a way that will help you decide how to continue your work, which is critical to your livelihood. Hopefully, this opinion letter will also document your sincere attempt to exercise due diligence to ensure full compliance with the law in the unlikely event that you were ever charged with a crime for failing to report your intent to travel internationally if that were to happen. The doctrine of reasonable reliance on the advice of counsel may also constitute a defense in certain cases and in certain circumstances. That doctrine is only applicable in certain cases which require some form of intentionality I guess as an element of an offense and is only applicable when you have provided full information about your situation to an attorney regarding the situation you are attempting to navigate. Will that. Is that like a get-out-of-jail-free card, Larry?

1:08:42

Larry

It could be, it may well be, but he also did state I have not fully researched the application of that doctrine with respect to its applicability to your failure to comply with sex and registration duties. And I would be happy to do so if you would like me to. Basically, if you got some money for me. Even if even the doctrine were not applicable, it can still be helpful in dealing with any threats of prosecution to show that you took reasonable steps. I agree with that, and for these reasons I recommend that you keep a copy of this letter. Now tell this fast audience of about 25 million how much did you pay for this advice?

1:09:17

Neil

In real numbers.

1:09:19

Larry

Real numbers.

1:09:21

Neil

5000.

1:09:24

Larry

I wasn't too far off, was I, Andy? That's if I had done this as a contract job, I would have charged about half that for the work he did. He did an amazing job. He really did. This is not something you have in your shelf that you can pull out because someone else has done it. This is the first time he did this, and he actually sat down and did a lot of work for you.

1:09:49

Neil

He's been at the conference as NARSOL in Houston. That's where I first engaged him quite a few years ago.

1:09:58

Larry

Well, I totally my hats off to him. He's a great guy. Whoever he is. This is great work.

1:10:06

Neil

My intent was, you know, to use this as a baseline and like he indicated, you know, I'd like to get, you know some more legal opinions on this. You know, to try to back this up or to you know, firm it up, you know, in whatever ways I can. As Andy had mentioned, you know, there are states where if I move to a particular state, I'm not going to say there's a couple of them, I would not have to register there because my offense was deferred. And in those particular states, they don't register deferred cases. And so, if I was one of those States and there'd be like a no, no duty to register there. So, it'd be like, well, if no, there's no duty register there, then how do you even notify on the federal level anyway, so?

1:11:01

Larry

My position has always been if there's a state you can live in where you don't have to register, that would be my choice if at all possible. There's no reason in the world why you'd want to put yourself on a public hit list and have all these disabilities and restraints attached to your life if you have the freedom to go someplace else. You're a fool if you don't.

1:11:21

Andy

You heard it here. Larry's calling everyone a fool.

1:11:23

Larry

If you have, if you have the flexibility to do, some people just can't. But if you have that flexibility.

1:11:30

Andy

Well, it is then asked Larry if a state like that exists. Let me know.

1:11:35

Larry

So, all righty. We really appreciate you coming in and I really did enjoy going through this. It took a little bit of time, but. I really thought it was a great episode. Great segment. Anyway.

1:11:47

Neil

Well, I really appreciate it and the candidness of it. And you know, yeah, you can be snarky, but that snarky opinion is valuable though.

1:12:02

Andy

And thank you for being a patron for what is that, four years?

1:12:06

Neil

I apologize for not opening it up. You know, that was always my goal if. You know, if I could do this job internationally like I had been doing up until 2016, you know, I probably could have still done it from 2016. It just was so scary at that point, I just decided not to.

1:12:30

Andy

Larry, I do have a question in this regard how do you test to see it's always like. If you're going 5 miles or you're going to get a speeding ticket 6-7, at some point time you cross a threshold. But different officers could have different threshold. So how do you dip your toe in the water? So, I'm off the registry. Let's say I get a passport. I know Puerto Rico is still the United States, but it's still a different country, so should I try to go to there? Or look at the Registrant Travel Action Group website and find a country that says yes. And I Like if you put your whole family on a plane and you've spent thousands of dollars and you get there and they're like, Nope, like, I don't know how you dip your toe in the water and then not be slapped at some point.

1:13:14

Larry

Well, I would ask people that travel to the United States, people largely don't just show up here what they visit or become students or different things that bring them the United States. What do they do to find out if America's going to admit them? I think if you're coming for like England. There's a questionnaire because I don't think the British are quite as sharing with their criminal records, but there's a there's a self-disclosure that you make for your travel entry as I understand it. So, you have to do some more due diligence trying to contact the nation. I don't travel internationally. I can't say what to do, but I can say this, you have no right to enter another nation. Until you're ready to advocate that the U.S. Open its borders and allow anybody to come in, regardless of what they've been convicted of, until you're willing to take those barriers down in the United States, you have no moral authority to say that Americans, regardless of what they've convicted of, should be able to enter another nation. You should be able to extend that same courtesy. And we do not do that. We tell people that have convictions, you're not welcome here.

1:14:10

Neil

Puerto Rico, you can go to because it's a territory. And so, it's just like Florida or Alabama. But who would want to go to Florida or Alabama?

1:14:23

Andy

Absolutely and a question in chat, I know we're starting to run long on time, but any thoughts on if there is a possible successful path to working with the destination country if of their embassy to get permission to enter into their country?

1:14:38

Larry

That's what I would recommend it, contacting consulates and embassies and try to find out what the criteria is for people who have criminal histories because it may be self-disclosure required, even if they were not this submission in advance. You may, as you're entering a foreign nation, be asked a series of questions. And I just don't know all that because I've never traveled outside this country and I don't expect I ever will because I understand how the law works here, for better or worse. I don't understand all this stuff in foreign nations that I'd rather be in a territory I

understand what my rights are, what they're not. So, I kind of stay here.

1:15:09

Andy

Trying to tell you to move Larry. I was like go out and have some fun and go see the rest of the world.

1:15:14

Larry

But I don't want to be trapped in the country that I don't understand and have something where I have to say, well, I've got this right. Well, you don't have the right. You're not in the United States anymore. And people do that. They tend to assert their American rights. Saying, well, I've got this right. No, you don't necessarily have that right here. It's not in our Constitution. It's in yours.

1:15:29

Andy

So, you can't just show up and say, but I'm an American, let me in.

1:15:32

Larry

Well, unless we. Do the same thing and reciprocity. If you're ready to open our borders and say anybody, regardless of conviction, can come into United States. If you're not willing to do that, you should not expect that.

1:15:44

Andy

Larry, I have a clip that I have to play for just this particular thing. God, where did it go? Where to go, where to go, where to go? Shoot, do I not have this one on here anymore? It's the hypocrisy one. That's what this sounds like.

1:15:57

Larry

So that's Governor Lester Maddox.

1:16:00

Andy

No, it is there. It is.

1:16:01

Announcer

I can call my admirers is a farce. It's an act of hypocrisy. It's a terrible way to treat a guest on your show, and you know it.

1:16:10

Andy

Hypocrisy. All right, we have to close this down. Neil, thank you very much for coming on. It was a great segment and I appreciate you coming and sounding great and patron for all those many, many months.

1:16:23

Neil

Thank you. Appreciate it. Y'all. Have a good night too.

1:16:26

Larry

Thank you Neil and I've tried very hard to run you off, but I guess I haven't succeeded.

1:16:34

Andy

As much as it's it's funny Larry, as much as you offend some people. Other people are like, Nope, give it to me straight. I can take it and they want to hear it exactly as it needs to be said without sugarcoating and I guess some people like my silly childish pranks and jokes and whatnot. But anyhow, anything else before we get out of here Larry.

1:16:55

Larry

Just let people know. We let people know that we were not recording on the next episode, so you'll hear from us in 2 weeks.

1:17:02

Andy

Very good. Again, as always, find us over at registrymatters.co and then of course, Patreon. Thank you very much to all the patrons. It's really appreciated very much. And for as little as a dollar a month, you can hear Larry singing that you probably missed. That was phenomenal. It was an amazing job that you did singing with that whole band behind you in front of that large audience. It was amazing. It was awesome. All right. Well, thank you everybody, and I hope you all have a great night and a great Memorial Day weekend, and we'll see you in a couple weeks. Good night.

1:17:46

Announcer

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