ICoN Consolidated Newsletter, 2015 (#1-#4)

The Informational Corrlinks Newsletter (ICoN) provides a variety of legal, treatment, activism news & practical info for incarcerated SOs via CorrLinks. This consolidated version covers all legal cases and articles covered in the ICoN newsletters for the first half of 2022 and are offered as a space-saving measure. To better make use of Corrlink's 13k character limit, abbreviations will be used, so ICoN readers need to familiarize themselves with the following acronyms: SCOTUS (Supreme Court of the United States, an acronym in current Internet use), RC (registered citizen, an "SO" currently forced to register), ARM (Anti-Registry Movement, a term sometimes used to describe our reform movement), SOR (SO Registry), AWA (Adam Walsh Act), SORNA (the part of the AWA covering Registration & Notification), Admt (Amendment) & the many abbreviations for states & court jurisdictions. Time dated announcements & resources are not included in this consolidated newsletter. – Compiled Dec. 4, 2022.

ORDERING BACK ISSUES OF THE ICoN & DONATING TO THE CAUSE

Due to a limited budget and manpower, **I do NOT have a regular physical mailing list for these newsletters**. Those with Internet access can print past issues from my site and the other resources I offer at https://oncefallen.com/icon/

Consolidated ICoN newsletters are sent out upon request and a payment of two stamps to help offset costs. Please note that some prisons place limitations on mail which may require a higher cost (example: some prisons limit printouts to five single-sided pages per envelope, so a printout taking up 22 pages would require 5 stamps.) Please note your facility's limitations before making a request. Checks/ MOs must be made out to Derek Logue. You can contact me for further info and a list of what I offer at:

Mail - Derek Logue, 2211 CR 400, Tobias NE 68453
Email – iamthefallen1@yahoo.com (this is also the email I use for signing up for the ICoN)
Phone – (513) 238-2873 (No collect calls)

YOUR LIFE ON THE LIST: Edition 3 (A registry survival guide) by Derek Logue

"Your Life on The List: Edition 3" is a registry survival guide, covering a variety of common concerns like housing, employment, compliance checks, travel, and other common questions. It also contains a housing list and a comprehensive overview of the registry, residency/ proximity laws, and other post-conviction laws you may experience as a Registered Person.

To download a free PDF Copy of the guide, visit the front page at oncefallen.com

To order a printed copy from Amazon.com ($14.95 plus tax & shipping):
https://www.amazon.com/Your-Life-List-Derek-Logue/dp/B0BSZWQCWV/

If you are thinking of becoming an activist, consider ordering a copy of "The Anti-Registry Activist Manual: A Guide to Effective Advocacy" by Jonathan Grund. It is available for $13.50 on Amazon.com:

https://www.amazon.com/Anti-Registry-Activist-Manual-Effective-Advocacy/dp/B09T893TNR/

LEGAL ROUNDUP 2015

Grady v. NC, 575 U. S. _ (2015): US Sup Ct has ruled that lifetime GPS constitutes a 4th Amendment search, but has remanded the case to return to the lower court to determine whether requiring GPS constitutes an unreasonable search. The Court stated "The State's program is plainly designed to obtain information. And since it does so by physically intruding on a subject's body, it effects a Fourth Amendment search. That conclusion, however, does not decide the ultimate question of the program's constitutionality."

CA: After the CA Sup Ct struck down residency restriction laws against parolees in San Diego Co. as overbroad, the CDCR has announced they are only going to enforce the 2000 foot restrictions against "high-risk" offenders and parolees with victims under age 14, while residency restrictions against other parolees will be determined on a case-by-case basis.

MI (Doe v Snyder et al., Case No. 12-11194 (E. MI 2015)) U.S. Dist. Judge Robert Cleland struck down parts of Michigan's current SOR law as vague and confusing. Residency restrictions, in-person registration of all phone numbers, emails and internet identifiers "routinely used by the individual," and the definition of loitering were all considered vague. Not even the police were sure of the requirements of the law. The state is expected to overhaul the existing law.

OH: The OH Sup Ct heard oral arguments for *State v. Blankenship* (Case# 2014-0363) to determine if the label "sex offender" constitutes "cruel and unusual punishment." This decision will be the first major court case to determine whether the SO label is a form of punishment.

AL: *McGuire v. Strange*, Case No. 2:11-CV-1027-WKW(WO), (US Dist. Ct, MD AL, Northern Div, 2 Feb. 2015): The US Dist Ct ruled Alabama's SOR law is unconstitutional in limited circumstances. Specifically, the rules requiring homeless registrants and traveling registrants to register with two different agencies constitutes punishment and thus cannot be applied retroactively.

Karsjens et al. v. Jesson et al., CASE 0:11-cv-03659-DWF-JJK (US Dist Ct MN 2015): US Dist Ct of MN judge Donovan Frank, in a 76-page ruling, has ruled the MN-MSOP "civil commitment" program has been declared unconstitutional as currently practiced. "The Court concludes that Minnesota's civil commitment statutes and sex offender program do not pass constitutional scrutiny. The overwhelming evidence at trial established that Minnesota's civil commitment scheme is a punitive system that segregates and indefinitely detains a class of potentially dangerous individuals without the safeguards of the criminal justice system."

This decision does not mean that all those committed will be immediately released. The current state facilities "will not be immediately closed," Frank wrote. However, he made it clear he wanted to work quickly, ordering a pre-hearing conference for Aug. 10 "to fashion suitable remedies."

Keep in mind this is not a wholesale condemnation of "civil commitment," but how MN has used the program. No one has EVER been released from the MN-MSOP in 20 years. U. of Maryland law professor Amanda Pustilnik, in an article at Cato Unbound stated, "The SVP regime is preventative detention, not civil commitment. Calling it 'civil commitment' is an affront to medical ethics and damages the public's understanding of a limited but important way of helping the people with severe and acute mental health issues… genuine civil commitment: (1) is a form of emergency medical treatment; (2) that is strictly limited in duration; and (3) must be for the patient's benefit. SVP detention turns real civil commitment on its head. Perpetrating a sexual offense is not a mental illness and may not be a sign of mental illness."

MN-MSOP does not offer the type of treatment a person truly needs. Instead, MN-MSOP has been a front for the indefinite detention of those the state feels MIGHT reoffend, much like Guantanamo Bay was a facility for the indefinite detention of suspected terrorists.

Dan Gustafson, a lawyer for the plaintiffs in the suit, stated in the NY Times, "Minnesota treated those committed essentially as prisoners. He said there was no annual process for determining whether someone had improved to the point where they no longer were dangerous; the treatment itself and the required sequence of steps for moving toward release shifted repeatedly; and some of those being held could well have functioned in less restrictive settings." The ICoN believes that not every SO poses an equal risk, nor do all SOs benefit from the same treatment.

IL *People v. Mark Minnis*, 14CF1076 (Circuit Court Order) – The McLean Co Cir Ct judge, citing an earlier federal decision in NE, declared requiring internet identifier registration for SOs violated the 1st Amendment protection on free speech. The IL Atty Gen's Office plans to ask the state Sup Ct to review the decision.

TN: *Mock v. UT-Chattanooga*, No. 14-1687-II (Davidson Co. Chancery Ct) –The controversial "Affirmative consent" standards for consenting to sex have taken the nation by storm, but suffered a blow by a recent ruling. The court sided with Corey Mock, expelled from UTC after a college tribunal forced him to disprove a rape accusation against him, shifting the burden of proof from the accuser to the accused to prove innocence, violating due process.

IN: *Brian Valenti, et al., v. Indiana Secretary of State, Indiana Election Commission, Indiana State Police and Blackford County Prosecutor*, Case 1:15-cv-1304 was filed in the U.S. District Court for the Southern District of Indiana, Indianapolis Division, on August 18, 2015. This lawsuit was filed in response to a recently passed law prohibiting Indiana registrants for voting at polling locations placed in school buildings (IN Code § 35-42-4-14).

NV: A dozen "John Does" are suing the state over Nevada Revised Statute 213.1243, which allows the state to impose lifetime supervision. According to the lawsuit, the Parole Board has relied on an unconstitutional Nevada law to place movement and residency restrictions on convicted sex offenders who are under its supervision. In some cases, those restrictions have prevented the plaintiffs from attending religious services or associating with family.

MO: *Orden v. Schafer*, 4:09-cv-00971-AGF (US Dist Ct E Mo., E Div. 2015) – In yet another case regarding civil commitment, U.S. District Judge Audrey G. Fleissig ruled that MO's civil commitment program violated Due Process. It is not a ruling against civil commitment per se, but how it is practiced in MO. "The overwhelming evidence at trial — much of which came from Defendants' own experts — did establish that the SORTS civil commitment program suffers from systemic failures regarding risk assessment and release that have resulted in the continued confinement of individuals who no longer meet the criteria for commitment, in violation of the Due Process Clause… "The Constitution does not allow (Missouri officials) to impose lifetime detention on individuals who have completed their prison sentences and who no longer pose a danger to the public, no matter how heinous their past conduct."

MA: *JOHN DOE et al. vs. CITY OF LYNN*, No. SJC-11822 (MA Sup Jd Ct, Aug. 28, 2015) – MA's highest court ruled that municipalities cannot write their own residency restriction laws because state law trumps local laws (the state legislature has the "final authority" in deciding the laws governing SOs.) Justice Geraldine S. Hines likened the laws to historical atrocities, stating, "Except for the incarceration of persons under the criminal law and the civil commitment of mentally ill or dangerous persons, the days are long since past when whole communities of persons, such as Native Americans and Japanese-Americans, may be lawfully banished from our midst." The decision did not, however, address the

constitutionality of the residency law. This case is also important as the case was a joint effort from a number of Anti-Registry Movement groups and even a couple of victim advocate groups.

ONCE FALLEN REPORTS

Question: CAN AN SO RECEIVE FOOD STAMPS?

Last year's Farm Bill contained a provision banning murderers & SOs from collecting food stamps (7 USC 2015(r)). However, the ban only applies under the following conditions:

1. You are convicted for a crime that took place after Feb. 7, 2014 AND
2. You are not in compliance with the terms of your sentence (You're a "fleeing felon" or you fail to register).

IF you are denied food stamps because of your status alone, you must appeal ASAP, because even if you are ineligible, your income still counts to determine household eligibility. You may need to present as evidence both 7 USC 2015 AND a copy of the Farm Bill (113th Congress, HR 2642, Sec. 4008) as the Farm Bill explicitly states the law is not to be applied retroactively.

Time to File a Petition for WRIT of ERROR CORAM NOBIS in Smith v. Doe

by Will Bassler, SOSEN.org, June 17, 2015

Once again we find the United States government officials have provided false information to the United States Supreme Court to justify the existence of unconstitutionally discriminatory laws, this was also just what they did in the case of the Japanese-Americans interned to the relocation camps during World War II.

The decision in Korematsu v. United States has been a very controversial one. Korematsu's conviction for evading internment was overturned on November 10, 1983, after Korematsu challenged the earlier decision by filing for a writ of coram nobis. In a ruling by Judge Marilyn Hall Patel, the United States District Court for the Northern District of California granted the writ (that is, it voided Korematsu's original conviction) because in Korematsu's original case the government had knowingly submitted false information to the Supreme Court that had a material effect on the Supreme Court's decision.

The Korematsu decision has not been explicitly overturned although, in 2011 the Department of Justice filed official notice conceding that it was in error, thus erasing the case's value as precedent for interning citizens. However, the Court's opinion does remain significant, both for being the first instance of the Supreme Court applying the strict scrutiny standard to racial discrimination by the government, and also for being one of only a handful of cases in which the Court held that the government met that standard.

U.S. official cites misconduct in Japanese American internment cases

Acting Solicitor Gen. Neal Katyal says one of his predecessors, Charles Fahy, deliberately hid from the Supreme Court a military report that Japanese Americans were not a threat in World War II.

May 24, 2011|By David G. Savage, Washington Bureau

Reporting from Washington — Acting Solicitor Gen. Neal Katyal, in an extraordinary admission of misconduct, took to task one of his predecessors for hiding evidence and deceiving the Supreme Court in

two of the major cases in its history: the World War II rulings that upheld the detention of more than 110,000 Japanese Americans.

Now someone has looked into the information that was provided to the United States Supreme Court in Smith v. Doe and found that the government officials have done the same thing again to justify a discriminatory practice against a class of people, they have used falsified information and hearsay not based on any reliable studies that were available, even at that time. It should be noted that there are studies going back to the 1960s. For example, the 1962 Jack study, as cited in Furby, Weinrott & Blackshaw, "Sex offender recidivism: a review", in 1989 looked into non-treated offenders showed the re-offense rate of 3.7% over 15 years, that's 2/10 of 1% per year. Another interesting facet of the Furby study is how their comment was taken out of context, since the study was to see the effectiveness of treatment programs on sex offenders. People point to the first portion of the comment "there is as yet no evidence that clinical treatment reduces the rate of sex offense." Furby and her colleagues' second portion of the statement have been omitted from the most other reports, Where they stated: "The recidivism rate of treated offenders is not lower than that for untreated offenders; if anything, it tends to be higher, simply meaning that the treatment programs increase the possibility of re-offense. It is now known that as a whole people on the registry have a re-offense rate in new sex crimes of less than 6/10 of one percent. (Nebraska sex offender registry study uly 31 2013).

'Frightening and High': The Frightening Sloppiness of the High Court's Sex Crime Statistics by Ira Mark Ellman [http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2616429] Arizona State University College of Law; Arizona State University (ASU) – Department of Psychology; Center for the Study of Law and Society, Berkeley Law, University of California, Berkeley, and Tara Ellman

Independent June 8, 2015

Abstract:

"This brief essay reveals that the sources relied upon by the Supreme Court in Smith v. Doe, a heavily cited constitutional decision on sex offender registries, in fact provide no support at all for the facts about sex offender re-offense rates that the Court treats as central to its constitutional conclusions. This misreading of the social science was abetted in part by the Solicitor General's misrepresentations in the amicus brief it filed in this case. The false "facts" stated in the opinion have since been relied upon repeatedly by other courts in their own constitutional decisions, thus infecting an entire field of law as well as policy making by legislative bodies. Recent decisions by the Pennsylvania and California supreme courts establish principles that would support major judicial reforms of sex offender registries, if they were applied to the actual facts."

In filing a petition for writ of error coram nobis in Smith v. Doe, it should be noted there is a conflict of interest involving the Chief Justice Roberts. Roberts was the government attorney that withheld information or presented false/ misleading recidivism information that is the crux of the error, i.e., there the claim of high re-offense rate. There was enough studies pre-Smith v. Doe to show that the correct recidivism information was out there, and the information that they use from the Prentky study was incorrect and the other information that they used to support their case was hearsay, not based on any valid scientific study.

So from where I stand with the above information, I believe it is time to call an accounting of the Supreme Court decision that was based on lies presented by the Solicitor Gen. in the Smith versus Doe case, and that the Department of justice be held accountable for all collateral damage to offenders and their families caused by government officials' misinformation that was presented to the Supreme Court.

"FRIGHTENING AND HIGH": THE US SUP CT USED FAULTY EVIDENCE TO JUSTIFY SO LAWS

Research papers rarely make a lot of headlines, but a recent research paper challenging the US Sup Ct's claim that SOs have a "frightening & high" recidivism rate has made waves in the media.

In 1997, Kansas v. Hendricks (in a 5-4 decision) upheld "civil commitment" (in reality, indefinite detention") under the lower standard of any "mental abnormality" and lower burden of proof because detention hearings are considered regulatory rather than punishment. In McKune v. Lile (2002), the Sup Ct upheld by a 5-4 margin a Kansas law that imposed harsher sentences on sex offenders who declined to participate in a prison rehab program. In Smith v. Doe (2003), the Sup Ct upheld Megan's Law in a 6-3 decision. In each of these cases, claims of high recidivism rates justified these heavy-handed laws.

The magic buzzwords uttered by Justice Kennedy were "frightening and high," a phrase Radley Balko reports in the Washington Post as being cited 91 times in court cases across the US. But where did these words come from? The statement was created by Justice Kennedy in McKun v. Lile:

"The critical first step in the Kansas Sexual Abuse Treatment Program (SATP), therefore, is acceptance of responsibility for past offenses. This gives inmates a basis to understand why they are being punished and to identify the traits that cause such a frightening and high risk of recidivism."

The buzzwords were reused by Justice Kennedy in Smith v. Doe. The report, "'Frightening and High': The Frightening Sloppiness of the High Court's Sex Crime Statistics" by Ira and Tara Ellman, explains the origin of this dubious claim:

"McKune provides a single citation to support its statement "that the recidivism rate of untreated offenders has been estimated to be as high as 80%": the U.S. Dept. of Justice, Nat. Institute of Corrections, A Practitioner's Guide to Treating the Incarcerated Male Sex Offender xiii (1988). Justice Kennedy likely found that reference in the amicus brief supporting Kansas filed by the Solicitor General, then Ted Olson, as the SG's brief also cites it for the claim that sex offenders have this astonishingly high recidivism rate. This Practitioner's Guide itself provides but one source for the claim, an article published in 1986 in Psychology Today, a mass market magazine aimed at a lay audience. That article has this sentence: 'Most untreated sex offenders released from prison go on to commit more offenses– indeed, as many as 80% do.' But the sentence is a bare assertion: the article contains no supporting reference for it."

Freeman-Longo is the author of the 1986 Psychology Today article. R. Wall, the second author, is identified in the article as a therapist in treatment program Freeman-Longo directed; no further information about him came up in a Google search.

The Ellmans point out Freeman-Longo "is a counselor, not a scholar of sex crimes or re-offense rates, and the cited article is not about recidivism statistics. It's about a counseling program for sex offenders he then ran in an Oregon prison. His unsupported assertion about the recidivism rate for untreated sex offenders was offered to contrast with his equally unsupported assertion about the lower recidivism rate for those who complete his program.

So the evidence for McKune's claim that offenders have high re-offense rates (and the effectiveness of counseling programs in reducing it) was just the unsupported assertion of someone without research expertise who made his living selling such counseling programs to prisons."

Another statement appearing on the solicitor general's brief:

Sex offenders exact a uniquely severe and unremitting toll on the Nation and its citizens for three basic reasons: "[t]hey are the least likely to be cured"; "[t]hey are the most likely to reoffend"; and "[t]hey prey on the most innocent members of our society." United States Dep't of Justice, Bureau of Justice Statistics (BJS), National Conf. on Sex Offender Registries (National Conf.) 93 (Apr. 1998).

The Ellmans explain that 'The 'report' is merely a collection of speeches given at a 1998 conference of advocates for sex offender registries. The collection's cover sheet disavows any Justice Department endorsement of its contents. The "least likely" phrase is taken from a speech in this collection given by a politician from Plano, Texas who never claimed any scientific basis for it. Indeed, she did not even claim it was true. What she actually said was that it is a statement she likes to make.'"

Balko's WaPost article concludes "balancing acts" tests create bad laws, even Sup Ct justices are too lazy to fact check, courts often rely on junk science, government agents can lie to judges and get away with it, and the courts are "too attached to finality."

Sadly, these unjust decisions may never be revisited so long as Roberts and Kennedy sit on the bench.

RETIRED JUDGE SAYS REGISTRY "LIKE A CANCER"

"Zach [Anderson]'s case was very timely because now we've got national attention to [Michigan's] registry. People are starting to understand how bad this is...It's like a cancer. It just grows and grows and they add more and more things." These are the words of Retired Van Buren Co MI Cir Ct Judge William Buhl as he expressed outrage at the case of Zach Anderson. Earlier this year, MI judge Dennis Wiley sentenced 19 yr old Anderson to 25 years on the registry after Anderson met and had consensual relations with a 14 yr old who lied about her age, claiming to be 17 on an online dating page. The case sparked outrage across the US, as people questioned the efficacy of the public registry. Today, there are almost 850,000 names on the list, and thousands of kids, some as young as 10, have landed on the registry in recent years. Recently, Anderson was removed from the registry. We can only hope this case has a lasting effect on criticism of the public registry.

GETTING AN ID CARD UPON RELEASE

It is the most basic of needs upon release and necessary for getting many basic needs like a job or a bank account, but for inmates incarcerated for a very long period of time, getting a state-issue ID card is very difficult. There are a number of reasons why it is difficult, and part of the reason has been the result of fraud or terrorist fears. Thanks to the PATRIOT Act, you need to prove you live somewhere, so if you are homeless, that will make getting a state ID difficult. Furthermore, the SSA now requires multiple forms of ID to get a Soc Sec Card. So it creates a paradox—you need something showing your SSN to get state ID, and you need a state ID to get your Soc Sec card.

If your facility lacks a program to help you obtain ID and you have to do it yourself upon release, then there are a few things you can do upon release, the first thing to do is find a local charity that will assist in obtaining state ID.
Birth Certificate: For a certified copy of your birth certificate, contact the vital records office in the state where you were born for instructions on how to request a copy and information on any fees. It can take up to two months to obtain one by mail.

Social Security card: Getting a Soc Sec card requires--

1. Proof of Citizenship: Birth Certificate/ Passport

2. Proof of age: You must present your birth certificate. If one exists, you must submit it. If a birth certificate does not exist, we may be able to accept your religious record made before the age of 5 showing your date of birth; U.S. hospital record of your birth; or U.S. passport.
3. Proof of identity: U.S. driver's license; State-issued non-driver identification card; or U.S. passport. May also accept a health care, employer, school, or military ID.
4. Filling out a form for the card.

State IDs may typically require these two forms as well as proof of "residency." That means a street address, not a PO Box. That typically means a piece of mail from the utility company, your bank, or a lease agreement.

If you were in the military, you can apply for your DD 214, which often counts as an acceptable proof of identity. Request a Form SF-180 through National Personnel Records Center, 1 Archives Drive, St. Louis, MO 63138. Homeless? Don't fret. Many cities have at least one charity that can help you obtain these items, though there may be a waiting list.

If you can access the internet upon release, you check out more info at: https://www.usa.gov/replace-vital-documents

CA-RSOL PROTESTS CARSON CITY'S PARK BAN

Recently, a CA appellate court ruled a series of local ordinances banning SOs from parks violated state law, and the CA Sup Ct refused to hear an appeal by the state, so the state appellate court decision stands. (It is worth noting the decision did not rule park bans unconstitutional; the court merely stated state law did not allow local authorities to pass tougher laws than currently enforced by the state). Most cities across CA have since repealed local park bans, but the city of Carson (near LA) refused to repeal the ordinance. On March 7, 2015, about fifty members of California RSOL protested at the Carson City Hall. Carson council members had announced they intended to "go to war" to keep the park ban alive, but in doing so, they are violating legal precedent and will likely join the other cities settling with the lawsuits filed by CA RSOL (CA RSOL has an active suit against Carson city).

On a side note, CA legislature failed to pass SB 267, which would have given local authorities the ability to pass park bans and similar restrictions.

FL - RALLY IN TALLY 2015

Registered citizens and their loved ones across the US and in FL protested at the FL State House on April 22, the same day a high-profile event involving politicians and celebrity advocates was scheduled at the state house. The victims' advocate group 'Lauren's Kids" has promoted a series of SO laws in FL, including scarlet marks on state issued ID cards, lifetime GPS monitoring, and building "pocket parks" in communities to create more restriction zones against SOs. The founders of Lauren's Kids, lobbyist Ron Book and his daughter Lauren, pushed for the toughest residency restriction laws in the nation, which led to RSOs in Miami-Dade Co. to live under the Julia Tuttle Causeway Camp.

A dozen activists protested the event, holding large signs demanding the state to abolish the registry, as well as sending personal messages to the Book family. One activist built a makeshift homeless camp in remembrance of the JTC camp in Miami. The Book family had stated they welcome their critics to meet them face-to-face, but when their critics arrived, they hid behind a smokescreen and a wall of FDLE motorcycle cops, and cut short their public appearance to hide from the Anti-Registry Movement (ARM).

There will be more ARM protests in the near future.

PRISONER SOUNDOFF: I AM IN CHARGE

The first step towards my recovery was finding the desire to change. After witnessing the harm that I caused to victims, friends, family and the public, as well as experiencing my own tremendous losses, the drive to be a new man - a better man - was planted deep inside of me. The short-term, selfish gratification was not worth the enormous costs. I also discovered motivation to become a man whom my family and, as a religious person, my God could be proud of.

After this revelation, the next thing I had to do was realize that I AM IN CHARGE. That is to say, the thoughts I have, the actions I take, and the words I say are all under my control. No one or nothing can "make" me do, think or even feel anything - not drugs or alcohol, not a parent or a provocative image. I choose, thus the blame lays squarely on me.

Once I came to terms with the fact that I chose to have inappropriate fantasies and act upon them, only then was I able to feel empowered to move forward. (I got myself into this mess, so I can get myself out of it!) By genuinely taking full responsibility for the things I did, I gained the confidence, strength, and vision to build the new me and a new future.

Stay strong my friends. You Are Not Alone. – David E.

PRISONER SOUNDOFF: "CP is Not a Victimless Crime" by David E.

I used to tell myself, "I am not hurting anyone." "No one will know what I'm doing except for me." These were some of the permission statements that went through my head when I wanted to go online and view CP. I've since learned how distorted and irrational this thinking is. Viewing and trading CP is not a victimless crime. Sure, the act doesn't involve any physical contact with a child, but the victim has to live with the knowledge that the crime scene of their abuse is forever in existence for people to lust over and objectify on the Internet. This awareness can create deep emotional turmoil, sometimes worse than the actual act of their abuse. Families and communities also suffer, knowing that a loved one has been in danger and emotionally and psychologically harmed. Additionally, consumers of CP create a demand for more CP to be made, fueling the market for further production and victimizing more and more children. Lastly, I know that my actions also hurt me and my loved ones - my dark secret harmed relationships and kept me from being the healthy, productive, and positive man I was intended to be.

PRISONER SOUNDOFF: "LIFE-LINE" by David E.

In my first two articles, I wrote about the desire to change, taking responsibility for my actions, & not minimizing their harmful effects. The next steps in my healing included making amends where I could & getting needed help for my issues. I write today about the latter step:

One of my many roadblocks to change was the naive belief that "I don't need anyone else's help; I can do it on my own." For this and other reasons, I didn't seek help for my issues of being attracted to minors - I didn't think people would understand; I believed exposing myself would bring too much shame and negative consequences; and, as I said, as a man, I felt I was strong enough to fix the problem on my own.

Upon my incarceration for CP & the cataclysmic fall to rock bottom, I realized how wrong I was. Not only would getting support from others have possibly kept me out of trouble and helped to heal my internal struggles, but asking for help shows strength & courage, not weakness, as I once believed.

I am fortunate to have a family that supports my recovery & to be at a prison that offers high quality treatment. I've sought support from a therapist, graduated from a voluntary residential program,

participate weekly in psychology self-study classes, and signed myself up for another treatment program. More importantly, I also have a network of people - friends & family - that I can turn to as "healthy allies", people who hold me accountable & to whom I can tell on myself should I struggle.

I realize not everyone has a safe and trustworthy place to which to turn. But, don't underestimate the kindness of your family, clergy or close friends. They may be the life-line you need. Reach out. Try saying, "I want to change. Will you help me?"

FINAL THOUGHT

People who push for tougher laws against folks who have completed their prison sentences claim these laws are not "punishment." Tell that to the woman in Florida whose state ID card was accidentally marked with the words "sexual predator." The woman is threatening to sue after she was detained at Disney World because of the mark and faced discrimination at other businesses. Currently AL, OK, DE, FL, MS, & TN have some form of mark on state ID cards, either a special letter or number or the words "sex offender" written out in red letters.

When Lauren Book advocated marking FL ID cards with the words "sexual predator," she stated the following:

"This designation is a tool that we as community members – from law enforcement officers to TSA agents to teachers, daycare workers, doctors, nurses and everyone in between – can use to further protect the children and families of Florida. I believe a statutory reference is too benign. This is a scarlet letter that clearly states 'WARNING! Keep this individual away from children!' They are a clear and imminent danger, and parents and families have a right to know."

For years, these laws have been justified by claiming the laws are meant to be "regulatory" rather than "punitive" (thanks to Kansas v. Hendricks and Smith v. Doe, two cases affecting SOs using the "regulatory not punitive" reasoning). But people like the Florida woman knew better. If it wasn't that big of a deal, this woman would not have panicked after discovering the mark. If you ask people on the street, people will say the registry is "part of the punishment."

For most of the 2000s, people drank the "regulatory not punitive" Kool-Aid, but courts are starting to reject this argument. Many recent court decisions, including the ones in the legal roundup section of this newsletter, have admitted these laws are punishment. There is hope the registry, residency laws, and other restrictive post-release laws can be successfully fought, but we need everyone to stand up and fight for their rights. Currently less than 1% of those on the registry fight back. If we only had 1%, that's nearly 10,000 people fighting, but we may not have 1000. If you don't fight for your right to be treated as any other citizen, who will fight for you? Please take this time to get educated on your rights and what you need to do in order to live a successful life after your release.