

LOTL QUARTERLY 2025A

“Life on The List” (LOTL) Newsletter is a quarterly newsletter with legal news & relevant info for those forced to register upon release, or those new to life as a person forced to register. Comments & inquiries should be sent to: Derek Logue, OnceFallen.com, 2211 CR 400, Tobias NE 68453

NOTE FROM THE PUBLISHER: On 9/30/2024, Corrlinks changed the ability to send out mass emails, ending numerous newsletters including our own ICoN. This newsletter is a rebranding, as the “Co” in ICoN stood for Corrlinks. The LOTL Quarterly will be published every 3 months on the 15th day of the month (March, June, Sept., and Dec.), covering topics of the previous 3 months. Every LOTL Quarterly will be exactly 10 pages because it can fit on 5 sheets of double-sided paper so that it can be printed & mailed to most facilities in a single envelope. It will still contain legal rulings & legislative updates & articles of interest for those forced to register upon release. Our focus remains post-release issues. We will still answer letters & take article ideas & submissions from readers.

LEGAL & LEGISLATIVE NEWS

Murillo v. State, 2024 WL 4795574 (Iowa 2024): Iowa Supreme Court ruled: Though an individual seeking removal from the registry had "successfully completed" treatment (a statutory requirement for removal from the registry), his retraction of a prior admission of responsibility for the sex offense of conviction indicated (1) a continued need for treatment & (2) that he was an ongoing risk to the community. It was therefore not an abuse of discretion for the district court to deny the individual's application.

People v. Corr, 2024 NY Slip Op 3379 (N.Y. Ct. of App. 2024): NY Court of Appeals (highest NY Court) ruled the State statutory phrase “initial date of registration,” governing duration of NY registration, refers to the date when individual first registered in NY (not another state).

Miles v. Harpsteadt, 2024 WL 4345534 (D. Minn. 2024): US Dist. Court for MN granted a motion to dismiss the conditions of confinement claim of a person detained in sex offense civil commitment in the Minn. SO Program (MSOP), finding that the claim was barred by claim preclusion, & in the alternative, that the Plaintiff failed to state a claim upon which relief could be granted. In its conclusion, the Court wrote: The Court notes that it is dismissing these claims because the 8th Circuit significantly narrowed the scope of a 14th Amendment claim for confinement conditions at MSOP in the Karsjens litigation. However the Court feels compelled to note that the policymakers who have allowed MSOP to persist in its current state should not take this Order as a sign to rest on their laurels. This Court has been inundated with claims over the last decade from MSOP patients who have meticulously documented what it feels like to live in the shadow of hopelessness. Having served their time behind bars, these individuals have now been involuntarily committed to a program that many of them have slowly begun to realize is temporary in name only. They now seek to bring out of the shadows & into the light serious allegations about the state of their treatment services at the Moose Lake facility. Their pleas should no longer be ignored—a policy solution is long past due.

Sanderson v. Bailey, No. 4:23-cv-01242-JAR (E.D. Mo. 10/2/2024): A US Dist. Ct. judge found the requirement that Registered Persons post “No Candy at this Residence” signs during trick-or-treat hours (Mo. Rev. Stat. §589.426.1(3)) is compelled speech in violation of the 1st Amendment. The Court determined the sign requirement fails strict scrutiny as it is not narrowly tailored, adding that there no regulations on size, font, or location of the signs, nor does the message clarify the type of danger presented; the judge also stated the other provisions in the state law are sufficient to achieve the state’s public safety goals. The Court has permanently prevented (enjoined) the State from forcing RPs to post up the Halloween signs, though the Missouri Attorney General has vowed to appeal.

SD: A jury found Michael O. guilty in 9/2020. Investigators found more than a million images on Michael’s phone & computer hard drive in 2018. A jury decided 15 of them were CP. A different judge sentenced him to 10 years with six years suspended. According to today’s testimony the DoC unsuspended the six years because Michael refuses to admit his guilt. Without an admission, he is not allowed to undergo treatment that is part of his sentence. Defense Attorney Betsy Doyle filed the motion to reduce Michael’s sentence, telling the judge. He has “No history of serious crimes & is willing & able to participate in any treatment”. Judge Susan Sabers inherited the case & said

her job was not to retry the case but to “fashion a sentence intended by the trial court judge” who intended Michael would serve a short time in prison. In the end, Judge Sabers reduced Michael’s sentence to 5 years, which would keep him in the Mike Durfee SP until 9/2025. However, he could be released sooner for good behavior. Michael will have to register for the rest of his life when he gets out of prison.

Douglas Bienvenu, et al. v Defendant 1 & Defendant 2 #87184, c/w, *John Doe, et al., v Defendant 1 & Defendant 2* #87515, No. 2023-CC-01194 (La. 2024): On review, the Louisiana Supreme Court has determined a 2021 law that created a three-year “lookback” window for child sex abuse victims is in fact constitutional. The law gives victims of child sex abuse a limited timeframe to file civil lawsuits, regardless of when the alleged abuse occurred.

Debose v. Florida, 2024 WL 5063266 (Fla. 1st Dist. Ct. App. 2024): Court concluded that petitioner was properly designated a “sexual predator” because prior Colorado offense/conviction could be used for state SP designation. It was not dispositive that the ostensibly “similar” Florida law was narrower than the corresponding Colorado offense definition. The Court of Appeal stated that the state SP designation law “should not be read to exclude designation merely because an out-of-state law defining a sex crime can possibly be violated in a situation where a similar Florida statute might not apply. The statute does not require the prohibited sex crimes to be identical, just that they be ‘similar.’” The ruling thus differed from the position adopted by the 5th District Court of Appeal, which held that an out-of-state offense/law cannot be “similar” to a Florida offense/law if it possibly criminalizes any conduct Florida law does not. As a result, the court certified a conflict for purposes of state Supreme Court review.

Feller v. Iowa, 2024 WL 5100093 (Iowa 2024): Petitioner sought release from lifetime registration requirement. Supreme Court granted relief because lower court considered unspecified factors in denying relief, ranging from the appellant’s decision to testify by affidavit rather than personally and his courtroom demeanor to the letters and cards that the appellant sent his daughter with permission from the daughter’s mother and his parole officer. The Court noted, “The appellant’s evaluations demonstrate that he is a low risk to reoffend, he has successfully completed sex offender treatment, and he has lived in the community without issue for almost a decade since his release from prison. The district court abused its discretion by considering improper factors, and substantial evidence was not introduced that the appellant remains a threat to public safety.”

North Carolina v. Lingerfelt, 2024 WL 5131080 (N.C. App. 2024): Court upheld denial of petition to be released from state registration requirements. NC uses the offenses specified in federal SORNA and applies a “categorical” approach to decide if there is a match between the state offense and a SORNA-specified generic federal offense denying release (per tier). The court concluded that state law matched a federal offense ineligible for release. This was despite the fact that “the state offense is not fully coterminous with the pertinent federal offense.”

Crist v. State, 2025 WL 63586 (Fl. 5th Dist. Ct. App. 2025): Crist, designated a “Sexual Predator,” challenged the state law requiring that he obtain and carry a state identification card indicating in blue lettering that he was designated a “SEXUAL PREDATOR.” The court, by a 2-1 vote, holds that the designation violated the First Amendment because it constituted a form of compelled governmental speech. In so holding, the court aligned with similar holdings by the Supreme Court of Louisiana (*State v. Hill*, 341 So. 3d 539 (La. 2020) and the federal Middle District of Alabama (*Doe 1 v. Marshall*, 367 F. Supp. 3d 1310 (M.D. Ala. 2019)). Majority ends with: “Because of the importance and unsettled nature of the issue, we withhold issuance of the mandate and stay our decision, holding it in abeyance to allow for Florida Supreme Court review.”

SCOTUS: Rejected an appeal from *Bailey v. Arkansas*, 2024 Ark. 87; The AR Supreme Court upheld a search of a hotel room based on suspicion that Bailey had rented the room, which led to an arrest for selling drugs. Bailey argued that the Police did not have probable cause to believe that room 106 was his residence. The Circuit Court granted the motion to suppress, finding that the warrantless search violated the Fourth Amendment because “law enforcement officers lacked probable cause to believe that [the motel room 106] was Mr. Bailey’s ‘place of residence’ for purposes of his search waiver” and that it “is the government’s burden to show that law enforcement had proof that a residence was in fact a parolee’s ‘place of residence’ prior to making any warrantless entry. But The AR Sup Ct overturned that lower court ruling following the filing of an interlocutory appeal. The Arkansas Supreme Court ruled that police officers merely need reasonable suspicion to believe that the home is the probationer’s residence in order to conduct a search. But because police will often have reason to suspect a probationer or parolee is residing with a parent, sibling, or friend, The Rutherford Institute’s amicus brief warned that those relatives and friends will then lose their right to security in their homes. While this case did not involve a Registered Person, this

case has implications for RPs because those struggling to find housing may be suspected of Failure to Register by visiting someone too frequently, which COULD lead to a warrantless search if you're On Paper.

Commonwealth v. Roberts, 2025 WL 258755 (Penn. 2025): Holds that government in a failure to register prosecution must prove beyond a reasonable doubt that individual knew that he was required to register. (But ultimately holds that Roberts was so aware.)

State v. Clausen, 318 Neb. 375, 2025 WL 285968 (Neb. 2025): Holds that state failed to prove Clausen violated requirement that he apprise authorities of new residence: Clausen's intermittent stay at fiancé's home did not qualify as new residence. State did not prove that her home was his "temporary domicile" or "habitual living" space. The state had essentially argued that Clausen was possibly exploiting a "loophole" in the law where, under the definition of "working days" under state law could be used to stay at a place 3+ days without registering. There is a lengthy and complicated discussion of the interpretation of "working day" as used in state SORA Statutes, with the Nebraska Supreme Court concluding, "We acknowledge the possibility that the Court of Appeals was merely offering its impression that it seems counter to the purposes of SORA if someone covered by SORA could consistently stay at a location for 3-day periods without being obligated to register there. While such an observation may be of interest to the Legislature going forward, it does not license courts to ignore the current statute's use of the phrase "working days" in the definition of temporary domicile. We hold that "working days," as used in § 29-4001.01(6), refers to Mondays, Tuesdays, Wednesdays, Thursdays, and Fridays, unless one of those days is a legal holiday.)... Clausen is correct that there was no direct evidence introduced at trial as to specific days he had stayed at the Washington County residence. In fact, the testifying officer admitted that he had not investigated whether Clausen was staying at the Washington County residence "on weeknights versus weekends or holidays." Even so, the Court of Appeals found that Clausen's admission that he was staying at the Washington County residence "most nights," combined with Guerrero's testimony that he had been staying there "[o]ff and on," would have allowed a rational trier of fact to find beyond a reasonable doubt that Clausen stayed there for 3 consecutive weekdays."

Mackie v. Rouse-Weir, 2024 WL 5356124 (Mass. 2025): Holds that examiner and expert making findings in relation to "sexually dangerous person" commitment proceeding are entitled to immunity for any errors.

State of Idaho v. Smith, Docket No. 49909 (ID 2025): The case began with allegations that Smith engaged in stalking behavior involving a police dispatcher, culminating in Smith's arrest. Following his arrest, law enforcement impounded his vehicle and conducted a warrantless inventory search, during which they seized electronic devices found inside. Forensic examination of the devices yielded images of nude minors, as well as other photos of children that did not qualify as CP, according to court records. Investigators also found evidence that Smith's phone had visited a Russian website known for CP. The results of this search served as the sole basis for the State's criminal charge against Smith. The Supreme Court found that the state did not show that the decision to impound Smith's vehicle "served a community caretaking purpose," (such as being parked in a no-parking zone, obstructing traffic, or violating any parking ordinances) making the impoundment unreasonable and unconstitutional. "Critically, the inventory search — and the resulting discovery of the laptop — stemmed directly from the unconstitutional impoundment of Smith's vehicle," Meyer wrote. "Without the unlawful impoundment, the evidence would not have been obtained."

F.S. v. Missouri Department of Corrections, Division of Probation and Parole, No. SC100558 (Mo. 2025): Missouri Supreme Court unanimous rules that F.S., a female Registrant, failed to present evidence that a lifetime EM/GPS requirement is unconstitutional as applied to her. The woman sued the state Dept. of Corrections, arguing that electronic monitoring for the rest of her life violates her 4th Amendment right against unreasonable search and seizure. Her attorney also argued that women are different and much less likely to be repeat offenders.

Donaldson v. City of El Reno (2025 OK 9): Oklahoma Supreme Court, in a 5-3 decision, ruled the law prohibiting Registered Persons from within 2000 feet of a park applies retroactively to those who registered prior to the provision's 2006 enactment. The majority found the park residency requirements were part of a "civil, non-punitive regulatory scheme" and applied the intent-effects test (i.e., the "Mendoza-Martinez" test) and determined the effects of the law is not significant enough to count such restrictions as punishment.

People v. Hamilton, Cal.App.5th 423 (Cal. 2nd Dist. Ct. App. 2025): Hamilton was convicted in federal court for a CP offense, and was granted a release from registration duties after serving 10 years on the public registry. But

under CA's tier system, CP offenses register for life. The Court held that rational basis applied because SORN does not concern a cognizable fundamental right and that the state-drawn distinction was rational. This was because Hamilton was convicted of a felony conviction in federal court, and state law required registration for the felony version of his convicted offense. Furthermore, treating those convicted of a felony differently was rational. The Court also rejected Hamilton's due process argument, SORN did not implicate a cognizable liberty interest and therefore rejected the claim. Even so, the court found that Hamilton was provided with notice and opportunities to be heard regarding his tier designation. Hamilton's third claim was that the term "equivalent" was vague. The court rejected the claim, reasoning that it provided sufficient notice.

State v. Parrish, 2025 WL 450570 (W. D. Mo. Ct. App. 2025): Parrish challenged his state failure-to-register conviction. He argued that he did not knowingly fail to register, as required by law, asserting that his own research did not support the requirement. The court rejected the claim, noting that Parrish was told by state authorities of his duty to register, and the mere fact that Parrish's own research led him to believe otherwise was not material.

State v. McSwain, 2025 WL 615114 (S. Car. 2025): McSwain challenged the 25-year requirement to register on procedural and substantive due process grounds. (SC adopted a 3-tiered system in 2021.) The court rejected both claims, concluding that the new law implicated neither a fundamental right nor a suspect classification and that the new regime rationally advanced SORA's public safety interest. The court reasoned that "the tiered-registration system furthers the legislative purposes in ways the previous lifetime registration requirement did not...[T]he former lifetime registration requirement was over-inclusive because it mandated the permanent inclusion of individuals with a low risk of reoffending, thereby diluting its utility to the public and law enforcement." Furthermore, "[t]he time periods selected by the General Assembly, while lengthy, further SORA's legislative purpose, and McSwain has not established otherwise." The court also supported its conclusion by noting that a majority of states and the federal government utilize a similar system.

Bourn v. Bd. of Parole and Post-Prison Supervision, 338 Or.App.196 (Or. Ct. App. 2025): Bourn was convicted and registered in Oregon and later moved to California. He then unsuccessfully petitioned for removal from the Oregon registry. The court rejected the appeal, reasoning Bourn's move to California divested the Oregon review board of jurisdiction. The court also rejected Bourn's argument that his continued registrant status in Oregon unconstitutionally restricted his right to travel. "Oregon laws do not infringe an individual's eligibility to petition for relief from the obligation to register...in another jurisdiction, where such individual may be required to register once they have moved away from Oregon."

Donaldson v. City of El Reno, 2025 WL 382197 (Okla. 2025): Oklahoma Supreme Court rejected an ex post facto challenge from Donaldson; the residency restriction law in Oklahoma was expanded to include 2000 ft. restrictions from public parks after his conviction. The court first distinguished its prior decision in *Starkey v. Okla. Dep't of Corrections*, 305 P.3d 1004 (2013), which held that the state's amended SORN law that extended the petitioner's registration period violated state ex post facto doctrine. Here, the court reasoned, there was no such retroactive extension to the registration period. Next, the court found the new restriction non-punitive after applying the Mendoza-Martinez factors, adding that that Donaldson "was not being forced to move from his residence" because the new park-related anchor point was in effect when he bought his home many years later in 2021.

Federal Legislation Alerts: There are two federal bills targeting Registered Persons that must be watched closely:

H.R.393 - No Repeat Child S*x Offenders Act

Introduced by: Rep. Luna, Anna Paulina (R-FL-13); Cosponsors: Rep. Miller, Mary E. (R-IL-15), and Rep. Gill, Brandon (R-TX-26)

Status: (02/11/2025) Referred to House Transportation and Infrastructure, and the House Judiciary Committees

Purpose: Change the punishments under the following subsections to "punished by death or imprisoned for life": 18 USC 1591, 2241(c), 2243, 2244, 2245(a), 2251A(a), 2421(a), 2422, 2423, 2423(a), 2423(e). It makes most federal contact-based s*x offenses punishable by a minimum of life in prison or a capital offense.

*H.R.1205 - To prohibit certain s*x offenders from entering or using the services of certain emergency shelters, to authorize the Administrator of the Federal Emergency Management Agency to designate emergency shelters for such s*x offenders, and for other purposes.*

Introduced by: Rep. Mace, Nancy (R-SC-1). Cosponsors: Rep. Boebert, Lauren (R-CO-4), Rep. Weber, Randy K. Sr. (R-TX-14), Rep. Van Drew, Jefferson (R-NJ-2), and Rep. Luna, Anna Paulina (R-FL-13)

Current Status: 02/11/2025, Referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Purpose: Actual text for the bill has yet to be submitted, but the title says it all. In December 2024, Mace introduced the so-called “Safe Shelters Act of 2024,” (HR 10398), but time ran out on this bill. I suspect what is now HR 1205 will read similar to Mace’s previously introduced bill. The intent is to create a nationwide ban for Registered Persons from any kind of emergency shelter except specific buildings (including prisons and jails) as directed by FEMA or a state or local agency. If you are familiar with FloriDUH’s mistreatment of Registered Persons seeking shelter from hurricanes, then this is familiar to you. In fact, Mace patterned this bill after the laws in FloriDUH.

H.R.395 - Justice for Rape Survivors Act

Introduced by: Rep. Luna, Anna Paulina (R-FL-13); Cosponsors: Rep. Miller, Mary E. (R-IL-15), and Rep. Gill, Brandon (R-TX-26)

Current Status: 01/14/2025, Referred to the House Committee on the Judiciary

Purpose: Creates a mandatory minimum penalty for 18 USC 2241 of 30 years or life

Other bills of interest: There are also two bills called the “Tools to Address Known Exploitation by Immobilizing Technological Deepfakes on Websites and Networks Act” (a.k.a., the “TAKE IT DOWN Act”)—S. 146 and HR 633. The bill will “require covered platforms to remove nonconsensual intimate visual depictions, and for other purposes,” which includes punishment for visual pictures created for deception or sexual purposes.

There are also two bills known as the “Preventing Violence Against Women by Illegal Aliens Act”—S.158 and HR 30; the bill both bars non-US citizens from entering the US and establishes additional grounds for deportation if convicted of any sex offense (including crimes against minors) or conspiracy to commit a sex offense. The bill also expands the domestic violence crimes that make a non-U.S. national deportable to include physical or sexual abuse or a pattern of coercive behavior when it occurs within certain close relationships. While some of you may not care about immigration issues, the rhetoric used to support this bill will be used to support the other bills I have mentioned.

Please note that bills with both a House and Senate version have a far greater chance of passing, but any bill can advance at any time, and bills related to s*x offenses can often be fast-tracked through legislation once it is considered by a committee.

“THE RIGHT TO KNOW” STILL USED TO JUSTIFY GOVERNMENT BLACKLISTS

The first time I heard this phrase was in the 2004 film “The Woodsman”, a film about a person diagnosed with pedophilia. Walter (played by Kevin Bacon) is struggling to adjust to life outside of prison. In one scene, a co-worker found his registry flier online then prints it out & shares it with coworkers, leading to an attempted assault on Walter. The co-worker who passed around the fliers was confronted; she was shown as having a look of satisfaction on her face, & she smugly replied, “People have the right to know.”

I’m writing this report on 12/13/24. A few days ago, USA wrote a story with the headline, “Heartwarming story of man missing 25 years is darker. He's a registered sex offender.” A disabled, non-verbal man was reunited with family after going missing for a quarter-century. But it was discovered the man was forced to register in California. He wasn’t even picking up the disability checks he qualified for & couldn’t talk or walk when he was found. Now he’s facing FTR charges.

The following scene played out similarly to that of The Woodsman. The lead reporter, Will Carless, salivated at the chance to write this hit piece; he had posted a meme of Shaq with a naughty expression on his face while doing a little dance minutes before posting his hit piece. I was angry upon discovering this. I found his social media account & blasted him publicly for what I felt was an act of media terrorism. He was at first shocked anyone would take

offense & then attacked me for challenging him. Before blocking me on social media, he repeated the statement made by the fictional character from *The Woodsman*.

Unfortunately the effort to abolish the registry or even scale it back is challenging for a variety of reasons. People do believe they have the “right to know” about your past. It is beat into our brains from our conviction dates that it is part of our punishment. (Interestingly, SCOTUS declared in the 2003 *Smith v Doe* ruling that the registry is “not” punitive.) Even within the anti-registry activist community, nearly half (45%) believe that the SOR should merely be reformed, not abolished, implying they agree with the concept of “right to know.”

Registry proponents insist the registry has value because it warns the public of potential threats to children, yet few states have registries for other crimes that cause harm to others. Those convicted from bank robbery can live next to banks, DUI offenses don’t lead to bar bans. The registry has not been proven to have any positive impact on sex crime reduction on any level. To put frankly, the only person that can stop anyone from committing an offense is themselves.

The ongoing culture war isn’t helping the cause. Those on the political left are attacking members & supporters of the Trump administration of being felons & “s*xual predators” (even saying the White House will be listed on the SOR), while those on the political right accuse Democratic politicians and voters of being “groomers” and “p**ophiles.” Both parties, however, will continue to introduce & pass legislation targeting us, with the only difference being that some of these laws will pass within the added context of attacking the other side of the political aisle.

While it is hard to get an accurate number of Registered Persons in the US, Safe Home estimated that as of 9/2024, there are around 795k RPs in the US, 8k more than in 2023. And while the presidential election hogged all media spotlight in 2024, the media is already returning to the practice of using Predator Panic & misrepresentations of the facts to incite readers. On 1/10/25, NBC News published an article entitled “A vanishingly small number of violent sex crimes end in conviction, NBC News investigation shows,” proclaiming that only 4% of sex crime reports lead to convictions; NBC News used a pretty bad standard, however, “focus(ing) on a basic conviction rate: the total number of violent sex crimes reported to an agency & the number of people found guilty of those specific crimes.”

Don’t expect things to get any better, either. It is estimated that 130 million people tuned into and cheered the Super Bowl LIX halftime show, where a rapper claimed a rival rapper is a “pedophile” that should be on the public registry and subjected to vigilante violence. There are also many new bills across the country to expand the public registry, as is the case every year. And our evil dictator Donald Trump signed the “Protecting the American People Against Invasion” executive order in January, directing undocumented immigrants in the US to register with Homeland Security, provide fingerprints, and provide an address. Trump’s immigrant registry will create the conditions for mass roundups, and racial profiling of both citizens and noncitizens. Who is to say we aren’t next in line? It seems there is a lot for us to worry about in the coming months.

DERANGED COLORADO VIGILANTE MURDERS A REGISTERED PERSON FOR AN ACT THAT WOULD BE LEGAL IN MOST US STATES

In April 2022, Colorado woman Deka Simmons was arrested for the murder of 48-year-old Daxcimo Ceja, a Registered Person convicted of California for having relations with a 17-year-old girl when he was 25. In most states, the age of consent is 16 or 17; only 12 states, the age is 18. The victim was convicted in California, one of the 12 states where the AoC is 18. The age of consent in Colorado is 17; however, there exists in the legislation close-in-age exceptions, which allow those aged 15 and 16 to engage in acts with those less than ten years older and those less than 15 to engage in acts with those less than four years older. A 17-year-old may not, however, consent to sex with a person who is in a position of trust with respect to the person under the age of eighteen. C.R.S. 18-3-405.3

Had the victim had this relationship in Colorado, he would not have been required to register. But under Colorado law, registration was required for any offense registrable in conviction jurisdiction OR would be a registrable offense in Colorado. CRS §16-22-103(3) Thus, Daxcimo Ceja was murdered for an act that is completely legal in Colorado.

“(Simmons) has an unrestrained hatred for anyone who would molest a child,” said Prosecutor Sharon Flaherty. Flaherty described Simmons during closing arguments as a woman with an obsession over child molestation due to fears that her daughter was a victim of sex trafficking, going on to describe it as a “fixation” and “paranoia” for Simmons. Police said Simmons shot Ceja in a garage, dismembered his body, and stored it in a freezer before moving the remains in a van. Simmons later bragged about the murder. Officials linked Simmons to the murder through DNA from blood in the garage. Simmons was sentenced to life in prison.

A.I. DOES NOT OUTSHINE ACTUAL HUMAN RESEARCH

I believe I’ve brought this up in previous newsletters, but I want to stress the importance of doing your own research BUT in a proper manner. In 1884, a man named Edwin Abbott Abbott (yes his real middle and last name was Abbott) wrote a book entitled “Flatland: A Romance of Many Dimensions.” This satire is set in a two-dimensional universe where living beings are shapes; the protagonist is a living square, and in the novel he has visions of travelling to other universes. He meets a three dimensional being shaped like a sphere, but because he is a two dimensional being, he can only see the outline of the three dimensional being, and thus all the Square sees is a Circle. The Square, in turn, has a vision of traveling to a one-dimensional universe where the beings can only see him as points on a line. But the Square was persecuted and even imprisoned for trying to educate those of his own world by what he experienced.

Trying to explain post-conviction laws can feel like the experiences of the Flatlandian Square. People want simple answers but imagine trying to take a complex three dimension being like a human, and explain that concept to a Flatlandian or a one-dimensional being. This is one reason I have always disliked the “state-shopping” question. A few times over the years, folks have tried to find easy ways to find answers they seek, such as taking facts about the laws pertaining to post-release sanctions such as residency restrictions and community notification laws and making some sort of “pain scale” or “misery index.” It is easy to say which states are the worst (FloriDUH, Alabama, Oklahoma, Tennessee, Louisiana, and Missouri are easily top 6), but pointing out the “least restrictive” states is far from simple. This has not stopped a few folks from trying to simplify the process.

Recently I received an email from some who recently moved their supervision to a new state and found the new state had more restrictions. That person mentioned their parole office had some sort of ranking system. So I was asked if I was aware of any formal system; I do not have a ranking system. I believe a true scale would be difficult. My book, *Your Life on The List*, has an extensive summary of the laws of each state. But this individual wanted a handy sheet he can just look at and see which states are the “most lenient” without reading and effort, so he used Deep Seek AI, the touted AI program from China that is considered as superior to US-made AI programs, to generate a list, and he shared his results with me. But I found a few glaring errors which I’ll discuss below.

Technology is becoming more reliant on letting computers help and even do the research for them. For the sake of those who may have been locked up for a long time, since the turn of the 21st century, we’ve become more reliant on speedy access to information through the Internet. The internet search engine Google became so popular that people demanding other people do their own research may merely tell someone to “just Google it.” But in recent years, Artificial Intelligence (AI) is becoming more pervasive. Even Google now offers a “Generative AI” (which it notes as being “experimental”) at the top of a search result. When I typed “does the sex offender registry work”, the AI response was, “There is no clear evidence that sex offender registries prevent sex crimes. Some studies suggest that registries may even increase recidivism.”

So maybe it is not a total wash, but there have been times I have received a wrong answer. Someone recently asked me whether there are tenant protections as a Registered Person under South Carolina law. Google’s AI responded, “South Carolina landlords can’t use sex offender registry information to discriminate against applicants or evict current tenants, but they can consider a sex offender’s risk to the community.” To the right of the AI summary are suggested resources, but none actually covered SC tenant rights as a Registrant. Two covered registrations duties or removal from the registry; the third reference does not talk about any specific state, even adding, “The law is not as clear regarding whether a landlord may deny the application of a convicted sex offender or evict a current resident who is determined to be a convicted sex offender.” So strike one for AI.

Back to the Deep Seek AI results. The AI used the following “key factors” in their ranking scale:

- Residency Restrictions: States with no or limited restrictions rank higher.
- Registration Duration: Shorter terms or pathways for removal are preferable.
- Public Disclosure: Less public employer/address information is better.
- Fees: No or low fees reduce financial burdens.
- Travel Rules: Minimal advance notice requirements for travel.
- Classification System: Risk-based tiers (vs. offense-based) allow individualized assessments.
- ID Marking: States that avoid stigmatizing marks on IDs rank higher.

Deep Seek AI made a few fundamental errors in ranking a number of states on a scale of one to four, with four being the highest level of restriction. For example, it erroneously determined New York “does not require non-residents to register.” That is simply untrue, because NY State keeps out-of-state registrants on their registry; you may not have to register in NY State, but your information remains on their registry even after you move out of the state. NY State also has residency restrictions if you’re on supervised release. Deep Seek AI also erroneously claimed that Oregon does not have lifetime registration; Oregon has a tier system but if you are a Tier 1 or Tier 2, you still have to petition to get removed from the registry after the minimum registration period has passed, so you might still be required to register for life even as a Tier 1 if the courts deny your petition. The AI also erroneously claimed that Oregon lacks fees. It also placed Missouri only as a Level 3 when Missouri is part of the 6 worst states in the US for a Registered Person. The AI apparently did not take number of restrictions into account. To its credit, it did properly list Alabama, FloriDUH, Tennessee, and Louisiana as Level 4 states.

Of course, your experience in certain states like Ohio, Georgia, or even FloriDUH depends on your conviction date, since residency restriction laws are not retroactive. It seems that a separate scale specific to those “On Paper” is warranted; Michigan is listed as a Level 3 because of EM for parolees, for example, yet Michigan does not have any residency or proximity restrictions, which may be a bigger deal to those not subject to EM/GPS tracking.

The short answer is that there are NO easy solutions to complex answers, whether it is by AI for from actual people. I’ve spent years debunking the prisoner rumor mill as it is, and so it is with AI, as it apparently still has a long way to go as well. Just look at some recent flubs by our despotic president Trump and his crony Musk. Recently he spoke of “transgender mice” and that government websites scrubbed the Enola Gay, the famous B29 that dropped the atomic bomb over Japan in WWII; both of these gaffs were likely the result of using AI rather than actual humans.

Nothing beats using a resource like my book and fact-checking by reading the actual statutes. If you want to do research, then don’t rely on an AI program or be satisfied with “just Googling it.” Research means work; it means checking the references to confirm what is written. Read the original research! Oftentimes, the news media leaves out important facts. Read entire reports rather than basing results on headlines. Even the facts from short news stories can be misinterpreted simply because people took a single statement—usually the headline—and present that statement as gospel. We are smarter than that. There is great value with taking notes with old-fashioned pen and paper—studies are showing the overreliance on computer-generated content is making people dumber overall and less able to communicate. If you see something you want to question, write it down, collect research on it, take notes on what you are reading, and come to a conclusion based on reading multiple resources to find a consensus solution.

MAYOR MAY NOT: ANOTHER RE-ENTRY TALE OF WOE

By: Daniel K. Talburt

FCI Englewood—The months prior to release from prison are trying times because there’s always too many details that must be resolved. This is especially true for someone preparing to be on the registry, things like finding a job and a place to live. Unfortunately, we live in a society where “one and done” doesn’t exist, incarceration isn’t considered “payment in full” for our indiscretions. I’d like you to know I’ve officially joined you in your facing opposition, even before my release.

Many of you struggled or are struggling to find affordable, safe and clean housing. Some of you may have been barred from or run out of your old neighborhoods. But have you ever been barred from a whole town? In late 2024, I was.

Enter Elsie Eiler, a much celebrated darling of the Norfolk Daily News (Norfolk, NE) in October 2024 on her birthday. This seemingly grandmotherly figure, at age 91, is the final original resident of a nearly deserted ghost town in Boyd County called Monowi. She also appointed herself mayor because she's the only one left. It was reported by one source that one of her duties as mayor is to keep a listing of all available properties in Monowi, "in case someone wants to move in." Someone did. Me.

Monowi shares a post office with nearby Lynch. Armed with just her name and ZIP Code, I mailed a letter of inquiry to general delivery.

It's useful to know my parents were meticulous savers, always living well below their means. That meant when my mother died of cancer in 2017, she left me a modest inheritance, enough to maybe by somewhere to park my travel trailer. I approached her in good faith with a legal business transaction proposal in mind—what land was available and how much?

Months passed. Nothing. As is standard business practice, I sent a second letter expressing my intent and my hopes of starting a business there to bring residents back. How often does one get to save the town from extinction? Nobody wants to live where there aren't any jobs. I'd hoped to gain a grant to get rolling. I received no reply.

On the interim, I contacted the Boyd County assessor's office which graciously provided me publicly available information like a city government official should: names, addresses, phone numbers and assessed property values for each tract of the nearly 160 acre village, population one.

I'd hoped to find a quiet place to impact from incarceration and focus on my writing career. So once again, in good faith, and believing that maybe the previous letters had been undeliverable I wrote the "Mayor" at her physical address, a three lot tract where she owns and operates a bar and restaurant, after granting herself a liquor license.

On November 19, 2024, I got a reply.

I was called to the lieutenant's office and told she filed a complaint with the Boyd County Sheriff. I was told to cease all communication with her less she'd file a restraining order against me. She effectively hung a "No Vacancy" sign below the city limits sign, figuratively, only without adding the text, "Felons: Keep Out."

This should come as a slap across the faces of any returning citizens who may be her only looking for a safe place to begin the arduous journey of rebuilding respectable, law-abiding lines. Many of you may have faced or will face similar housing rejections, possibly some more ambitious than mine. This is a sure sign of how far this nation has drifted from its founding principles of "Give me your tired, your poor, your huddled masses yearning to breathe free."

Did she allow me to defend myself? Did your would-be landlords? This could be viewed as fraud for her mayoral claims, or entrapment for inviting others with claims of vacant property listings then calling her share when someone requests information. Would she have tried to have me arrested for trespassing if I walked into her bar and introduced myself?

From the cheap seats, where I am, she likely doesn't have any more right to call herself "Mayor" than I'd have declaring myself "President of my eventual neighborhood." (More like "Monowi's Dictator.") She seems to only want to do the minimum as mayor, like granting herself a liquor license or paying city taxes to herself rather than perpetuate her town's existence. No wonder nobody wants to live there! I sent a letter to the assessor thanking her for the information she gave me, telling her my reply and that I'm no longer interested in that town for Boyd County.

A recent Norfolk Daily News report said Monowi was selected as one of 15 cities to receive a memorial to school shootings like Uvalde and Columbine, a town that doesn't even have a functioning school. Is this an obvious grab for tourism to a defunct, remote location? While school shootings are wrong, Ms. Eiler obviously thinks nothing of persecuting individuals who served their punishment in prison, have taken recommended therapy (or will; I've been

on a decade long waiting list), and are looking for fresh starts. Her actions seem to say, “You can never be forgiven.”

I wonder what the organization wanting to erect this monument nobody will ever see unless they intentionally come to this bombed out village, would think if they knew the real Elsie Eiler? They probably built a monument to her too. An audit of Monowi’s books might make for interesting reading. How did she spend her taxes? –End

Author’s Note: This article makes no unsubstantiated claims while calling into question the character of a “public official” as it relates to the overall maltreatment many registrants face. This isn’t about defamation of one person. It is about casting the light of truth upon what people like her continue to get away with unscathed. We need to reveal more stories like this as it violates our civil rights. This is a reflection of my opinion, one I hope others will share. Boyd County has a tiny population (only 1810 persons). You think they’d be wild for more industry, taxes, and population growth. FOIA the Boyd County Sheriff’s Office for their incident report. You’ll likely see my business inquiry letters, too.

Note from LOTL Editor Derek W. Logue: I have been talking with a number of folks about the possibility of creating registrant-run communities. They are not without their challenges, of course. This report is from one individual who attempted to turn this vision into reality. In March 2025, Putnam County Sheriff Homer “Gator” DeLoach forced Registered Persons clustered into a trailer park, calling it a “cesspool of SOs”, adding, “Not in Putnam County and over my dead body are we ever going to let Putnam County become a sanctuary for these kinds of individuals.” There are other places in Florida and across America where Registered Persons have been forced to cluster as the result of residency restriction laws. While this is report was still a tale of woe, I still want to encourage my readers to consider what it would take to create our own registrant-run communities as one feasible solution to our ongoing homeless crisis.

BOOK REVIEW -- MOVING FORWARD: A RESOURCE GUIDE BY IAN JASO, JD

How to purchase: Published by Your PA, LLC (yourpallc.com), which also provides other research services for a fee. (email: yourpallc@gmail.com). Paperback copies of “Moving Forward” are available at Amazon (\$24.95) at:

<https://www.amazon.com/Moving-Forward-Ian-Jaso-J-D/dp/B0DG8GZJM7/>

What it contains: Part 1 of the book (pgs. 5-17) include an introduction, a brief history of the registry, a discussion on recidivism, & a brief message about positive efforts to reform the registry. The rest of the book is a summary of state regulations, covering where in the statutes the post-release registry and related laws can be found, a list of offenses requiring registration, registration requirements, community notification, residency/proximity restrictions, early termination of registration (if applicable), other state-specific info, and the contact info for the registry as well as a short list of attorneys in that state. It also contains a short list of additional resources at the back of the book.

OPINION: This is a no-frills, just the legal facts exposition. For those familiar with our own book, Your Life on The List (YLOTL), the Moving Forward book does NOT have exposition on life outside of the registry; it is solely a summary of laws you will face upon release. While some of the legal info is similar to what you may find in YLOTL, YLOTL does not provide addresses for attorneys or the registry office, nor does YLOTL provide a list of offenses requiring registration. Thus, some of you may find the additional info not already found in YLOTL useful. If all you need is a legal summary of the registry and other laws you may face upon release, you may want to purchase this book.

REMINDER: YLOTL 4th EDITION IS AVAILABLE BUT NOT AS A PHYSICAL BOOK

For those who missed any earlier announcements, due to a distributor dispute, Your Life on The List 4th Edition is only available as a PDF File through the OnceFallen.com website, and new copies of older editions are no longer available. If you have someone who can print it out for you, the link to YLOTL4 is below. It is 203 pages in total so that is a lot of printing, but the PDF version is free. Also, if you are in a facility that has tablets and access to the Fair Shake app, you can access the book through the Fair Shake Virtual Library.

<https://oncefallen.com/wp-content/uploads/2024/12/YLOTL-4th-Dec2024-ver4.1.pdf>