



Registry Matters Podcast

Episode 287

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Announcer 0:00

This episode of Registry Matters is brought to you by our patrons. Thank you for your continued loyalty and support.

Andy 0:07

Recording live from FYP studios, east and west, transmitting across the internet. This is episode 287. We'll go with 287 of Registry Matters. This is going to be part two of the question-and-answer session that we started last week that you heard. And it's split almost exactly in half. And so there you go. I want to thank patrons so very much for all the support over all of the years, and all the listeners, thank you so very much for making 2023 a successful year. And we look forward to continuing all this in 2024. So, we'll be off for Christmas. If you're listening to this, it should be pretty much right around Christmas, so Merry Christmas, Happy Holidays. So, there you go. All right, well, then we're gonna move over to Rocky, and Rocky gave us I think it's five questions, if I'm counting right. So this is going to be the speed round, Larry! You got like ten seconds to answer each one. I know the first one you hate: "Which state is the easiest to get off the registry?" and then conversely, "Which one is the hardest?" (chuckles) Florida: hardest, impossible.

Larry 1:21

Well, that would be easy. There's some states where there's just no pathway off. If there's a pathway off, even though I may not like those pathways, and I don't like most of them, when they have a pathway off that requires a petition, I do not like that, but I prefer that over the "no way off". And I tell people, "Gee, I'm doing the comparison here of: Does California have a better process now than when they had no way off? Of course they do! If there's no way off, and there's now a way off? Absolutely that's better." It may not be ideal. It's kind of like in Arkansas they have a risk-based system. It's not ideal, but it's better than throwing everybody in the same pot and saying they're all the same. But there are states where you just have to die on the registry. And that would be the hardest thing to deal with for me, is that there is no pathway off. Can you imagine going down with oxygen, and being in a wheelchair, after the walker? Can you imagine all these things? Then being bedridden? What would you do then?

Andy 2:25

Seems like it'd be a challenge. I do want to mention that NARSOL has a wiki. These are volunteer-updated laws and statutes for, I believe they have all 50 states...? and some of the territories as well? So go to (I'm pretty sure the URL is) statewiki.narsol.org. Or just go to the front page of narsol.org and look for Resources, and you'll find it. And then go look at your state, and you can look through where they have what your state's requirements are, to either be included on, or get off. And then they generally cite to which part of the statute is there. It's at least as even with Wikipedia, it's at least a first cut of where you could go to find out more information and get an idea of what you're looking for.

Larry 3:10

I would say the state to get off the easiest would be a state I'm not going to necessarily name on this program because that'll drive the people on Reddit even crazier, but I would say a state where you "time out". You do not want to have to file a petition, because A) it costs money, and B) there's no guarantee it will work. But if you can find the group of states where there are no petitions required. Let me figure out how to word this. If you go to a state that hypothetically doesn't treat you based on what you had from the state you came from, and they treat you as a brand-new person, as if you've been convicted there, and they have a ten-year obligation for your offense, then you've got ten years to go. Well, if you've already done twenty-two years, that's not too appealing to you, right? If you've already done twenty-two years in another state, or a combination of states, and you have to start all over in, hypothetically, Vermont or Maine, and you have to do ten *more* years, that would not be as appealing as if you could go to a state where you didn't have to have a particular amount of time in. So, it's situational. When you ask that question, I would want to know how old you are, how much money you have, meaning: can you afford to have a lawyer and a psychosexual evaluation, the things that would be necessary if you were trying to have to go through a petition process. If you don't have any money, and you're not a hundred years old already, then ten years is not such a long period of time, in my mind, if I were facing this, trying to get off the registry without financial resources. I would want to go to a state that I timed off without having to go through any bureaucracy. Does that make sense?

Andy 5:03
It does to me.

Larry 5:04
Okay, well, maybe it will make sense to others. But if I was seventy years old, and I wanted to get off and already had thirty years in, and financial resources were not such a challenge, and I could live anywhere (hypothetically, my income followed me), I might go to a state that *has* a petition process, and they don't require a particular amount of time on that state's registry before you'd be eligible. So all these things require research to try to figure out. I think the state of Georgia doesn't require that you've been there a particular amount of time, but you want to be careful as when we had Brandon Thomas on, or Mark Yurachek, I forget which one, where we talked about that. No state wants you to come just to try to use their process to get off the registry, if you're not intending on being connected to that state. But if I had the luxury of living anywhere I wanted to, without consideration, I would go to a state, as an older person, where I didn't have to wait. But if I was a younger person, and I didn't have a lot of resources, I would go to a state where I would time-out! Very simple.

Andy 6:12
The next question is: "What has been the most significant improvement of our situation since the registry began? And what has been the most detrimental?" So he's asking flip-flop questions, on which is the most goodest, and which is the most worstest.

Larry 6:28
Well, the last one is kind of easy to answer. The "what's been most detrimental" would be the continuous additions to registration requirements. And I get ridiculed for this because, somehow or another, I'm not sympathetic to victims. But the victims come in every legislative session across the country, almost every legislature, and they come in, and they want to think of the registry as punishment. That's why you have to learn how to say "civil regulatory scheme", you have to put the victims in their place and say, "This is not a place for punishment. This is not a part of punishment." But they come in demanding additional restrictions because they haven't gotten their pound of flesh. So, they're constantly seeking more. Just think of the cases we've covered where we've read the enhancements, where we've read from the court decision, and we say, "They changed it in 2001, 2003, 2004..." So, what's been the most detrimental thing is the continuous enhancements

that are added, like employment restrictions, residency restrictions, all these things that are continually piled on. And that is driven a lot by victims advocacy organizations, and by law enforcement itself. And the passage of the federal Adam Walsh Act has had a modest amount of detrimental impact. We already had registries. Remember, the Adam Walsh Act passed in 2006. Every state had a registry in 2006. The Adam Walsh Act did not create the registry. But what it did do, is it created standards for registries, that many states have tried to meet, to keep the federal funds flowing. And basically, the ten-year registration periods disappeared, which were very common in the early days of registration, when the Jacob Wetterling Act passed. The early registries were quite commonly ten years. And then the Adam Walsh Act came along, basically ten or twelve years after the Wetterling Act passed, and it said, "Gee, these people are timing off, we've got to change the duration of registration!" and they came up with that fifteen, twenty-five, and life. In my mind, the Adam Walsh Act has been very detrimental to our cause. The most significant *improvements* would be in terms of the legal challenges that have been decided in favor of "you can't do all these enhancements retroactively". We've been able to roll back *some* of the requirements through continuous litigation, chipping away at, primarily, retroactive application. But that doesn't make the registry go away. None of these decisions say you can't have a registry. It just says you can't do certain things retroactively. So the registry is still alive and functioning in all of our states and territories.

Andy 9:19
And to hone in on that one a little bit, where some of those have been rolled back, you're pointing out specifically "retroactively", meaning somebody that was convicted in whatever 1910, they can't keep piling on more and more shit. But someone that got convicted a year *after* the new stuff, they get the new stuff! They get the new hotness.

Larry 9:40
Correct. The newer registration obligations, they're gonna have to be challenged on different grounds. And that's kind of what we discuss on the legal strategy team, trying to figure out new grounds where we might gain traction, to try to tame the registry and hold it at bay. None of us are under any illusion that we're going to end the registry. And I think that's somewhere in one of the questions I saw here, but it's not gonna happen anytime soon. We're trying to contain the beast. That's what we're trying to do.

Andy 10:10

So that, actually, is the perfect segue, "What is the best way we can fight against it?"

Larry 10:18

Well, I would continue to push on "You've got to stop the enhancements." We had a senator here, who's no longer a senator. He's retired now, but he spoke at our 2012 conference that was held in Albuquerque. And when we started visiting him around 2007, 2008, he said, "You're fighting a tough issue. I'm with you, but the first thing you got to do is to stop any more enhancements. You've got to learn how to Kill Bills!" And we learned very early that that was our destiny, was to kill bills. So from 2007 to 2011, we were 100% successful in killing bills. And in 2011, I drafted a bill, and we passed it! Then Governor Martinez vetoed it, but we still learned how to pass a bill. So, "What's the best way we can fight it" is, in all the states, we need to become far more proficient at stopping any additions. That goes to you, Florida Action Committee, goes to you, Texas Voices. That goes to all the states that have legislative sessions where bills are introduced, and most of the time they pass. You've got to get better at stopping it. That's the best strategy. And once the sky doesn't fall after you stopped bills for a few years, then the receptivity to passing things that might begin to peel off some of the restrictions and make things a little bit better, there was some receptivity to our improvements in 2011, that the Governor vetoed, and then in 2013 she accepted some of those improvements for the PFRs as a part of a compromise package. She also got some things that she wanted. But we started by killing bills. And that's what I would recommend the best strategy is, to learn how to kill bills.

Andy 12:15

"Being as" we are about to roll the clock over into 2024, what happens about a month or so after we roll into the new year?

Larry 12:23

Well, most of your legislative bodies are convening for either a full-time session, or a limited session, 30, 60, 90 days, four months, six months. We'll be into a session here in mid-January and that's quite common that legislative sessions are coming up, and I do my best to try to train people. I have tried to train people in private. And I don't have enough bandwidth to talk to everybody privately. Some of these conversations have to take place publicly, and have to be in groups. Now, I get the point that maybe the podcast is not ideal. But again, I

don't believe I'm giving away any trade secrets. Everything that I talk about is already known.

Andy 13:06

If you listen back to a couple episodes ago, when I interviewed Randall from PARSOL, he got legislatively educated by being interested in a different issue, and it happened to be about finance stuff. He got hooked up with a group that taught how to read bills and so forth. This is a transferable skill. This isn't PFR-specific, if I understand correctly. If you learn how to read a bill, it applies to, I don't know, a tow-truck bill, the same as it does to PFRs, the same as it does to, you know, pick your subject. They're similar in how they operate.

Larry 13:44

Indeed they are. If you know how to work in the legislative arena, which I did for many years before I tackled PFR issues. I started with opposition to the state lottery. We were without a lottery when I moved here. And I first was lukewarm to being in opposition to it. But I was doing volunteer work for an organization that was dead-set against it, and I warmed up to their points of opposition. And I took the first stab at killing lottery proposals, and we succeeded from 1983 to 1995, preventing a lottery from being in the state. And I learned how to deal with a lot of people from different sides of the political spectrum. I wasn't dealing with PFR issues but I dealt with public assistance issues, I dealt with minimum wage issues, I mean I've dealt with a number of issues, but I started on issues totally unrelated to this.

Andy 14:43

And if we can stay there for just a second, this is an individual that you and I both know personally, he's a good friend of mine. And he is asking, "What is the best way WE can?" I want to change that, Larry. I would like you to tell Rocky how HE can fight against it. He is on supervision, probably kind of tight supervision, living in a state that you're familiar with. But what should he do specifically? Should he get involved with the local group? Should he just donate gobs of money to them? What do you think that he should do? What would be the first handful of steps?

Larry 15:14

One of the most important things Rocky could do, and I don't know if he would feel comfortable, but he needs to get to know a legislator or two, and on a personal level, so that he can talk to them about this very significant issue in a way that they've never heard before because

they have no idea how the registry works. They truly don't. And when they get that information, they will be shocked. When they find out that people are on the registry for things they're on there for, they'll be shocked. And you're rolling your eyes saying, "How could they be shocked, when it's in the state statute?" Because they've never thought about it!

Andy 15:48

Because there's hundreds of thousands of pages of legislation.

Larry 15:53

Yeah. They've never thought about it or been exposed to it. But if you have money to donate to the Georgia cause, I think they've got a fairly competent team in place. It's small, but I think they've got people there that know what they're doing if you've got money to donate. But one of the best things you can do is Talk To A Lawmaker, Personally. Get the audience of a lawmaker or two. And when these bills come up, there's somebody there who says, "By the way, a constituent of mine said this, and I had no idea." And I'll tell you it happened. I'm having trouble recalling the guy's name, but he went and spoke to a senator, his senator. Senator Richard Martinez is no longer in office, but he went and spoke to Richard about what the registry did to him. And Richard came into a hearing, and he just started talking about what that man had told him. And he said, "We can't keep piling on to these people." And he recited what had been said to him about life on the registry. And he said, "These people need to be able to function somewhat normal." Richard had no idea because nobody'd ever told him.

Andy 17:14

Somebody just asked quickly, "Where would you learn how to kill a bill?" And every time I hear this, Larry, there's a movie called "Kill Bill" and every time we say "kill a bill", I always think, "Just go watch the movie Kill Bill!" (not related at all, but that's just where my head goes) Larry, what would be the way that we could, en masse, teach our people how to kill bills?

Larry 17:39

There's going to be some variation depending on the state because each state has different processes. You can kill bills in some states by making sure they don't "cross over" by a certain date.

Andy 17:48

Right.

Larry 17:49

We don't have a crossover date. But that effectively kills a bill, unless they place it on a bill that's already crossed over as an amendment, which they can do. But it's gonna be state-specific. In a state that runs year-round, you may not be able to do the strategy that we do here. We do the strategy, and I know I'm gonna offend people by telling people what we do, but they know we do this -- what we do is quite well known. We have a committee process, and bills are given two committees on each side of the rotunda. So if it starts as a House Bill, it's gonna get two House committees, and then when it crosses the rotunda to the Senate, it's gonna get two more committees. And, in a part-time legislature, your goal, when you're the killing business, is to make sure that you wreck it at one of those pressure points, in one of those committees. You've got four shots at it! Now I don't think I've given any trade secrets because they know that they've assigned it to four committees. And the proponents of the bill know that they're trying to get it through the committee, and they know that I'm doing the same thing. I'm going to be visiting the same people that they're begging to put the thing *on* the committee hearing to get it scheduled. They know that somebody else just came out the door that was begging them *not* to put it on the schedule because I don't want it heard. If I'm wanting to kill it, I'm wanting to buy as much time as I can. Because if it's got four committees to go through, and it's got sixty days to get through it, every day I can buy makes it less likely that they're gonna get it to the finish line. So things like that, those are widely known, that strategy. We kill it by whatever tactic works best in your assembly. You may be in a place like Maryland, where Joseph Vallario was the chair of the House Judiciary Committee. If Vallario didn't like a particular bill, if someone could convince him it was a bad piece of legislation (and I even traveled to Maryland so I saw this firsthand) Vallario was in no hurry to hear it. So he would help you run out the clock. So, even in Maryland, that same strategy works. So how to kill bills is going to be very specific on how your state operates. But as a general rule, committee chairs have a lot of impact on scheduling of legislation. If it can't get to the committee, through the committee, in some fashion, very few states let things go directly to the floor for a vote. So *all* your battle is trying to keep something "bottled up" in committee.

Andy 20:15

I think what I heard you saying is that, yes, it's going to be state-specific, but there might only be three or four different scenarios. Like, there's a year-round legislature,

then you have the part-time ones and there isn't going to be a crossover day. What is that, Nebraska, that only has the "unicameral" legislature or whatever?

Larry 20:35

Correct, they only have one chamber.

Andy 20:37

So there's obviously no crossover if there's just one. Like, from that, I hear you saying, I think there's two, three or four strategies from that point of view.

Larry 20:47

Correct. But you're gonna have to figure out what works best in your state.

Andy 20:52

Is the person asking the question about like "reading legislation and trying to figure out how to attack it", is that what they're also asking?

Larry 21:00

Perhaps, and that is one of the most straightforward things. If you want someone to be in opposition to a bill, you have to give them succinct reasons. And what PFRs tend to do is, they want to come in with *voluminous* recidivism studies.

Andy 21:03

(laughs)

Larry 21:04

They want to give them a *booklet* of stuff! And that's not the way it works. It doesn't work that way. I'm sorry. You wish it did, but it doesn't. And you need to give them something they can "sound-bite". This is a sound-bite business. When they're coming up with what they can tell a camera that comes rolling in saying, "Why did you not vote for this bill?" they can't hand the reporter that recidivism document. They need to say, "Because of these two reasons." And for some reason, people will not accept that. They think that when I say stuff like that, that I'm just making this up and pulling it out of thin air, and they get mad at me because they know that if everybody would just read that recidivism document, they would understand that nobody recidivates, and that the registry is built on false premises. So, they don't understand why I can't understand that! And it frustrates them to no end that I can't understand something that's so simple to them. And I tell them, "I understand that recidivism is not a significant problem, but it's not a winning hand. What you refuse to understand is that it's

not a winning hand, and you need to give them something that they can sound-bite. You don't need to give him that voluminous amount of talking points. You need to give him a couple of talking points, that's it."

Andy 22:33

We've certainly covered this one. So this one'll be super-quick. What do you see using your snowglobe of predictions? What's the final outcome? "Will the registry ever be abolished?"

Larry 22:43

It will only be abolished if we get the political will to do it, meaning that the American people have to not support the concept of branding their citizens. And we've not messaged that very well. I mean, we'll throw around the Jews, you know, the marking, but we've got to convince people that putting restraints on people as we do, and branding them as we do, is un-American. We've got to perfect that message. But otherwise, unless the political arena can abolish it, the courts can never abolish the registry. And I get the most hate-mail when I say that, because they say, "Larry, you don't understand. The courts could abolish it." No, they can't, because you could register people in a constitutional fashion. It would have to be a very *benign* registry, but you Could Have A Constitutional Registry. I want there to be No Registry, and that is not something that courts can do for us. So, to totally abolish the registry, we're gonna have to change the mindset of Americans. And I don't see that on the horizon, in my lifetime, and I'm 182 years old now.

Andy 23:50

And that email address is: crackpot@RegistryMatters.co.

Larry 23:53

(chuckles)

Andy 23:56

Final question from Rocky is, and he called me the other day and we talked about this one. He says, "I have a friend, an eighty-year-old friend, on the registry, Level II, off of probation (this person is in Georgia) and doesn't feel it is worth the effort to apply to get off the registry. What would you say to the individual?"

Larry 24:16

That's a tough one. If you're eighty, you're probably not having employment discrimination in any significant way. You're probably not out socializing much. Most eighty-year-olds are not all that active. So, I'm guessing that the

average eighty year-old is restricted mostly to their home, right?

Andy 24:34

Uh, I don't have that detail, but eighty? You know, George Burns was pretty active till whatever, 105 or something?

Larry 24:44

I think it's always worth the effort to get off the registry. I'm just trying to look at it through the eighty-year-old's eyes. It is always, always, always worth the effort to get off the registry, if you have a reasonable shot of getting off the registry. Projectiles can come through your windows. Your house can mysteriously catch fire. All these things of vandalism can happen to you when you're on a public hit list. So, it's always worth the effort to get off the registry.

Andy 25:11

Could you imagine a scenario, Larry, where the eighty-year-old has the ... I forget what the word is, where they have the little oxygen thing in their nose, and they're carrying around a tank, and it's challenging for them to get there for their annual registration, and they're late? And they then issue a warrant for the eighty-year-old who was just a little bit too immobilized, being eighty, that they couldn't register. And they actually locked the individual up. Can you imagine that scenario?

Larry 25:36

I've actually heard of something similar. I don't know if it's quite that egregious, but I've heard of elderly people that, mainly it's related to cognitive decline and they get mixed up on their dates, and don't make it down there, and they get violated. I've heard of that, and it's really sad. That's another reason why an eighty-year-old would want to get off the registry, because you're more likely to have cognitive decline at eighty than you are at forty.

Andy 25:59

And the DA is going to be an ass and be like, "Well, law says! And you've been on the registry for seventy years now." And then they're still going to prosecute you?

Larry 26:10

There would be some that would, there would be some that wouldn't. My favorite DA of all time, Alex Hunter up in Boulder, and his chief deputy Peter Hofstrum, they probably wouldn't have. But there are people who would.

Andy 26:22

That's just awful. So, the answer is: the threat of prosecution. Which is the exact same thing we were talking about with the Florida registry, or the website, excuse me, the threat of prosecution. Doesn't matter whether there's a website or not. If you're not on the registry, then missing that quote-unquote "day", there wouldn't be a day. Missing that day, you wouldn't get arrested, because, well, you're not on the registry anymore,

Larry 26:46

The threat of prosecution would probably be a greater reason than the threat of violence. But I would say that retaliation and violence against you are both valid reasons. And all it takes is some busybody to say, "That old eighty-year-old man, did you know he's still a pervert? I seen him, he was out in his yard, and he was looking at my granddaughter, and I can't believe he was staring over at her like he was wanting to do..." And I say, "Wait a minute. Wouldn't you've had to been looking at his yard for you to know that he was looking in yours?" And they never can answer that question when I pose it. "Well, how would you know he's looking at your yard, if you weren't looking into his?"

Andy 27:22

(laughs) I love that answer, Larry. I'm like, "Yeah, that's a good point. How did you know he was looking, if you weren't looking? Why were you looking in his yard? Maybe you're the one!" Okay. And now we are on to the final contestant for the night. This is Brian, and I will leave it at that. And let me go find and unmute him. "You are now live on FYP. Go ahead, Brian."

Brian 27:47

Hey, Larry. So, kind of in the same vein of the scuttling the bills ahead of time before they get anywhere, it seems to me like it might be worth a shot, maybe, to try helping write some minor changes in a subtle way that constantly are improving the law in our favor? Is that something that's even doable? Or how would somebody go about learning how to write bills like that?

Larry 28:19

Well, it's not the writing that's the problem. It's getting the support for passage. As a general rule, if you're going to do something that only helps PFRs, it's going to be difficult to gain traction with that, politically. I always take the compromise approach, I want to go to the state and find out what they want, that I can live with. And I know that seems like a corrupt system, but that's the

reality of the system we have. And I want to find out what they want, and I prefer to write it myself rather than them writing it, because I feel like I can write it in a way that's better than what the state could come up with. For example, and I'll go off-topic, if there's got to be a Voter ID law. We don't have Voter ID requirements here, but let's say the political winds change and we're going to have to pass a Voter ID law. Who would you rather write that? Someone who's lukewarm to it, that would really not be in favor of it, but want to have a minimal voter ID law or would you rather the people who are rabid, write the same thing? Well, the same thing with PFR stuff. I want to go to the state and find out what I can put into a bill that helps PFRs, that I can live with because that may encourage them to stand down. But yes, anybody can write a bill because all you have to do is take the existing statute, that's how bills are generally drafted. Unless you're gonna do a "repeal and replace", you're doing an amendment. So, if you know how to take a PDF, take the language that exists, if you can do strike-through on your cursor, and you can put insert, and bold, I mean you can write a bill. You can do those changes yourself. But getting support is going to be the challenge. If you don't know anybody, where would you take that bill? If you don't know a soul in the legislature? What would you do with it?

Brian 30:11

Well, I would imagine that you'd have to get, you know, chummy with your local rep.

Larry 30:16

Correct, or a legislator. Your local one would be great if he or she is interested in it, because they represent you. And if you can convince them that this is not politically a disaster for them, it may be politically neutral, or even, ideally, to some advantage. That's how I got the bill passed in 2013. The governor had something that she really wanted, and I could live with what she wanted, if I wrote it. We had the crime called "Child Solicitation by Electronic Communication Device". It was not registrable because of a very complex nuance of our law here. It had been on the books since 2007, but no one had had to register all the way up to 2013 and she wanted that. So I said, "Okay, I'll give that to you, but it has to be "prospective", which means for anybody who's convicted *after* this becomes effective. That means that everybody's grandfathered who didn't have to register between 2007 and 2013. I'll give that to you. Here's what I want." And I got what I wanted, which was preemption of local restrictions on PFRs. I got the requirement that they send out notice to people at least 15 days before

they're due to register, so that we don't get people violated for forgetting. So I got some things I wanted that were good for PFRs. But if you just want to do a bill that's only helping PFRs, it's gonna be tough politically. Not saying you can't do it, but it's gonna be very tough.

Andy 31:46

I hear what you're saying and I'm not trying to go against that but, if you could go for one tiny little improvement, or go for the whole kit and caboodle, which is a better idea?

Larry 32:00

Well, both are great ideas, depending on the situation with the legislature. Like with Arizona. I'm working with them. They need to do a major overhaul of their registry. It's a mess. But if the registry is generally okay, livable (not ideal, but livable) but there are a couple of things that are really jacked-up that need to be fixed, it would be okay to go after those small things. But it's going to be tough if it only helps the PFR. That's all I'm pointing out about that. The governor had an agenda, and she ultimately would have had that pass, at some point between 2013 and now. She would have gotten that crime to be registrable because it was intended to be registrable in 2007, but there was a problem in how we compile our legislation, and it would take another whole show to explain that. But she would have ultimately gotten it, and I wouldn't have gotten anything that I wanted. And I thought, "Well, gee, if the governor is going to win anyway, I'd rather get something out of it. So let's give her what she wants now, and get some of what we want."

Andy 33:08

Anything further, Brian?

Brian 33:08

I don't think so. I'm trying to figure out how to learn more about it. So, it's a process.

Andy 33:16

Is it okay if I ask you about your success lately with your local person?

Brian 33:21

I haven't had much to report. I do have a very active local Congresswoman, who I shared my story with and her first reaction was, "You shouldn't have to register for your entire life." So she's aware of it, but there's been no forward motion beyond that.

Andy 33:49

I don't know that you've shared this story with Larry.

Larry 33:52

You're gonna have to take her something that you want her to do. Now, when you say "Congresswoman", are you meaning in Washington or you mean at your state level?

Brian 33:57

State. Yeah, I think the state level is a much more realistic possibility.

Larry 34:02

Absolutely, being that we don't have a federal registry, that'd be correct. But I just heard you use the term "Congresswoman". But yeah, you'd need to take her something. You can tell her, and she can feel sorry till she's blue in the face, but you have to give her something you want done. And I could walk you through all that, in terms of how you would best position yourself for that. It sounds like you've already done the basic framework of establishing a relationship.

Brian 34:24

Oh yeah.

Larry 34:24

But now you gotta tell her what you want from her. And you got to tell her why it's good for her politically, or at least it won't be a disaster for her politically.

Brian 34:35

Right.

Larry 34:35

Do that and you get to the next step, that she might carry a bill for you.

Brian 34:41

Well, for the audience, it is **amazing** how accessible a lot of these state legislators are! If you start showing up to their events, and be kind and respectful, and just engage them in regular conversation, they will take the time to get to know you. And if you volunteer to help them out in their campaigns, they appreciate that even more. I mean, I'm on a first-name basis with my local representative.

Larry 35:14

That's really awesome. And soon you'll be on speed dial where you'll be able to call.

Brian 35:18

I'm working on it, I'm working on it!

Larry 35:20

You'll be there. Make a donation, and you'll find that that'll help a lot.

Andy 35:26

When you're on speed dial, you like calling and saying, "Hi, Jane. How are you? Hi, Bob"?

Brian 35:32

Yes, that's my hope.

Andy 35:34

"Sorry to interrupt your dinner"??

Larry 35:35

Yep, that's what you do.

Andy 35:38

Because, Larry, you talked to like the governor the other day or something, didn't you?

Larry 35:43

No, not quite the Governor. But yeah, I talk to my rep and Senator all the time.

Andy 35:50

And you cussed one of them out, I think you said.

Larry 35:52

I did indeed. I didn't use any cuss words. But I did point out hypocrisy, and I think it's important. I wish the other side would do that. But when my party's being hypocritical, I have no hesitation. We have to do a segment on that and I'll explain the whole story of what happened. But absolutely, I did.

Brian 36:10

Well, and the main reason I'm going down this path is: it costs me **nothing**. You know, if you go get a lawyer and try to, you know, sue your way out, or use the judicial system, that costs money. All this is really costing me is some time, and you know, maybe a donation here and there, but that's a lot less expensive than lawyers.

Larry 36:27

Did you want to disclose to the audience what state you're in?

Brian 36:31
Colorado.

Andy 36:34
And to that, though, I would imagine a downtown Atlanta kind of rep has a much bigger budget than, I don't know the person that's in, like, McCray, Georgia. Like, the donation amounts are gonna be proportionate to the population size then if you're out there in the sticks somewhere. I don't know what, like a \$100 donation? Does that show up on the radar?

Larry 36:57
Well, I don't think I completely agree with what you're saying.

Andy 37:00
Okay.

Larry 37:01
The apportionment of the districts is similar throughout the state. But the income level is not. I mean you have, in a big sprawling state like Georgia, you have poverty, and you have wealth. So you would get fewer donations, but it would be more money because of the income capacity to give. But people don't just donate within their district. If you look at their campaign disclosure reports, they get money from out-of-state, from all sorts of sources. If you look at their campaign disclosures, Colorado probably has a pretty robust system of campaign disclosure reporting and you can see the source of the donations, where it comes from. It's not just from within the district.

Andy 37:37
Well, what kind of money, though, starts to show up on their radar? I'm sure \$5 doesn't get you a lot.

Larry 37:43
When you say "on their radar", if you're a candidate at a state office in these states like what we're talking about, Colorado and New Mexico, anything of 250 bucks or more is a substantial donation. If you give \$10 it may not be noticed.

Andy 37:59
(laughs)

Larry 37:59
If you give them 250, 300, 400 dollars, I mean, those are large donations for a place like Colorado or New Mexico.

Andy 38:06
Okay. Go ahead, Brian. I'm sorry, I didn't mean to interrupt you.

Brian 38:09
I'm absolutely playing the long game on this. I'm a lifetime registrant so it's really, to me, irrelevant *when* I get this done, as long as I get it done. So, it's not that I'm looking at just the state level, I'm looking at the city level, because a fair amount of the people that serve on the city council move up to the state level. And if I get to know them at a city level, I have a much better and longer-term relationship with them when they do reach the state level.

Andy 38:39
Thoughts on that? Larry,

Larry 38:40
I agree with you. People often migrate from local government to state government. So, if you can form that relationship that will carry over as they move up the elective office chain because very few people are just content to be a local counselor. Not to say that those jobs are not important. They're very important. But they start there, and then they move to something else.

Andy 39:05
All right. Well, thank you, Brian. I appreciate it very much. And thank you for coming on. Anything else before we go?

Larry 39:11
Well, I think we need to make this into two episodes. We've been on for an hour and twenty minutes. So, we could just have another ten minutes, and we can divide it into two, right?

Andy 39:19
Well, no. I was actually just referring to Brian. We have that letter that you gave me. There's still that. That'll put us right at around an hour and a half. But I've been asking in chat, Larry, and they think that it should be one episode. That's what they've all said. But just to circle back, Brian, anything else?

Brian 39:34
No, I'm good for now. Thank you.

Andy 39:36

Cool. Thanks, man. I appreciate it. So, can we do this letter? And then we'll be able to close it out, and then we can decide if we split it into two or not.

Larry 39:44

Okay I don't know what parts you're gonna read. I didn't highlight any, but you could read the salient points of the letter.

Andy 39:49

To me, what I read looks like the first three paragraphs.

Larry 39:53

Okay.

Andy 39:55

And so then who is this from, Larry?

Larry 39:59

It's from one of our subscribers to the newsletter who's not really connected with the podcast.

Andy 40:06

Okay. And it says, "I wanted to acknowledge I received the DOJ recidivism report you recently sent me. Thank you for this information. I'm also writing in response to the latest NARSOL Digest Volume, 16 Issue 6, December/January of 23/24, "Our States", page 13, Vermont (<https://view.publitas.com/p222-5250/the-narsol-digest-xvi-6-v1/page/12-13>). I was under the impression Vermont had a more "relaxed" registry, at least based on what I've read in "Your Life on The List", Second Edition, by Derek Logue, who also operates OnceFallen.com. Per the book, it claims Vermont is not substantially AWA compliant, no residency restrictions, no employment restrictions, no presence restrictions, no Halloween holiday restrictions, no ID card laws, community notifications requiring several steps from members of the public" ... interestingly worded ... "All of this sounds good on paper, as far as a state that may allow a good quality of life for a PFR. Being a person who will soon be released at my sentencing district in South Florida, Vermont sounded *much better*, and I had been telling loved ones to research possible properties to purchase. I was surprised to read in your Vermont section, the state has "draconian" SOR laws. It's concerning and makes me rethink all my options. I'm hoping Tim Burgess can provide more information on what makes this state's laws draconian, and if perhaps the information provided in this book is incorrect and misleading." I think that covers it right there.

Larry 41:35

I think it does. And I would like to tell a story, because everything's relative, to what you know. I don't think Mr. Burgess, the author of that, has ever lived anywhere else. And I don't think Mr. Burgess is really up to full throttle, in terms of understanding the draconian registries that exist around the country. So, I would say that Derek Logue would be *much* more of a reliable resource than anything he's published, because Derrick, for better or worse, whether you like him or don't like him, he knows a lot more about the registry and I would trust what Derek is saying. If there's a book that Derek's written that says this, I agree with him. It's not that draconian being in Vermont, but it's relative. I spent about sixty days in the Boulder County Jail, back in my early days, the Boulder County jail that no longer exists. It was by the Hall of Justice over at 6th and Canyon, and it was the ideal jail if you're going to be incarcerated. I think now, those of you who are looking for a jail to go to, you want to go to Pitkin County, Colorado, rather than Boulder. But in those days, Sheriff Leach was running a very good jail. And the people were, as they were meandering around the jail with all the luxuries they had, of a jail that had carpeted housing units, had private rooms, wooden doors, intercom system if you're having an emergency, that you could call and actually talk to a person. And when I say open-door, they had periods of time during the day when the jail doors, if you were in their Green, or Gold, or Red I think it was, in their housing system, they have hours where they just open the doors, and you could go to the library, you could go to the gym, you could go outside to the courtyard, you could do all these things. Like, you were in jail! But you had an awful lot of freedom, but in jail. And people just moaned and groaned about how horrible jail was. And I told them, I said, "Well, you know, it's actually a pretty good jail." (laughs) "The food sucks!" I said, "No, actually, the food's pretty good here." I mean, it's not fine dining at its best, but it's comparable to what you would have in any institutional setting, in a hospital, you know, in a school cafeteria. You know, it's adequate. And, well, the caloric intake is enough, and you could live without any commissary funds on what they feed you. "That sucks!" Well of course it does, you're in jail. So, the analogy I'm making is that the Vermont registry is less than ideal. You'd prefer not to be on a registry at all. But if Tim Burgess thinks that is draconian, then he has very little experience with registration laws around the country because Vermont is far from being draconian.

Andy

What word would he use for Florida then and Alabama?

Larry

Mississippi, Louisiana and on and on and on? But it's relative to a person's understanding. A person who got thrown into Boulder County Jail, and a talk show host, he even told that a similar story. Maybe those in Colorado know if Gary Tessler is still alive -- but Gary Tessler had been arrested and spent a couple of days in Boulder County Jail. He said that after they took his fingerprints and did the standard booking, and put him in "intake", which was the Blue module where they're evaluating if you're going to be able to function in a jail setting and what type of housing would be appropriate for you, before they moved you through the level system, he said it was the most awful feeling of his entire life, when the mechanical door clang shut. Because, in Intake, they had the mechanical doors that went on the track, and you heard it go bang after you heard the buzzing of the thing. But once you got out of Intake, the housing units got a lot better. You were not subjected to all that stuff. But, as far as Tessler was concerned, those 24 hours, whatever it was, in jail, was the horror of his life because it was relative to a man who had never been in trouble, had never seen the inside of a jail, and he thought it was awful! So that would be my response to this letter writer. The Vermont registry is not draconian, by any means. You don't have any prohibitions, all the things he mentioned, to my knowledge, are true. We've got a patron who just recently relocated there and he verified that, in fact, just very recently, remember we had a discussion after the show, and he was grateful that he moved there?

Andy 46:22

Yep! So far ...

Larry 46:23

Yeah so, you know, it's just not the case. But, it's all comparable to your life experience. If that's the only registry you have any experience with, it might seem draconian. But, if I had to be on a registry, that would be one of the states I would look at.

Andy 46:40

Okay! Well, I think this would be the time, Larry, that I'm going to wish everyone a happy holiday. Gosh, last week, it was the second night of Hanukkah. Hanukkah is over then, I guess. Jeez! And I didn't light the candles. I asked my kid if he would want to light the candles, just for the exposure to the culture, and the experience. He was like, "Nah, I'm good." Like, really?? Anyway, happy holidays,

everyone. Anything you want to say, walking out the door, Larry?

Larry 47:12

I would say the same thing. We're grateful to everyone who's supported us for the last, what, six-plus years? And I apologize that some of you have not been able to get the answers from me that you would like. (laughs) But hopefully you understand that we do the best with the information we have, to be helpful. And that's the whole motivation of the program. I actually would be happy if I didn't spend so many hours on this issue. It really is quite draining. But I know people are benefitting from it. People do appreciate the information. I do believe we're providing a valuable service and, those who support us, thank you and Happy Holidays to you. Hopefully we'll have exciting stuff to report in 2024.

Andy 47:59

Faaantastic. RegistryMatters.co is where you can find the show notes. And again, go over and leave reviews, hopefully nice ones. And thumbs-up, like, subscribe, all that other stuff. Like I said registrymatters.co and, if you are so inclined and fortunate to have extra disposable income, that \$1,400 a month thing, that would be great! Patreon.com/registrymatters. We did get a new patron. That was the one last thing I needed to say. Ryan, thank you very much! Appreciate it. And, if just a buck, throw a buck our way monthly, and that would be fantastic. I hope everybody has a great Happy Holidays, and this will either be a one-part or two-part episode. So, if it's long, then it's one part, if it's sort of short, then it's two episodes, and look for one next week. And I will see you all... it'll be kind of like New Year's Eve or something like that when we record again, Larry.

Larry 48:53

Sounds good.

Andy 48:54

Take care, my friend. Have a great weekend and holiday, and I'll talk to you soon.

Larry 48:58

Good night.

Announcer 49:01

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