

ICON CONSOLIDATED NEWSLETTER, 2022B (July to Dec. 2022, #81-#86)

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

Crowley v State of Indiana, Case No. 21A-MI-2064 (IN App Ct, 5/16/22): Requiring an individual with an out of state conviction who moves to IN to register, even when the registry didn't exist in IN or in the state of conviction, does not violate IN's Ex Post Facto constitutional prohibition.

Doe v. Frisz, No. 99310 (Mo. 2022): Petitioner John Doe pleaded guilty to four counts of endangering the welfare of a child for striking his daughters & exposing one daughter to the cold. Several months after pleading guilty, Doe's PO notified him that he needed to register based on allegations in charges the state abandoned. MO Sup Ct ruled allegations in abandoned charges could not be considered in determining SOR status & that the sheriff lacked authority to determine whether Appellant was required to register. Even so, the court affirmed the lower court's denial of a permanent writ concluding a writ of prohibition was not appropriate to control the sheriff because his determination was not a judicial or quasi-judicial act.

Shinn v Ramirez, No. 20-1009 (SCOTUS 5/23/2022): While not an SO case this will have damning repercussions for any falsely convicted. In a 6-3 ruling penned by Clarence Thomas, the conservative majority barred federal courts from hearing new evidence that was not previously presented in a state court as a result of the defendant's ineffective legal representation. This means that prisoners will no longer have recourse to federal judges even when they claim they were wrongfully convicted because their lawyers failed to conduct their cases properly. The decision eviscerated the SCOTUS's own precedent in a move that the 3 liberal justices called "illogical" & "perverse". In a dissenting opinion, Justice Sonia Sotomayor slammed the decision, warning it would leave "many people ... to face incarceration or even execution without any meaningful chance to vindicate their right to counsel."

State v. Snider, No. 99310-6 (Wash. 2022): WA Sup Ct upheld guilty plea for a FTR; was constitutionally valid even though the trial court did not explicitly inform Petitioner that the knowledge element of FTR necessarily includes knowledge of the specific circumstance giving rise to the responsibility to register under the statute.

Smith v. St. Louis County Police, et al., No. ED109734 (Mo. Ct. App. 2022): Ruled, contrary to prior MO App Ct decisions, that a Tier I under both MO-SORA and Federal SORNA, who is otherwise eligible for removal from the Registry after satisfying the requirements of relevant MO-SORA provisions, should not be required to remain on the Registry for the remainder of their life due to the purported "interplay" between the requirements of MO-SORA and Federal SORNA.

People v. Leib, 2022 IL 126645: IL Sup Ct upheld conviction for "being a child SO in a school zone" (720 ILCS 5/11-9.3(a)). The court was asked to resolve whether the St. Louis Avenue parking lot (connected to a church and parochial school) is properly considered "real property comprising any school" and whether the evidence is sufficient to prove that defendant was present on the St. Louis Avenue parking lot knowing that it was real property comprising any school. Lot was separated from school and gym by a public street but the court disagreed it was separate from school grounds as the lot was used by the school & church/school were "synonymous." Court concluded that a Lieb should've known a festival in a lot across from a school and had kid's rides was "school grounds." A nosy neighbor had outed the man to the cops then boasted about it.

Braam v. Carr, No. 20-1059 (7th Cir. 2022): Reaffirmed lifetime GPS in WI; Applying the 4th Amdt's reasonableness standard, the government's interest in deterring recidivism by dangerous offenders outweighs the offenders' diminished expectation of privacy. Any differences between the 2016 plaintiff and these plaintiffs are too immaterial to make the earlier holding inapplicable.

State of Wisconsin v. C.G. (2022 WI 60): WI Sup Ct denies name change for juvy RC who identifies as Transgender (born male but identifies as female), on 1st & 8th Amdt grounds. Court denies registry is punishment & even if they did, they would not consider it cruel or unusual & Ella can take other steps to express her gender identity; she just can't legally change her name. "For example, nothing prohibits her from dressing in women's clothing, wearing make-up, growing out her hair, or using a feminine alias. The State has not branded Ella with her legal name, & when Ella presents a government-issued identification card, she is free to say nothing at all or to say, 'I go by Ella.'" They also noted Ella's large stature & the nature of the offense in the justification of the ruling.

US v. Porowicz, No. 21-2153 (3d Cir 2022): Defendant challenged a condition of his supervised release that allowed probation to conduct "physiological tests" without specifying which ones they would be administering. He argued that there are no limits to what they would be allowed to subject him to. The 3rd Cir concluded that the Dist Ct plainly erred by imposing this condition to submit to unspecified physiological testing without explaining how it satisfies §3583(d)(2).

State v. Genson, No. 121,014 (Kansas 2022): RC required to register in KS was convicted of a FTR. He was required to report quarterly, every May, Aug., Nov. & Feb., plus changes. On 9/18, he went in to report a change of phone number. He went in again on 10/9 to report an address change. But he failed to show up for his registration appointment in Nov., instead coming in again on 12/15 to register. He was arrested for missing the Nov. registration. KS Sup Ct ruled the strict liability character of a FTR case bears a rational relationship to the legitimate government interest of protecting the public from SO & violent offenders & is thus not unconstitutionally arbitrary. There is no "intent" or "mens rea" requirement to convict for FTR. Not knowing you have to register something or not having the mental capacity to understand how to register is not a defense to a registration.

Legg v. Dept. of Justice, 2022 WL 2904078 (CA 3rd Ct of Appeal 2022): Rejected a challenge to the CA tiered registry. Penal Code Sec. 288(c), committing a lewd act against a 14 or 15-year-old if the defendant was at least 10 years older, is a lifetime offense in CA; but 288(a), committing "any lewd or lascivious (i.e., a sexual) act" with a minor child under 14 years of age, is a Tier 2. Legg tried unsuccessfully to convince the Court the two statutes arose from the same conduct. According to the court, the Legislature "could have reasonably determined that the challenged statutory disparity is warranted to serve the legitimate governmental purpose of protecting the public from considerably older adults who have preyed on young & vulnerable children."

Commonwealth v Howard, 164 MDA 2021 (Pa. Super. Ct. 7/21/2022): The PA superior Court (PA's appeals court) held SORNA's registration requirement is a "non-punitive, collateral consequence of his conviction" & not a violation of his constitutional rights. The requirement in Howard's case does not impact the legality of Howard's sentence. "Moreover, we presume a legislative act is constitutional, & will only find it unconstitutional if it 'clearly, palpably & plainly violates the Constitution.'"

People v. Lymon, No. 327355 (Mich. Ct. App. 2022): Held MI's amended SORA is punitive & cruel & unusual as applied to defendant because "the registration requirement was unjustifiably disproportionate to the offense committed, there was nothing to suggest that the danger defendant posed to the public was related to a SO, nor was there anything to suggest that he would have committed a SO in the future."

People v. Nunez, No. 356659 (Mich. Ct. App. 2022): Held that because SORA is a punitive collateral consequence for the conviction of certain crimes, a defendant must be informed of its imposition before entering a guilty plea & the registration requirement must be included in the judgment of sentence.

State v. Anthony, No. 18-1118-3 (NC Ct. App. 2022): Lifetime Satellite Based Monitoring ("SBM") of defendant was not an unreasonable search in violation of the 4th Amdt after balancing the state's interest

in "preventing & prosecuting future crimes", defendant's "diminished expectation of privacy both during & after any period of post-release supervision," & the "limited intrusion" caused by lifetime SBM.

Commonwealth v. Corbett, No. 21-P-646 (Mass. App. Ct. 2022): Overturned an FTR; held that a failing to register “knowingly” goes beyond actual notice. “Rather, to ‘knowingly’ fail to act requires that the defendant have the ability to perceive/remember that he has an obligation to act as of the time of the crime.” Defendant’s expert described sufficiently serious mental disorders that it could not be categorically excluded as irrelevant & that the lower court’s error was not harmless, as it went to the defendant’s principal defense.

US v. Thayer, No. 21-2385 (7th Cir. 2022): Held, as a matter of first impression, that courts should employ circumstance-specific approach when determining whether conduct was a sex offense against a minor, as would render a conviction a sex offense under SORNA.

Koch v. Village of Hartland, No. 22-1007 (7th Cir. 2022): Overturned the prior rulings *US v. Leach*, 639 F.3d 769 (7th Cir. 2011) & *Vasquez v. Foxx*, 895 F.3d 515 (7th Cir. 2018); concluded the critical inquiry in assessing retroactivity is “whether the law changes the legal consequences of acts completed before its effective date.”

Baughman v Commonwealth of Virginia, Rec.# 201348 (VA 2022): Baughman was accused of violating probation by having non-sexual communication with a minor. VA moved to have Baughman civilly committed. After VA’s evaluator concluded Baughman was unfit for commitment, VA brought in a second evaluator (Dr. Sjolinder), which claimed Baughman was likely to reoffend w/o interviewing Baughman. Court ruled Sjolinder did not meet the qualifications under VA Code 37.2-904(B), under the plain code language under 37.2-906(E) to testify as an expert witness.

People v. Krull, No. 16163 (N.Y. App. Div. 1d 2022): Holding as a matter of first impression that, when a defendant has invoked his 5th Amdt right against self-incrimination, the SORA court should not assess risk level points for a failure to accept responsibility where defendant's trial testimony denied the underlying allegations & defendant has a pending direct appeal.

Needham v. Superior Court of Orange Co., No. G060670 (Cal. Ct. App. 2022): Holding as a matter of first impression, that the gov’t was not entitled to call a privately retained expert witness to testify at SVPA trial as to petitioner's mental state.

Commonwealth v Torsilieri, No. 15-CR-0001570-2016 (Chester Co PA Super. Ct. 2022): After this case was remanded by the PA Sup Ct to lower court in June 2020, this trial court concluded the dubious claim “SOs pose a high risk of reoffending sexually” under the state’s SORNA law is unconstitutional. Because this is a rare scolding of SORNA laws, many quotes in this 29-page ruling are worth reading:

“An irrebuttable presumption is unconstitutional where (a) it encroaches on an interest protected by the due process clause; (2) the presumption is not universally true; & (3) reasonable alternative means exist for ascertaining the presumed fact... we do not invade the liberties of citizens based on crimes for which there is no proof. Similarly, we do not restrain people's liberties based on future conduct that has not yet occurred. SORNA, as written, does both of these things.”

“In response to the defense experts, the Commonwealth presented the expert report & testimony of Dr. Richard McCleary, Ph.D. Dr. McCleary's report in large part attacked the methodology of all of the research showing a low rate of sexual reoffending by SOs or otherwise showing the inefficacy of SORNA's registration & notification requirements. In other words, Dr. McCleary opined that all research yielding an outcome different from that of the Commonwealth's position has fatally methodologically

flawed & unreliable. Dr. McCleary's blanket denunciation of all research contrary to the Commonwealth's position in this case, in our opinion, materially detracts from his credibility.”

“The Commonwealth's main opposition to the defense experts' opinions regarding sexual offenders' low rate of sexual recidivism is the "dark figure" of sexual crimes. The ‘dark figure’ of sexual offending refers to the difference between the number of sexual offenses that occur but are never reported & those that are known to the authorities... The scope of that ‘dark figure’ as it concerns sexual crimes is speculative. There is no hard data demonstrating the rate of unreported sexual offenses. There is no hard data demonstrating that the rate of unreported sexual offenses is significantly higher than that regarding unreported crimes in general. As Dr. Hanson testified, we simply do not know; the data is not there & therefore measurements cannot be made with any certainty... The bottom line, as the defense experts have demonstrated, is that 80% to 95% of all sex offenders will not reoffend. Consequently, we find that SORNA's irrebuttable presumption that all sex offenders pose a high risk of sexual recidivism is not universally true.”

“The Commonwealth has argued that the fact that the amendments to SORNA include an opportunity for some offenders to petition to the court to be removed from SORNA’s registration & notification provisions after twenty-five (25) years means that SORNA’s presumption as to future dangerousness is not irrebuttable. This is illusory.”

“We find that SORNA is unconstitutional as a legislative scheme in both its use of a constitutionally infirm irrebuttable presumption & the punitive effects of its registration & notification provisions, as well as in its application to this Defendant, who has a strong support structure, is educated, is working, is an excellent candidate for rehabilitation, & is highly unlikely to reoffend”

“Based on the evidence of scientific & academic consensus presented, we find that SORN laws do not have the effect on recidivism & public safety anticipated by the Legislature, & that they are not rationally related to the purposes for which they were enacted.”

Wright v. Alaska, No. 19-35543 (9th Cir. 2022): Wright unlawfully moved from AK to TN; he pled guilty to an FTR & subsequently filed a habeas corpus petition challenging his conviction for the underlying sex offense. The district court denied the petition on the grounds that Appellant was not “in custody” on his prior sex offense. His initial challenge made it to SCOTUS; they ruled that if Wright was serving a sentence for a FTR due to his state conviction, that did not render him “in custody” for the purposes of collaterally attacking the state conviction. The case was remanded to the 9th Cir, which reaffirmed the holding of the Dist Ct dismissing the habeas petition for lack of subject matter jurisdiction. In so holding, the Court concluded that the connection between Wright’s AK conviction & his registration requirement in TN was “attenuated,” stating “the fact that [Wright’s] duty to register in TN can be linked back to his AK conviction does not render him in custody pursuant to the judgment of a state court under §2254(a).”

McGuire v. Marshall et al., No. 15-10958 (11th Cir 2022): Denied an ex post facto challenge on grounds such challenge cannot be an as-applied challenge; AL did not intend for registry law to be punitive, & McGuire could not convince the courts the effects are enough to make SO laws punitive. This ruling relied heavily on *Smith v Doe* 538 US 84 (2003).

State v. Thompson, No. S-1-SC-38376 (NM 2022): NM Sup Ct ruled that time SOs serve while on “in-house” parole in prison counts toward eligibility for a hearing to determine whether their parole will continue. The hearing before the state Parole Board does not guarantee that an offender will be released from parole. The board makes the final decision.

Cao v. Pennsylvania State Police, No. 512 M.D. 2015 (Pa. Commw. Ct. 2022): In 2017, the PA Sup Ct decision in *Commonwealth v. Muniz*, 640 Pa. 699 (2017), held that SORNA I violated the ex post facto provisions of the US & PA Constitutions when applied retroactively to those convicted of certain crimes before SORNA I's effective date & who were subject to increased registration obligations under SORNA I. Based on that ruling, Petitioner was informed that the PA State Police had removed Petitioner's name from the registry. In 2018, however, in response to *Muniz*, the General Assembly enacted SORNA II, which amended certain provisions of SORNA I & added new provisions, effective immediately. Following SORNA II's enactment, Petitioner was once again informed that he was required to register for life. Petitioner challenged the constitutionality of his lifetime registration requirement, filing an Amended Petition for Review in 2018.

The PA Commonwealth Court decision grants the PA State Police's Application for Summary Relief & dismisses Petitioner's Amended Petition for Review. The Court stated that Petitioner "misconstrued" *Santana*, which involved the retroactive application of SORNA I, which was declared an unconstitutional ex post facto violation in *Muniz*. Here, with SORNA II as the relevant statutory framework, the Court concludes that Petitioner's ex post facto claim is foreclosed by *Commonwealth v. Lacombe*, 234 A.3d 602 (2020) & *T.S. v. Pennsylvania State Police*, 241 A.3d 1091 (2020), which held that Subch. I of SORNA II is nonpunitive & not an ex post facto law, even when applied to individuals whose offenses pre-dated the enactment of any SOR law.

US v. Bardell, Case# 6:11-cr-401-RBD-DAB (MD FL 10/04/22): BOP was condemned by US Dist Judge & ordered to pay restitution to family for mistreatment of SO in care. BOP knew Bardell had cancer & refused to treat it until condition became terminal; defying a court order for compassionate release, BOP tried hiding the diagnosis, but then dropped off the dying Bardell at the airport w/o a wheelchair, & the family had to pay for the ticket to get Bardell home. He died 9 days later. In the 14-page order, in unusually agonized & aggrieved language, the judge accused the BOP of being "indifferent to the human dignity of an inmate in its care." "Frederick Marvin Bardell was a convicted child pornographer," Judge Dalton wrote. "He was also a human being."

Commonwealth vs. Roderick, No. SJC-13212 (MA 2022): This case requires the MA Sup Jud Ct to determine whether GPS monitoring as a condition of probation is constitutional as applied to the defendant, a first-time offender convicted of rape. MA asserts that GPS monitoring will further its interests in enforcing the court-ordered exclusion zone surrounding the victim's home, deterring the defendant from engaging in criminal activity, & assisting authorities in investigating any future criminal activity by the defendant. Court concluded that MA has not established how the imposition of GPS monitoring in this case would further its interest in enforcing the exclusion zone. Although MA has demonstrated that GPS monitoring might aid in deterring & investigating possible future criminal activity by the defendant, in the circumstances here, those interests alone do not justify the depth of the intrusion into the defendant's privacy that GPS monitoring entails. Accordingly, the imposition of GPS monitoring on the defendant as a condition of probation would constitute an unreasonable search in violation of art. 14.

Doe, SORB No. 22188 v. Sex Offender Registry Board, No. AC 21-P-584 (MA App Ct, 10/4/22): John Doe, appeals from a Superior Court judgment affirming his final classification by the SORB as a Lvl2 offender. See GL.c.6, §178K(2)(b). The hearing examiner relied on a regulatory factor (repetitive & compulsive behavior) that SORB agrees is invalid as applied here, & the only questions before us are whether Doe's substantial rights may have been prejudiced by this error & how to make that determination. In considering how to determine whether Doe's substantial rights may have been prejudiced, we conclude that the proper question is whether the error may have affected the classification. As the error here may have affected the classification, we vacate the judgment & remand to SORB for

further proceedings.

In the Matter of the Bar Application of Zachary Leroy Stevens, No. 201,997-8 (WA Sup Ct, 11/4/22): 5-4 ruling allows Stevens to practice law despite being on the registry. In 2018, this court held that “for purposes of bar admission, a moral character inquiry is determined on an individualized basis,” & that “there is no categorical exclusion of an applicant who has a criminal or substance abuse history.” *In re Bar Application of Simmons*, 190 Wn.2d 374, 378, 414 P.3d 1111 (2018)...“Stevens’ most serious offenses occurred when he was a teenager. As an adult, he has abstained from engaging in any unlawful conduct since 2013. In that time, he has graduated from college & law school, he has been steadily employed, & he has developed a supportive network of friends & family. It is apparent from the record that Stevens has taken responsibility for his prior misconduct & shows remorse. We therefore hold that despite his past wrongdoing, Stevens has met his burden of showing that he is currently a person ‘of good moral character’ who ‘possesses the requisite fitness to practice law.’”

Lake Naomi Club, Inc. et al v Rosado et al, No. 1164 C.D. 2021 (PA App. Ct 10/28/2022): PA App Ct ruled a private housing development does not have the right to entirely ban registered RCs from living within their community. Court ruled that a prior ruling that state law (which doesn’t authorize residency restrictions) preempt municipalities & counties laws, & a private community cannot impose more restrictive standards than local authorities.

Does v Swearingen, No. 21-10644 (11th Cir 2022): In partially overturning a dismissal for a registration at the Dist Ct level due to FL’s 4 yr statutes of limitation, 11th Cir ruled that ongoing registration is a "continuing violation" doctrine that overrides the statute of limitations.

State v. McMahon, No. 54,740-KA (La. Ct. App. 2022): Held La. R.S. 14:91.5, which prohibits the use of social networking sites by select categories of required registrants, is narrowly tailored and does not violate 1st Amdt rights.

“NO SOs ALLOWED”

Back in 2008, I went to a museum in Cincinnati; the museum was allowing a one-day waiver for exhibits, so I thought it would be a nice diversion for the evening. But not long after I arrived, I got the old cliché of “I’m being watched.” A security guard was following me. Eventually I confronted the guard about it; he confirmed he was following me. He said I could stay but only if with him as an escort. I left on principle. I complained to the museum management but it I never received a response.

Even after 16+ years of anti-registry activism, I still continue to find new ways RCs face discrimination. My intent is not to make you paranoid. You may never experience this in your life. But, if it does happen, it is an embarrassing & potentially dangerous situation. There are many circumstances in which most people could figure out a person on the registry should not go at least on principal (such as a Chuck E. Cheese’s) not because you’re a threat to kids but because people believe you are. On the other hand, as an anti-registry activist, I fight for all of us to be treated no differently than anyone else. Still, I’m mindful of certain events and locations and avoid them so that I may not be seen as engaging in any potentially illicit activities.

But also consider that our culture has changed. The generation that grew up on home video and computer games, anime/manga, Dungeons & Dragons, and trading card games like Magic: The Gathering (MTG), YuGiOh, and Pokemon are all grown up. Things once seen as “nerd stuff” are now shared interests for people of all ages and no longer taboo for adults to buy, collect, or play with any of these aforementioned items. And right on cue, RCs are facing discrimination when trying to share their love of “nerd culture” with those who share similar interests.

Video Games: NY made headlines nearly a decade ago when it passed the Electronic Security and Targeting of Online Predators Act (e-STOP). As a result of what NY called “Operation: Game Over”, 3,580 accounts of New York state were “purged” or their communication privileges suspended the gaming platforms owned by Microsoft, Apple, Blizzard Entertainment, Electronic Arts, Warner Bros. and Disney Interactive Media Group. Other reports noted RCs were booted from Xbox Live. NY recently backpedaled and has limited the bans to those with specific cases & on paper. I have covered this topic in by book, but to reiterate, if you are going to have a PO after you’re released, the PO might institute a computer ban, which might extend to any device that can access the Internet (nearly every console made since 2000 can access the Internet, although older systems might no longer access the Internet safely or effectively.)

Game Tournies: Unfortunately, most card game tournaments have rules banning RCs from entering. In response to the revelation a judge for a sanctioned Magic: The Gathering (MTG) card game tournament was an RC, Wizards of the Coast banned the judge then stated the following:

“Recently, a few former judges and players had their sex offender registries posted to social media. In accordance with our policy, the majority had already had their access to Magic organized play suspended indefinitely, and are not active in the Magic community... When Wizards learns that a DCI member or a Wizards Play Network (WPN) retailer is on a sex offender registry, we take immediate action to remove them from organized play and our promotional programs. We have a zero-tolerance policy. Sex offenders have no place in the Magic community.”

MTG conduct code Sec. 15: You will not employ or otherwise engage Staff or other individuals who interact with the public on your behalf who (i) appear on a SO registry (or its international equivalent), and/or (ii) have been convicted by a court of competent jurisdiction for a violent sexual offense or a crime against children.

According to the YuGiOh tournament rules, it seems RCs could be banned from playing in their tournies as well. On page 31 of the Konami Digital Entertainment (KDE) Official KDE-E Tournament Infractions and Penalties Policy (current as of Dec. 2020), “KDE reserves the right to suspend persons from KDE’s Organised Play program for infractions not connected to a specific Sanctioned event, as long as the infraction impacts or connects to a Sanctioned event; in the past, present, or future. In these instances, Persons do not need to have been disqualified at a Sanctioned or Official event in order to warrant additional penalties from the KDE Penalty Committee. These include but are not limited to: Severe or ongoing harassment of another person; Appearing on a SO registry; Being arrested or criminally charged.”

There is no explicit ban on SOs in Pokemon, closest thing I could find is from their 2020 standards of conduct, which states, “Program members should not promote or engage in any illegal activity, or otherwise make available content that would encourage or provide instructions for any illegal activity to others. Examples include: Engaging in or glorifying drug use, sexual assault, solicitation of a minor, or information theft.” But it only discusses activity at the tournaments.

Anime or other conventions: It seems even anime conventions are becoming hostile to registrants. In a report by animenewsnetwork.com, “Vancouver BC’s Anime Revolution convention is being openly criticized online and women are sharing their stories of harassment and sexual abuse following its Anirevo Summer 2019 event on August 9-11. Attendees became concerned after they noticed two separate adult men with prior convictions relating to criminal harassment and sexual interference were spotted in attendance. Concerns culminated in a call to Vancouver police to remove one of the men from the Vancouver Convention Centre. Alleged victims shared their stories online...”

While I covered only modern card game tourneys, I imagine more traditional gaming tourneys like Bingo or Poker may also adopt similar discriminatory rules.

Other outdoor venues: The former band member of Lynard Skynard, Artemis Pyle, is on the registry. He maintains his innocence. His self-named band was set to perform at the Historic Morgantown Festival (Burke Co NC). But after an online petition acquired hundreds of signatures & numerous people were threatened by anonymous trolls, the festival forced Pyle to step down. I have covered in my book that some businesses may ban RCs from entering the premises. (In NC, RCs are banned from state fairs.)

A lot of this is being fueled by victim advocates, self-styled victims, and online vigilantes. Some want to "out" or "dox" (the practice of posting personal info online as a form of intimidation) RCs as if we don't deserve to be a part of anything. Some start online petitions or harassment groups to force RCs out of business or communities. It is easy to form an online lynch mob; I have experienced online vigilantism.

Sometimes, we're merely weaponized to attack a business. For example, an avid player of MTG named Jeremy Hambly, who hosted a YouTube channel called UnsleevedMedia, was banned from MTG tourneys because he allegedly sexually harassed a female cosplayer (a portmanteau of costume and play). In retaliation, he outed tournament players accused or convicted of sex offenses or harassment. He now runs a channel called The Quartering where he posts gaming news & right-wing commentary.

These are events that made headlines, so there may have been other events that banned RCs. If you have particular hobbies & interests, you simply might not be able to enjoy them in the way others might. You may still be able to go to a convention by keeping a low profile & not drawing undue attention to yourself. You might not get to join tournaments, but playing at home with a few friends is okay. Honestly, it is hard to boycott things especially if you like it. If you enjoy games but hate the company, just buy from a reseller. There will always be ways to enjoy a hobby, but you may have to learn new ways to enjoy it in a non-traditional manner.

EUROPEAN UNION CHANGES TRAVEL REGULATIONS

There are changes in European law that may impact future travel plans into most of continental Europe. As noted in an announcement from the EU:

"The European Parliament approved the European Travel Information & Authorisation System (ETIAS) in 2016 to improve border security & safety. ETIAS pre-screens travellers from visa-exempt countries before they enter the Schengen Area. It will be fully implemented in all Schengen nations by May 2023 & mandatory for all Schengen nations 6 months after implementation. This impacts the following nations: Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, & Sweden (& soon will include Bulgaria, Cyprus, Romania, & Croatia; Monaco, San Marino, & Vatican City are micro-states that are de facto part of the Schengen area). Iceland, Liechtenstein, & Norway are not part of this agreement as is the UK & Ireland, which both already exclude SOs from entering their respective countries.

An ETIAS authorization will be required for every American citizen traveling to Europe for short-term stays of up to 90 days. ETIAS is not a visa but will nevertheless become a mandatory requirement for eligible U.S. visitors to enter the Schengen Area including those which do not yet fully apply the Schengen acquis. Americans can apply for an ETIAS visa waiver directly online. When the application is complete, petitioners will be required to pay the processing fees. Once the application has been submitted it will be reviewed by the ETIAS security database system. If the application is approved, travelers will

receive a confirmation email with the ETIAS for Europe. If the application is denied they will receive an email with a written explanation for the refusal. With ETIAS, tourists can visit all Schengen countries for up to 90 days, for tourism or business.

Travelers with a criminal record may be concerned that their previous conviction will prevent them from obtaining the documentation necessary to enter Europe. Individuals who have broken the law should not be deterred from applying for ETIAS, in many cases, the electronic authorization will be granted.

There are a series of security questions on the ETIAS form that applicants must answer truthfully, informing the authorities of any serious criminal offenses which have resulted in a conviction over the last 10 years. These include: Terrorism (any conviction in the last 20 years), Sexual exploitation of children, Human trafficking, Drugs trafficking, Murder, & Rape. These serious offenses may result in access to Europe being denied, but each case is studied individually. Criminal records for other offenses that are not considered serious are unlikely to result in the ETIAS being denied. It is expected that ETIAS will become mandatory 6 months following its implementation in May 2023. From this point onwards, anyone from an eligible visa-waiver country will be unable to enter Europe without the permit.

U.S. citizens with a criminal record will continue to be admitted to Europe after May 2023. Given that ETIAS was developed to further diminish the threat of terrorism across the continent, only those considered to be a threat will be blocked.” See more at <https://www.etias.us/>

However, what the ETIAS website does NOT mention is that the USA (under its “Angel Watch” program) has shared registry info to INTERPOL, which is one of the key agencies feeding info to ETIAS. There is no way to predict just how that will effect travel into Europe as an RC but it seems you might find it more difficult to travel to Europe for at least the first ten years after release. It may take a while for reports to come in; the Registrant Travel Action Group (RTG) relies primarily on self-reports from traveling RCs for their travel matrix. So all I can say for now is wait & see what happens once ETIAS becomes mandatory.

On a related note, the US House overwhelmingly passed the reauthorization of the so-called “Frederick Douglass Trafficking Victims Prevention & Protection Reauthorization Act of 2022—authored by Rep. Chris Smith (R-NJ) together with Rep. Karen Bass (D-CA) in a vote of 401-20.

“Today’s legislation will also reauthorize the amazing work being done by Homeland Security’s Angel Watch Center—a project mandated by my International Megan’s Law (IML) enacted in 2016,” said Smith, Co-chair of the Human Trafficking Caucus, which he co-founded 15 years ago. “In just a few years under IML, the Angel Watch Center has made more than 19,000 notifications of planned travel by convicted SOs with more than 7,000 individuals who committed sex crimes against children denied travel, helping to reduce child sex tourism,” Smith said.

Norwegian Cruise Lines quietly instituted a new policy starting 6/1/22 banning ALL RCs from their cruises. There has not been a public notice of this, & there is an ongoing discussion about whether this is a blanket ban or whether it was the result of being listed on the FL state registry (FL’s registry is more open than most.) This was posted on the Florida Action Committee website on 7/20/22.

PREPPING

In case you haven’t been keeping up with major world events the past couple of years, the US is in crisis mode. Global warming, supply chain issues, partisan politics, hyperinflation, & the threat of nuclear war have US citizens on edge. RCs have experienced significant hardships even in the best of times. It is worth taking the time to learn prepping & survival skills because even if all these cultural crises are

overblown, RCs often face far higher levels of unemployment & homelessness, so these skills may help you survive if you experiences hardship after your release.

I'm not an expert in "prepping" or survival skills. Thankfully, there are still many books on gardening, farming, hunting/fishing, grilling, canning, camping, & even self-defense (though if you're still a prisoner, your facility may not allow self-defense books). This may the best time to start learning a few survival skills. I don't have any specific book recommendations but there are numerous prepping books on the market, & they share the same information.

Last year, I tried canning for the first time. I made salsa with tomatoes & onions bought from local farmer's markets; I grew my own Serrano peppers. I grew herbs, green onions, & peppers last year, & tried my hand at homemade hot sauce. This year, I have tomatoes, radishes, acorn squash, & a pepper plant that survived indoors from last season. I like knowing what is going in my food! Next year I might raise a couple of chickens for eggs (if they don't lay, for bug control until the fall, then for meat). None of these things are overly labor intensive. It only seems intimidating if you've never tried doing things before.

The pandemic also taught us that many jobs could be performed from home or in a self-employed environment. Can you build or fix things like furniture or cars? Can you work on computers (IT, graphical arts, or programming)? There is still a market for the handyman, but there is also an opportunity to find work from home in a changing environment. It just may take a different way to market yourself than in the past. I'm sure there are many books on this subject if you're in need of ideas.

REALPAGE INCORRECT SO DATA \$9.73M CLASS ACTION LAWSUIT SETTLEMENT

There is a real popular meme on today's Internet featuring the cartoon character Spongebob Squarepants with his hands on his hips & speaking in a mocking tone. This news should come with that meme & the caption, "But the registry is not punishment!" (or, as it would be displayed on the meme, "BuT tHe ReGiStRy Is NoT pUnIsHmEnT!") If the registry is not meant to cause harm to us, then why do people fear being wrongfully placed on it?

As reported on the website topclassactions.com:

RealPage agreed to pay over \$9.73 million to resolve claims that it violated the federal Fair Credit Reporting Act (FCRA) by allowing incorrect SOR data on tenant screening reports.

The class action lawsuit settlement benefits individuals who were subject to a RealPage report between 6/14/2017 & 3/2/2021, where the report included a record from a SOR with the record matching the report subject based on the birth date range, but where further review shows a differing birth date.

Tenants attempting to rent an apartment or house may have their background screened during the application process through RealPage. However, RealPage may violate federal reporting laws by including incorrect information on tenant background checks.

A 2019 class action lawsuit claims the company includes information from SORs on certain background checks despite these reports not being associated with the report subject.

The plaintiff says he was attempting to rent an apartment NJ when a rental company ordered a background report on him from RealPage. RealPage allegedly portrayed the plaintiff as an RSO in IN, despite this report belonging to an entirely different person sharing the same name. This inaccurate report cost the plaintiff the apartment he wanted to lease, the class action lawsuit contends.

According to the plaintiff, the inaccurate reporting would not have happened if RealPage did its due diligence & looked into the record further. The record included on his background report allegedly contains a different middle name, date of birth & physical description. The plaintiff claims he was able to debunk this report in mere minutes.

The background check class action lawsuit claims RealPage's conduct violates the FCRA. RealPage maintains its policies are lawful & argues that full birth dates are not available to the public through many state's SORs. The company agreed to pay more than \$9.73 million to resolve the FCRA class action lawsuit.

FEDERAL SUPERVISED RELEASE MANDATORY RANGES

Q: I have a friend that is a federal inmate that is housed in my unit he received a 96 month fed sentence & was given 10 year supervised release. From Inmate.com people have stated that inmates cannot get anything above 5 years supervision upon release. Can you shed any light on this subject for me? Are there any cases siting this or against this?

A: The short answer is certain offenses (mainly offenses against minors) are subject to a mandatory minimum supervised release period of 5 years & can last up to lifetime. Source: "Supervised Release (Parole): An Overview of Federal Law" by the Congressional Research Service, Updated September 28, 2021. (Link: <https://sgp.fas.org/crs/misc/RL31653.pdf>)

Regarding duration of federal parole, "18 USC §3583(b) sets the authorized duration for a term of supervised release, subject to exceptions for certain drug, terrorism, & sex offenses... Similar mandatory minimum terms of supervised release apply in the case of kidnaping a child & certain sex offenses In those instances, the mandatory minimum is five years, regardless of the triggering offense or the defendant's criminal record." The maximum supervision period is lifetime.

See 18 U.S.C. §3583(k) ("Notwithstanding subsection (b), the authorized term of supervised release for any offense under section 1201 [relating to kidnapping] involving a minor victim, & for any offense under section 1591 [relating to commercial sex trafficking], 1594(c) [relating to attempts or conspiracies to engage in commercial sex trafficking], 2241 [relating to aggravated sexual abuse], 2242 [relating to sexual abuse], 2243 [relating to sexual abuse of a minor or ward], 2244 [relating to abusive sexual contact], 2245 [relating to sexual abuse offenses resulting in death], 2250 [relating to failure to register as a sex offender], 2251 [relating to sexual exploitation of children], 2251A [relating to selling or buying children], 2252 [relating to material involving sexual exploitation of minors], 2252A [relating to child pornography], 2260 [relating to production of child pornography abroad], 2421 [relating to interstate transportation for unlawful sexual purposes], 2422 [relating to coercive interstate travel for unlawful sexual purposes], 2423 [relating to transportation of minors for unlawful sexual purposes], or 2425 [relating to use of interstate facilities to transmit information about a minor], is any term of years not less than 5, or life."). The Supreme Court in *Haymond* held unconstitutional another portion of §3583(k), which purports to authorize a mandatory minimum term of imprisonment upon revocation of supervised release based on a judge's finding by a preponderance of the evidence. *US v. Haymond*, 139 S. Ct. 2369, 2373 (2019) (plurality opinion); *id.* at 2386 (Breyer, J., concurring in the judgment). See also *US v. Arbaugh*, 951 F.3d 167, 171 (4th Cir. 2020).

On the upside, "The court may terminate a defendant's term of supervised release at any time after the defendant has served a year on supervised release, based on the defendant's conduct, the interests of justice, & consideration of several of the general sentencing factors."

18 USC §3583(e) (“The court may, after considering the factors set forth in §3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), & (a)(7) . . . (1) terminate a term of supervised release & discharge the defendant released at any time after the expiration of one year of supervised release, pursuant to the provisions of the Fed. Rules of Crim. Procedure relating to the modification of probation, if it is satisfied that such action is warranted by the conduct of the defendant released & the interest of justice[.]”); *US v. Johnson*, 529 US 53, 60 (2000); *US v. Cordero*, 7 F.4th 1058, 1071-72 (11th Cir. 2021); *US v. Hamilton*, 986 F.3d 4135, 422-23 (4th Cir. 2021). The sentencing factors the court must consider are: “(1) the nature & circumstances of the offense & the history & characteristics of the defendant; (2) the need for the sentence imposed— . . . (B) to afford adequate deterrence to criminal conduct; (C) to protect the public from further crimes of the defendant; & (D) to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner;...(4) the kinds of sentence & the sentencing range established for— (A) the applicable category of offense committed by the applicable category of defendant as set forth in the guidelines— (i) issued by the US Sentencing Commission (USSC) pursuant to 28 USC §994(a)(1) subject to any amendments made to such guidelines by act of Congress (regardless of whether such amendments have yet to be incorporated by the USSC into amendments issued under section 28 USC §994(p); & (ii) that, except as provided in §3742(g), are in effect on the date the defendant is sentenced; or (B) in the case of a violation of probation or supervised release, the applicable guidelines or policy statements issued by the USSC pursuant to section 28 USC §994(a)(3), taking into account any amendments made to such guidelines or policy statements by act of Congress (regardless of whether such amendments have yet to be incorporated by the USSC into amendments issued under 28 USC §994(p); (5) any pertinent policy statement— (A) issued by the USSC pursuant to 28 USC §994(a)(2), subject to any amendments made to such policy statement by act of Congress (regardless of whether such amendments have yet to be incorporated by the USSC into amendments issued under 28 USC §994(p); & (B) that, except as provided in §3742(g), is in effect on the date the defendant is sentenced[;] (6) the need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct; & (7) the need to provide restitution to any victims of the offense.”). 18 USC §3553.

“The circuits are divided over whether the court may dismiss such a petition out of hand or must explain its action.” *US v. Johnson*, 877 F.3d 993, 994–1000 (11th Cir. 2017) (per curiam) (district court must explain unless its reasons are apparent from the record); *US v. Mathis-Gardner*, 783 F.3d 1286, 1286–87 (D.C. Cir. 2015) (district court need not explain if its reasons are discernable from the record); *US v. Emmett*, 749 F.3d 817, 820 (9th Cir. 2014) (“A district court’s duty to explain its sentencing decisions must also extend to requests for early termination of supervised release.”); *id.* at 820 n.1 (“Other circuits have reached conflicting results on this issue. Compare *US v. Mosby*, 719 F.3d 925, 931(8th Cir. 2013) (requiring no explanation), with *US v. Lowe*, 632 F.3d 996, 998 (7th Cir. 2011) (holding that ‘although a court need not make explicit findings as to each of the factors, the record must reveal that the court gave consideration to the § 3553(a) factors’), & *US v. Gammarano*, 321 F.3d 311, 315–16 (2d Cir. 2003) (requiring a statement that the court has considered the statutory factors but not findings of fact).”).

NEW TWIST ON REGISTRY SCAM

As posted on ACSOL on 8/3/22, “It has been reported that false gov’t documents were used this week in a scam operation netting almost \$10,000 from a registrant. The false documents reportedly required the registrant to pay a large sum of money to avoid arrest. The false government documents included an ‘Order of Arrest’ from Riverside County that appeared to be signed by both a judge & a police sergeant. The false documents also included a document from the Office of the Governor & the CASOMB. ‘The use of false government documents is an escalation of past practices when registrants were threatened with arrest on the phone,’ stated ACSOL Executive Director Janice Bellucci. ‘In both instances, scammers preyed upon registrants by demanding money be paid to prevent a return to custody.’ In this

scam, the registrant was provided information regarding how to purchase bitcoin & then use the bitcoin to pay the scammers. It is unlikely that the registrant can successfully recoup the money that was paid.”

It is simply a new twist on the scams I’ve discussed in my book & past ICoNs. Cops won’t tell you they’re coming to arrest you, they will just find you & arrest you. Cops don’t take Gift Cards, prepaid credit cards, or BitCoin for fines. They won’t meet you in a parking lot for the payment. If you have to pay fees/fines, do so at the local courthouse or registry office in person.

RETURN OF SRA PANIC

Satanic Ritual Abuse (SRA) was a myth created in the 1980s that taught that day care centers were fronts for satanic cults that molested, murdered, & ate children; by extension, the underground network reached the highest levels of gov’t. SRA was coupled with “repressed memory syndrome,” a belief that alleged abuse victims don’t remember the trauma of the abuse because the mind just blocks it out. Both SRA & repressed memory were debunked in the 1990s but with the rise of PizzaGate & QAnon conspiracy theories, both have made a comeback. This could negatively impact public policy so it is worth noting if you’re planning on engaging in ARM activism upon release.

Elizabeth Nolan Brown. “The Satanic Panic Is Back, & It's Bipartisan.” Reason.com. 18 Aug. 2022. Accessed 18 Aug. 2022 at <https://reason.com/2022/08/18/the-satanic-panic-is-back-and-its-bipartisan/>

A new poll looking at Americans' belief in conspiracy theories finds high levels of support for loony-tunes ideas about sex, Satan, & US institutions. In addition, more than half of those surveyed believed child sex-trafficking myths.

The situation echoes fears prevalent during the 1980s/1990s, a mass hysteria that has in retrospect been dubbed the Satanic Panic. This vintage worry about ritual murders, sexual abuse inspired by devil worship, & Satanists in child care centers, the entertainment industry, & elsewhere was unfounded—but still ruined lives. (See Jesse Walker's book “The United States of Paranoia: A Conspiracy Theory.”)

For a few decades, the moral panic around these topics seemed to subside—which is not to say people didn't displace these fears into other overblown villains, such as sex trafficking cabals. Now it seems to be in full swing again, blended with ongoing panic about sex trafficking & retro myths about queer people being pedophiles & perverts.

"Accusations involving ritual sex abuse & the sexualization of children have surged into the mainstream of American politics over the past year," University of Miami political science professors Joseph E. Uscinski & Casey Klofstad note on the London School of Economics' U.S. politics & policy blog. "In particular, conservative politicians & opinion leaders have increasingly expressed concerns about Satan, Satanists, sex "grooming", & the supposed "agenda" by public schools & entertainment companies to indoctrinate children into sexualized lifestyles or to turn them gay or trans."

To gauge support for such views, Uscinski & Klofstad conducted a nationwide poll, garnering 2001 (nationally representative) respondents between 5/26/22 & 6/10/2022. They found not only high levels of nouveau Satanic Panic but also high levels of belief in conspiracy theories about child sex trafficking & Disney: 25% agree that "Satanic ritual sex abuse is widespread in this country"; 33% agreed that "members of Satanic cults secretly abuse thousands of children every year"; 26% agreed that "the Disney Corporation 'grooms' children into sexualized lifestyles"; 28% agreed that "there is a secret 'gay agenda' aimed at converting young people into gay/trans lifestyles"; 30% agreed that "elites, from government & Hollywood, are engaged in a massive child sex trafficking racket"; 60% agree that there are at least 300k

kids being sex trafficked in the US. Only 10.3% of those surveyed said there are somewhat fewer or far fewer than 300k kids being trafficked. Around 30% said they didn't know.

We've tackled this last myth at Reason a number of times. It's a statistic based on a bad study that assigned risk factors based on broad situations—like being the child of immigrants, being in foster care, or living in public housing—and then used these factors to arrive at the conclusion that 326k kids were "at risk for commercial sexual exploitation." The research never said this many kids were or would be trafficked, & even the method used to calculate risk is dubious. Nonetheless, the study is still cited frequently by people in government & law enforcement, & often morphs from children at risk of trafficking to children who are being trafficked.

The National Center for Missing & Exploited Children drew from this study & a 2002 Justice Department study (the National Incidence Studies of Missing, Abducted, Runaway & Thrownaway Children, or NISMART) to suggest that the number actually being trafficked is 100k.

Years ago, Washington Post fact checker Glenn Kessler did a thorough debunking of both myths. Kessler notes that the NISMART survey "showed nearly 1.7 million kids had a runaway episode a year," but "only 1700 kids — less than one % — reported having engaged in sexual activity in exchange for money, drugs, food, or shelter during the episode."

Bipartisan lunacy: Many have blamed former President Donald Trump & other Repubs for myths about sex trafficking, given the right-wing bent of believers in the sex-trafficking panic that is QAnon. But myths & misinformation about sex trafficking have been spread for decades by both Repubs & Dems.

& if Uscinski & Klofstad's poll is accurate, both Repubs & Dems are strong believers in child sex-trafficking myths as well as Satanic Panic hoopla. In the poll, Repubs were more likely to agree that Disney is "grooming" children & that there's a secret "gay agenda." But Dems were as or more likely to believe other conspiracy theories. For instance, on the question of whether Satanic ritual sex abuse is widespread, 29 % of Dems & 26 % of Repubs said yes. 32% of both Repubs & Dems said Hollywood & government elites are sex-trafficking children, & 61 % of Dems & 63 % of Repubs agreed that 300k or more children are being trafficked in the US.

Surveys like this one get at why curbing misinformation on social media—something politicians are constantly harping on tech companies to do—is so difficult. Wild myths are not merely fringe beliefs in many cases. They're shared by a number of Americans and, all too often, rooted in rhetoric from mainstream politicians.

PROTEST AGAINST CIVIL COMMITMENT IN AUSTIN TX 9/13/22

Two dozen protesters rallied in front of the Texas State Capitol on Tue 9/13/22 to protest the Texas civil commitment program. The program was created by the group "Families Against Committing Texans Standup" (FACTS), & members of Texas Voices & OnceFallen attended in person. Members of TX-FACTS & TX-Voices entered the capitol & visited legislative office & the TX State Auditor, meeting directly with the Auditor & two state reps. The TX Civil Commitment Office (TCCO) is asking for \$40m, double the amount of previous years, which has some legislators concerned. Outside, members passed out fliers to visitors. Entire families had taken part in the event; even children of the participants held signs & passed out fliers explaining why we oppose civil commitment. This peaceful protest helped to spread awareness of the civil commitment controversy in TX. OnceFallen contributed to the event by participating in the event, promoting it on social media, & giving a speech on the history of the program. You can read the full 50-page report on the history & ongoing problems in the Texas civil commitment program at:

<https://oncefallen.com/wp-content/uploads/2022/09/History-of-the-Texas-Civil-Commitment-Program-July2022.pdf>

SOCIETAL GROOMING - by David W. McDaniel

For decades, American society has been covertly sexualizing every aspect of childhood while at the same time overtly condemning - even demonizing the one who would wrongly act upon or even notice the paradigm shift in the sexuality & non-age-appropriate behavior of our youth.

We are actually breeding offenders by the very actions we take regarding our children, most of which is being promoted to our youth by mainstream media. Such subtle sexualization of our youth is in reality "societal grooming" & is no different than what an offender might do (not that we are condoning any form of sexual abuse against anyone, & especially not against our children).

With each passing year, the hypersexualization of our own children becomes more & more common place, acceptable, & even considered to be normal, giving ground to the sexual exploitation of our youth, stripping our children of their innocence & contributing to the explosion in the multi-billion dollar global sex trafficking industry which is fed by the ultra-rich such as the late Mr. Epstein, a man with rich & powerful "clients".

We must act to ensure the placement of effective safeguards such as educational programs & treatment initiatives rather than the draconian sex offender management protocols now in place such as SORNA, Civil Commitment, & Supervised Release. All of these efforts fail miserably in achieving their stated objectives of lowering recidivism & reducing or eliminating the number of victims of sexual offenses.

All the while, such counterproductive measures continue to undermine the Constitutional Rights & Civil Liberties of nearly one million American Registered Citizens, succeeding only in the manufacture of quasi-criminals to help feed the "Great American Prison Industrial Complex", itself being a multi-billion dollar annual business. In a 'slow year,' the Federal Bureau of Prisons UNICOR facilities alone earned a hefty \$11B in 2021.

We must open our eyes & see America's societal grooming practices for exactly what they are & then we must reverse course if we want to stop manufacturing new offenders due to the increase sexualization of our nation's youth.

(NOTE: In this guest post, it was reported that "Federal Bureau of Prisons UNICOR facilities alone earned a hefty \$11B in 2021." The author sent me the following correction: "For fiscal year 2021 UNICOR earned \$404.1M, which is indeed a far cry from the \$11B I quoted from CPR. However, the Ashland UNICOR plant has earned \$3.1M for the month of December with 2 weeks (or about half a month) left to go! Even a conservative projection of \$2.5M per month from ALL 80 UNICOR facilities puts earnings for 2022 at a staggering level (\$2.5M per month x 12 months x 80 facilities). While \$11B was indeed way off, the point remains the same - The BOP uses slave-wage labor to turn a multi-million dollar profit each year."

It is often difficult to get accurate numbers, especially since many government agencies made convoluted reports that are difficult to access. Prisons are still corporations, as is the registry, the prosecutors' offices, and victim advocacy. Never assume the posted numbers by an agency are always an accurate reflection of the money these organizations collect. There are plenty of shady, under-the-table deals in every government agency.)

AN INCONVENIENT TRUTH OR A REASSURING LIE?

In 2006, Clay Bennett of the Christian Science Monitor made a great political cartoon for our time depicting a movie theater showing two movies, “An Inconvenient Truth” & “A Reassuring Lie.” No one was in line for the Truth movie, while the Lie movie had a line wrapped around the block. Sometimes, I feel like Col. Jessup from A Few Good Men. Some folks simply can’t handle the truth, & that is why I end up devoting so much newsletter space to debunking the latest rumors heard through “inmate.com.” Some folks complain I’m too “negative” because I give a lot of bad news. Thankfully, many appreciate the fact I give them the truth about the Registry, even if the truth hurts.

I have spent 15 years now maintaining a free website (to you not to me) that provides facts about life on the registry. When there is good news I gladly share it, but there will always be more bad news than good news. Sometimes, no news is good news, especially as it relates to legislation. But my “job” as I see it is giving you the facts, not just whatever makes you feel good.

Last year, I wrote that we need to start thinking “outside the box.” You largely cannot change the conditions of confinement so you adapt to those conditions, and, despite the efforts of anti-registry activists, you will have to prepare adapting to life on the list because our efforts to abolish such oppressive laws have not been fully achieved. You’ll have to think about the possibility of homelessness, social ostracism, & even the possibility of vigilante violence. Many of you may get lucky & experience few, if any issues. My life is still mostly the same as a non-RC but it is the isolated incidents in my life that reminds me that I’m still an RC & have to live a different & more difficult life than others. That is why I have tried my best since the mid-2000s to offer up some of the best advice you can get to prepare for life on the list.

I was going to write on this issue before the following statement was sent to me by a longtime reader (J. from FCI Ft Dix) set to be released soon, so I’ll share what he wrote instead:

“Many SOs here keep coming to me to see if I might know some way they can ‘Get out of Registering’ & I tell them that’s basically impossible. You MUST register, no matter where you are, if you are ordered by a court to register for your offense. Then, backed into that corner, they try & ask me “Well, what state could I go to that’s the best” & I have to explain that idea changes so there really isn’t a best state. My advice to people in prison considering all this: You will drive yourself nuts planning how to thwart the Evil Empire & its agenda. When I came in other people who had been RC’s & violated explained calmly to me that my focus was too far & too vague. What was driven home was the need to get to know why you did what you did, to change what you can NOW, & to focus on what you NEED vs what is ideal. Often what is ideal is unattainable. Here are a few keys to good living as I am close to leaving:

1. Focus your Registered Life goals into slots of time Year 1, Year 5, whatever it makes sense to divide based on your overall time. What do you want to do 3 years into your Registry? What do you want to do at year 5 or so? If you have Lifetime with no leeway, what do you want to do in the next 10 years?
2. Act as if you won’t have transport or a car or money to move to another state. What resources are there in your state to make your life as a Registrant bearable? Who is your resource person? Don’t act as if your parents, friend, colleague, or church can help you with everything all at once.
3. If you can get off the Reg at a set period, DO YOUR RESEARCH into states that reciprocate or honor your state’s dereg. Not many states do this, but states like ME, VT, NM, & MD do honor people who are deregistered in other jurisdictions. This is where it may help to have a lawyer or a friend who can do research. When in doubt, Call & confirm BEFORE you plan to move your Jurisdiction.

4. Don't get swallowed up by fantasy. The Truth may hurt when it comes to what you will face on the outside, but it's far less dangerous than blindly putting faith in things that aren't real & will cause you to get in a jam with your PO.

5. Lastly, learn how to enjoy where you will end up. Find a good diner/dive bar/restaurant where you can unwind (a friend of mine who is out said this was key to his happiness), Go to local events that you are allowed to go to, take walks alone or with friends, dare to date, start a business, give to charity, work at a soup kitchen, etc. Even if all you can do is sit in your yard & enjoy the day, meditate on that. Make finding a reason to be alive & plugged in while registered a priority.”

No matter what, you are solely responsible for navigating the post-release laws. I am perhaps a navigator at best, but I am not a savior, nor are any other anti-registry activists able to solve your problems for you. Make the most of what time you have behind bars to prepare for life on the list.