

## LOTL QUARTERLY 2025C (JULY-SEPT. 2025)

“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. Current & previous issues of LOTL & the former ICoN newsletters can be accessed & printed out for free at <https://oncefallen.com/icon/>

### LEGAL NEWS

*Peters v. Quackenbush*, No. 25S-PL-152 (IN Sup Ct 2025): A person no longer required to register in Indiana who later vacationed in Florida was required to register there must register for staying in that state three days or more is not required to re-register in Indiana. Florida does not impose a continuing requirement on RPs to provide Florida authorities in-person updates on their whereabouts or personal characteristics once they leave the state. The Indiana Supreme Court stated, “Because the plaintiff here is not currently required to register in another jurisdiction, we hold that he need not currently register as a sex or violent offender in Indiana.” The state high court also decided not to hear the state’s appeal of a 2024 case that ruled a person who commits a non-registrable offense crime in Indiana who moves to a state where the Indiana conviction triggers a registration requirement, is not required to register upon returning to Indiana based on the out-of-state registration obligation. (See *Marroquin v. Reagle*, 228 N.E.3d 1149 (Ind. 2024), app’l denied by IN sup Ct.). This means a person who moves out of Indiana after getting off the registry can return to Indiana & nor have to register if they move to another state & is placed back on the registry just because of their Indiana conviction.

*Clark v. State*, 567 P.3d 941 (Mont. 2025): Clark was subject to a 2005 circa SORN law, which precluded him securing relief from registration. Later, the State Supreme Court found 2007 amendments to the SORN law punitive & violative of the Ex Post Facto Clause. Clark argued that the decision effectively overruled the 2005 circa law, obliging that he be relieved from registration. The court rejected the claim, concluding that the 2005 law, which had previously been upheld against ex post facto challenge, remained in effect, thereby requiring his continued (lifetime) registration.

*Matter of Robinson*, \_\_ N.W.3d \_\_ (N.D. 2025): Robinson appealed the lower court’s refusal to grant his petition to change his last name. The North Dakota Supreme Court upholds the denial. Robinson failed to establish by clear & convincing evidence that “the request is not based upon an intent to defraud or mislead, is made in good faith, will not cause injury to an individual, & will not compromise public safety.” The court noted it was “particularly concerned” with his “extensive criminal history which includes convictions for gross sexual imposition & failing to register...” The court found there was no proper & reasonable cause to change the name & that Robinson failed to provide notice through newspaper publication as required by statute.

*Lawson v. State*, 2025 WL 1637060 (Ga. Ct. App. 2025): Held that the state erred in not properly alleging sufficient facts in indictment (that Lawson had previously been convicted of a registrable offense) to support Lawson’s conviction for failure-to-register.

*Reid v. State*, 2025 WL 1560069 (MO Ct., App. 2025): Court grants relief belief (an evidentiary hearing) because defense counsel mistakenly told Reid that his guilty plea would result in 10-year registration—not lifetime.

*In Re: Registrant S.O., et al.* (ML-04-12-0051 & ML-01-12-0048, NJ App’l Ct, 7/7/25): NJ Appellate Court ruled that judges must consider the person’s full criminal history — including violent or nonsexual crimes, substance abuse & domestic violence — when deciding whether they still pose a threat to the public, not just sexual crimes, for the purposes of potential removal from the SOR.

*State v. Crist*, No. 50737, 2025 WL 1802900 (Idaho 2025): Holds that a trial court, not only state police, can determine whether an out-of-state offense is “substantially similar” to a registrable Idaho offense.

*US v. Kokinda*, No. 22-4595, 2025 WL 2102646 (4th Cir. 2025): Kokinda, a New Jersey registrant, camped in various parts of West Virginia without registering with that state’s authorities, & was convicted of violating 28 USC 2250 (traveling interstate & knowingly failing to register). He claimed that his frequent moves among various

campgrounds negated the federal registration requirement, based on the definition of “habitually lives” & “resides,” a claim the 4th Circuit previously rejected in a 2024 decision, which deferred to the definitions contained in the SMART Guidelines, promulgated by the US Attorney General, pursuant to the comm& of SCOTUS’s Chevron decision. After the 4th Circuit’s 2024 decision, the Supreme Court decided *Loper Bright*, which overturned Chevron (& its deference requirement). In the instant appeal, the Fourth Circuit held that “[w]hile the [Guidelines] are no longer entitled to Chevron deference, they are nonetheless persuasive, & we conclude that they provide an accurate construction of the law.”

*In re Wedmore*, No. 20240303, 2025 WL 1853469 (N. Dakota 2025): Wedmore was involuntarily committed in 2007 & sought review/release in 2024, which was rejected by the trial court. On appeal, Wedmore claimed that the trial court improperly failed to make specific findings supporting its conclusion that he warranted continued commitment. The state Supreme Court agreed & remanded for further consideration.

*Crist v. State of Florida*, Case No. 5D2022-2966 (5th Ct. App. 8/15/2025): Upheld the practice of marking State ID/DLs with the derogatory phrase “Sexual Predator” on them. The court’s faulty logic for denying other recent rulings that have determined that such markings were unconstitutional because they were too harsh (but had ruled less distinctive markings would pass constitutional muster), was because “certain kinds of early American documents included personal details that the holder may have found embarrassing, may not have endorsed, or may have wished not to publicly advertise. And finally, we are aware of no national tradition recognizing a right to alter or redact these sorts of personal details, even as to documents—like passports and seamen’s protection certificates—that were carried on one’s person and presented to others.” The case involved an RP sent back prison after his PO found a smiley-face sticker covering the label on his license.

### LEGISLATION WATCH

Hawaii 2025 Act 273 authorizes the Department of Commerce & Consumer Affairs & certain licensing boards to automatically revoke & refuse to renew, restore, or reinstate the professional licenses or certification of Registered Persons. License bans can be appealed UNLESS the offense was related to the registerable offense. Licenses directly impacted in the bill: Acupuncture, Athletic Trainers, Barbering & Cosmetology, Chiropractor, Dental Hygienist, Dentist, Electrologist, Hearing Aid Dealers & Fitters, Marriage & Family Therapist, Massage Therapist, Practice of Medicine/ Surgery, Mental Health Counselor, Naturopathic Medicine, Nursing, Nurse Aide, Nursing Home Administrator, Occupational Therapy, Midwife, Dispensing Optician, Optometry, Pharmacist, Physical Therapy, Podiatrist, Psychologist, Behavior Analyst, Respiratory Therapist, Social Worker, & Speech Pathologists & Audiologists

USDOJ FY 2026 Budget Report Released: Folks hoping for DOGE cuts to the USDOJ to potentially impact sex offense legislation will be disappointed to find out that according to the USDOJ’s “FY 2026 Budget & Performance Summary”, grants for implementing the federal Adam Walsh Act was only cut from \$19 million, to \$18 million. The US Marshals Service (USMS), which organizes registry compliance checks, saw a \$7 million cut from the nearly \$4.27 billion budget, while hiring 37 new agents, so don’t expect any slowdown in the number of USMS compliance checks. The report also states the US Gov’t wastes \$1 million on the Dru Sjodin National SO Public Website (NSOPW) annually & that will continue for FY2026. The Office of Justice Programs (OJP), which includes the Office of SO Sentencing, Monitoring, Apprehending, Registering, & Tracking (the so-called “SMART Office”) faces a \$373.7 million (-15%) cut from discretionary funds, leaving \$2.1 BILLION in discretionary funds & \$2.08 BILLION in mandatory funds. It does not state, however, if any of the 79 staffing cuts or the cuts in discretionary spending is applies to the “SMART” Office.

State legislative bills that passed between June-August that are worth noting (only bills that were signed into law are featured here:

- Arizona: SB 1585 changes the definition of "Dangerous crime against children" means any of the following that is committed against a minor who is under fifteen years of age OR AGAINST A PERSON POSING AS A MINOR IF THE DEFENDANT KNEW OR HAD REASON TO KNOW THAT THE PURPORTED MINOR WAS UNDER FIFTEEN YEARS OF AGE. This allows police (& likely online vigilantes) the imprimatur to engage in entrapment operations.

- Arkansas: The city of Texarkana passed an ordinance requiring out of state RPs to pay a \$250 fee to register plus a \$250 fee to process a DNA sample, \$500 total.
- Delaware: HB 164 increases the special state ID/DL renewal fee from \$5 to \$10
- Louisiana: Act 142 (HB 111)- SVPs cannot loiter between 6am-9am or 2pm-5pm within five hundred feet of a location that is commonly used for the pickup or drop-off of children for school or a school-related activity when a child is present & the offender has reasonable grounds to believe that a child or children are awaiting pickup or drop off from school or a school-related activity.

Once fallen has completed a survey of municipal ordinances for Texas and is working on Maine and Wisconsin. You can get the survey or ordinances at: <https://oncefallen.com/local-level-ordinances/>

### **FAR-RIGHT EXTREMISTS CANCEL ANTI-REGISTRY CONFERENCE**

The National Association for Rational S\*x Offense Laws (NARSOL) has conducted an annual conference since 2008 every year in person, except in 2020 due to COVID. Most conferences never attracted much attention. There have been a few attempts to derail the conferences. The first organized attempt occurred in 2012 when online vigilantes sent false letters of concern to police & the media in Albuquerque, NM & again in 2023 when the far-right extremist group called “The Proud Boys” organized a dozen protesters to attempt to disrupt the 2023 conference in Houston, TX. (ACSOL also cancelled their conference in response to the NARSOL cancellation.)

The 2025 conference was to be held in Grand Rapids, MI, in June 2025. But the Proud Boys posted on Facebook they were planning a protest & encouraged their followers to call the hotel to threaten them. To be clear, it was the hotel that cancelled the conference, not NARSOL. Two people claiming to be members of the Proud Boys, one of them boasting of being released from federal prison after Trump pardoned the J6 insurrectionists, claimed victory & vowed to shut down NARSOL for good.

I’ve monitored online vigilante groups since 2008 & have seen a disturbing trend since Trump’s first term in office. Virtually all of the vigilante groups I had been monitoring began posting far-right extremist rhetoric, including PizzaGate & QAnon. PizzaGate was an online conspiracy created during the 2016 election that falsely claimed that people directly connected to the election campaign of Democratic presidential candidate Hillary Clinton were running secret cabal of Satan-worshipping p\*\*\*philes & cannibals out of a pizza parlor in Washington DC; it culminated with a man who entered the parlor with an AR-15 to chase out patrons in an attempt to find a non-existent basement filled with non-existent missing children. QAnon was the evolution of PizzaGate, this time adding the claim that Trump was waging a secret war against this non-existent underground network of Satanic cannibals/P-words. Of course, the accused members of this so-called “Deep State” include Democratic Party members, “Hollywood Elites,” & Jewish billionaire George Soros.

While anti-registry activists have always drawn hatred by uneducated Americans, much of the vitriol coming our way in recent years has come from people who are motivated and/or influenced by far-right extremist ideology. In 2022, Women Against Registry was attacked online by a group claiming to be a sect of the group Anonymous, but the group that attacked them routinely posts conspiracies about human trafficking, including reposting a faked news video from 2018 & passing it along as “breaking news.” This is not to say we are welcome by left-leaning groups welcome us with open arms but in my experience, right-leaning groups are more aggressive in targeting anti-registry activists.

In a related story, a biker gang calling themselves “Bikers Against Predators” staged a protest in favor of a vigilante who used registry information to track & murder a Registered Person in Indiana. They are among a number of groups that engage in online entrapment operations. Unfortunately, cops have grown more accepting of these lowlife vigilantes because they don’t have to follow the law when they set people up in entrapment operations. Virtually all of these groups are die-hard Trump supporters as well.

Not to be deterred, NARSOL has rescheduled their annual conference to the middle of October in Atlanta, GA. There will be an update to this story in the next newsletter.

**CORRUPT COP FROM NY STATE SHUTS DOWN ONLY VFW POST IN COLORADO PRISON**

The Veterans of Foreign Wars (VFW) had created Post 12226 inside of Sterling CF. It was an opportunity for veterans currently serving time to find a way to serve their communities despite their pasts. As noted on the VFW website, “The Post hopes to serve as an example for other prisons across the country, which could create a boon for VFW membership. “We are the pilot program setting the model for all future Posts formed inside any other prison around the country,” said Post Commander Tom Stewart, a Navy vet who served aboard the USS Tripoli during Operation Vigilant Warrior in the mid-1990s. The decision to grant the Post’s charter was not without controversy. “Some have a hard time seeing incarcerated people as veterans,” said Stewart, who has been incarcerated for 19 years. “We must change that paradigm. We must show we can be better than our mistakes.” (“We Can Be Better Than Our Mistakes” VFW, 8/27/24, <https://www.vfw.org/media-and-events/latest-releases/archives/2024/8/we-can-be-better-than-our-mistakes>) The VFW even ranked Post 12226 among the best in the nation; they even held successful fundraisers within prison walls.

Enter Richard Hy, a controversial & corrupt officer with the Buffalo PD. Hy, a 37-year-old detective with the Buffalo PD & an Army reservist who has completed two combat deployments. Though Hy has been banned by TikTok & blacklisted on Facebook, he runs the controversial YouTube channel Angry Cops in which he delivers military & law enforcement news through a barrage of shouted insults, crude humor, & belligerent mockery.

A report from the NY Attorney General's Law Enforcement Misconduct Investigative Office from 2024 found that Hy “engaged in a pattern of misconduct of escalating encounters with civilians, including by using physical force, discourtesy, & unprofessional conduct” & suggested that the Buffalo PD should create a plan to monitor Hy's conduct & impose consequences for any future misconduct. Hy was guilty of misconduct when he intentionally backed his patrol car into a motorcycle, knocking over the bike & the driver, the attorney general found. He was discourteous & used excessive force when, while responding to an armed robbery report, he cursed at a 14-year-old suspect, calling him “fat boy,” then shoved him & pushed him against a patrol car. & he violated the department’s professional standards when he berated then-state Supreme Court Judge Mark Grisanti, whose long-running feud with his North Buffalo neighbors had turned into a street brawl, according to the report. (See: <https://ag.ny.gov/sites/default/files/2024-12/755b-findings-r-hy-bpd.pdf>) He received a mere lecture & loss of 15 days of vacation time. Hy claims, however, that he’s lost promotions due to his controversial social media channel, & rightfully so.

In September, 2024, Hy posted a 17-minute video about Post 12226 on YouTube. “The VFW is hurting for members so bad that they’re going to prison in order to recruit veterans,” an unshaven Hy yells into the camera. “It’s not hard to be involved in a little bit of controversy when the people in the VFW post in prison are convicted murderers, rapists, & pedos!” Hy showed mug shots of Stewart & other Post 12226 members. He described their crimes. He made fun of the post’s fundraising efforts. “I don’t know how much money they’re fundraising,” Hy says in his video. “We getting an extra bag of Cheetos from the commissary & giving them to kids? ... & what community are they outreaching to? They’re literally locked up. Their community is a community of felons, murderers. What are we doing here?” Hy ended with a call to action: “If I happened to be a post commander of a VFW somewhere, I think I would raise hell & say these sycophants don’t represent me, & we don’t want them in our brotherhood.” He included a link for viewers to contact the VFW. The video got more than 250,000 views & 17,000 likes. Over 1,700 YouTube comments piled up. “The only VFW these things should belong to,” one user wrote, “is Veterans For the Woodchipper.” (Source: “Everyone Loved a Colorado Prison’s VFW Post—Until a Popular YouTuber Heard About It” 5280.com, Apr. 2025. <https://www.5280.com/everyone-loved-a-colorado-prisons-vfw-post-until-a-popular-youtuber-heard-about-it/>)

Unfortunately, this Joe Rogan wannabe succeeded in getting this pilot program shut down. Buffalo PD refuses to properly discipline a rogue cop who bullied a program in another state to help prisoners do even something small to make amends for their past actions. It seems counterintuitive to me. While his last name may be Hy, Richard’s actions are very low.

### **TRUMP EXECUTIVE ORDER TARGETS HOMELESS REGISTRANTS**

Ever since the Trump administration announced they would not be releasing the controversial Jeffrey Epstein Client List, the administration has been desperate to divert attention away from the worst kept secret in the US. (Spoiler Alert: Trump himself is on that list but those of us who are exposed to more than right wing media for the past several years knows this). One common tactic I've seen used by politicians in the past to try to divert attention from scandals of any type is to emphasize their track record of going after people accused or convicted of sex offenses.

On 7/24/2025, Trump signed an Executive Order (EO) entitled, "ENDING CRIME & DISORDER ON AMERICA'S STREETS." The entire EO is copied verbatim below. Part of this EO targets homeless Registrants as well as recommending civil commitment. In a corresponding "Fact Sheet" for the EO on the White House website, this EO is intended "to restore order to American cities & remove vagrant individuals from our streets, redirecting federal resources toward programs that tackle substance abuse & returning to the acute necessity of civil commitment." The most disturbing parts of this order, as mentioned in the fact sheet, include:

1. "The Order directs the Attorney General to reverse judicial precedents & end consent decrees that limit State & local governments' ability to commit individuals on the streets who are a risk to themselves or others." This could increase the use of civil commitment, which I presume includes indefinite detention for transient registrants for no other reason than being forced to Register.
2. "The Order requires the Attorney General to work with the Secretary of Health & Human Services, Secretary of Housing & Urban Development, & the Secretary of Transportation to prioritize grants for states & municipalities that enforce prohibitions on open illicit drug use, urban camping & loitering, & urban squatting, & track the location of s\*x offenders." Registered Persons are already required to check in more frequently if transient—monthly or weekly in most states. The EO doesn't make specific suggestions other than to "substantially implement & comply with, to the extent required, the registration & notification obligations of (SORNA), particularly in the case of Registered (Persons) with no fixed address, including by adequately mapping & checking the location of homeless" Registrants. My concern with this section is increased harassment by law enforcement & even the use of GPS/"ankle monitors" to achieve this goal. Those who actually held out hope that Trump would oppose the registry should give up that hope as this EO is a reinforcement of SORNA.
3. "The Order stops (RP)s who receive homelessness assistance from being housed with children, & allows programs to exclusively house women & children." Generally, Registered Persons already cannot get most types of housing assistance. Those who are forced to register for life can't get federal Section 8 or HUD assistance. However, this might be also a reference to the bill introduced earlier this year by South Carolina's Republican Representative Nancy Mace, entitled 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, & for other purposes. Mace was inspired by certain counties in the state of Florida that prohibits Registered Persons from staying in emergency shelters with non-registrants; often, Registrants must shelter in segregated shelters or local jails/prisons.

Registered Persons are losing more rights than ever under this EO. Now, being homeless puts your very freedom in jeopardy.

EO: By the authority vested in me as President by the Constitution & the laws of the United States of America, it is hereby ordered:

**Section 1. Purpose & Policy.** Endemic vagrancy, disorderly behavior, sudden confrontations, & violent attacks have made our cities unsafe. The number of individuals living on the streets in the United States on a single night during the last year of the previous administration — 274,224 — was the highest ever recorded. The overwhelming majority of these individuals are addicted to drugs, have a mental health condition, or both. Nearly two-thirds of homeless individuals report having regularly used hard drugs like methamphetamines, cocaine, or opioids in their lifetimes. An equally large share of homeless individuals reported suffering from mental health conditions. The Federal Government & the States have spent tens of billions of dollars on failed programs that address homelessness but not its root causes, leaving other citizens vulnerable to public safety threats.

Shifting homeless individuals into long-term institutional settings for humane treatment through the appropriate use of civil commitment will restore public order. Surrendering our cities & citizens to disorder & fear is neither compassionate to the homeless nor other citizens. My Administration will take a new approach focused on protecting public safety.

Sec. 2. Restoring Civil Commitment.

(a) The Attorney General, in consultation with the Secretary of Health & Human Services, shall take appropriate action to:

- (i) seek, in appropriate cases, the reversal of Federal or State judicial precedents & the termination of consent decrees that impede the United States' policy of encouraging civil commitment of individuals with mental illness who pose risks to themselves or the public or are living on the streets & cannot care for themselves in appropriate facilities for appropriate periods of time; and
- (ii) provide assistance to State & local governments, through technical guidance, grants, or other legally available means, for the identification, adoption, & implementation of maximally flexible civil commitment, institutional treatment, & "step-down" treatment standards that allow for the appropriate commitment & treatment of individuals with mental illness who pose a danger to others or are living on the streets & cannot care for themselves.

Sec. 3. Fighting Vagrancy on America's Streets.

(a) The Attorney General, the Secretary of Health & Human Services, the Secretary of Housing & Urban Development, & the Secretary of Transportation shall take immediate steps to assess their discretionary grant programs & determine whether priority for those grants may be given to grantees in States & municipalities that actively meet the below criteria, to the maximum extent permitted by law:

- (i) Enforce prohibitions on open illicit drug use;
- (ii) Enforce prohibitions on urban camping & loitering;
- (iii) Enforce prohibitions on urban squatting;
- (iv) Enforce, & where necessary, adopt, standards that address individuals who are a danger to themselves or others & suffer from serious mental illness or substance use disorder, or who are living on the streets & cannot care for themselves, through assisted outpatient treatment or by moving them into treatment centers or other appropriate facilities via civil commitment or other available means, to the maximum extent permitted by law; or
- (v) Substantially implement & comply with, to the extent required, the registration & notification obligations of the SO Registry & Notification Act, particularly in the case of registered (person)s with no fixed address, including by adequately mapping & checking the location of homeless (RP)s.

(b) The Attorney General shall:

- (i) ensure that homeless individuals arrested for Federal crimes are evaluated, consistent with 18 U.S.C. 4248, to determine whether they are sexually dangerous persons & certified accordingly for civil commitment;
- (ii) take all necessary steps to ensure the availability of funds under the Emergency Federal Law Enforcement Assistance program to support, as consistent with 34 U.S.C. 50101 *et seq.*, encampment removal efforts in areas for which public safety is at risk & State & local resources are inadequate;
- (iii) assess Federal resources to determine whether they may be directed toward ensuring, to the extent permitted by law, that detainees with serious mental illness are not released into the public because of a lack of forensic bed capacity at appropriate local, State, & Federal jails or hospitals; and
- (iv) enhance requirements that prisons & residential reentry centers that are under the authority of the Attorney General or receive funding from the Attorney General require in-custody housing release plans and, to the maximum extent practicable, require individuals to comply.

Sec. 4. Redirecting Federal Resources Toward Effective Methods of Addressing Homelessness.

(a) The Secretary of Health & Human Services shall take appropriate action to:

- (i) ensure that discretionary grants issued by the Substance Abuse & Mental Health Services Administration for substance use disorder prevention, treatment, & recovery fund evidence-based programs & do not fund programs that fail to achieve adequate outcomes, including so-called “harm reduction” or “safe consumption” efforts that only facilitate illegal drug use & its attendant harm;
- (ii) provide technical assistance to assisted outpatient treatment programs for individuals with serious mental illness or addiction during & after the civil commitment process focused on shifting such individuals off of the streets & public programs & into private housing & support networks; and
- (iii) ensure that Federal funds for Federally Qualified Health Centers & Certified Community Behavioral Health Clinics reduce rather than promote homelessness by supporting, to the maximum extent permitted by law, comprehensive services for individuals with serious mental illness & substance use disorder, including crisis intervention services.

(b) The Attorney General shall prioritize available funding to support the expansion of drug courts & mental health courts for individuals for which such diversion serves public safety.

Sec. 5. Increasing Accountability & Safety in America’s Homelessness Programs.

(a) The Secretary of Health & Human Services & the Secretary of Housing & Urban Development shall take appropriate actions to increase accountability in their provision of, & grants awarded for, homelessness assistance & transitional living programs. These actions shall include, to the extent permitted by law, ending support for “housing first” policies that deprioritize accountability & fail to promote treatment, recovery, & self-sufficiency; increasing competition among grantees through broadening the applicant pool; & holding grantees to higher standards of effectiveness in reducing homelessness & increasing public safety.

(b) The Secretary of Housing & Urban Development shall, as appropriate, take steps to require recipients of Federal housing & homelessness assistance to increase requirements that persons participating in the recipients’ programs who suffer from substance use disorder or serious mental illness use substance abuse treatment or mental health services as a condition of participation.

(c) With respect to recipients of Federal housing & homelessness assistance that operate drug injection sites or “safe consumption sites,” knowingly distribute drug paraphernalia, or permit the use or distribution of illicit drugs on property under their control:

- (i) The Attorney General shall review whether such recipients are in violation of Federal law, including 21 U.S.C. 856, & bring civil or criminal actions in appropriate cases; and
- (ii) The Secretary of Housing & Urban Development, in coordination with the Attorney General, shall review whether such recipients are in violation of the terms of the programs pursuant to which they receive Federal housing & homelessness assistance & freeze their assistance as appropriate.

(d) The Secretary of Housing & Urban Development shall take appropriate measures & revise regulations as necessary to allow, where permissible under applicable law, federally funded programs to exclusively house women & children & to stop (RP)s who receive homelessness assistance through such programs from being housed with unrelated children.

(e) The Secretary of Housing & Urban Development, in consultation with the Attorney General & the Secretary of Health & Human Services, shall, as appropriate & to the extent permitted by law:

- (i) allow or require the recipients of Federal funding for homelessness assistance to collect health-related information that the Secretary of Housing & Urban Development identifies as necessary to the effective & efficient operation of the funding program from all persons to whom such assistance is provided; and
- (ii) require those funding recipients to share such data with law enforcement authorities in circumstances permitted by law & to use the collected health data to provide appropriate medical care to individuals with mental health diagnoses or to connect individuals to public health resources.

## Sec. 6. General Provisions.

- (a) Nothing in this order shall be construed to impair or otherwise affect:
- (i) the authority granted by law to an executive department or agency, or the head thereof; or
  - (ii) the functions of the Director of the Office of Management & Budget relating to budgetary, administrative, or legislative proposals.
- (b) This order shall be implemented consistent with applicable law & subject to the availability of appropriations.
- (c) This order is not intended to, & does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.
- (d) The costs for publication of this order shall be borne by the Department of Housing & Urban Development.

### **PASTOR IN ALABAMA ARRESTED FOR STANDING UP FOR VOLUNTEER WHO WAS A RP**

(Source: Michael Peabody. Pastor Robert Wagley's Arrest: the Legal Questions. Adventist Today. 8/19/25 Online: <https://atoday.org/pastor-robert-wagleys-arrest-analyzing-the-legal-questions/>)

On 8/14/2025, Mobile Co. AL deputies arrested Pastor Robert Michael Wagley of the St. Elmo Seventh-day Adventist Church on three counts of intimidating a witness. According to jail records and witness accounts, several church members who had assisted law enforcement in a separate criminal investigation were subsequently stripped of their church duties and escorted off the property. The sheriff's office alleges these actions were meant to punish cooperation with authorities. Pastor Wagley has not been convicted of any crime, and under US law, all defendants are presumed innocent unless and until proven guilty in a court of law. Details of the case are still emerging, and further developments may clarify or alter the current understanding of events.

The arrest is an uncommon example of witness intimidation charges emerging from a church dispute. Alabama law does not require threats or violence to support such a charge; retaliatory conduct that results in the loss of status or benefits for cooperating with law enforcement can be enough. Investigators believe that is what occurred in St. Elmo, and they now aim to prove that the internal removals were not doctrinal decisions, but calculated retaliation.

The problem: The investigation that led to the controversy began weeks earlier, on June 30, when deputies arrested JP, a registered person previously convicted in Michigan for second-degree criminal sexual conduct involving a child under 13. Penrod was charged with violating Alabama's SOR requirements by volunteering at the church in the presence of minors without providing the necessary legal notice. The church denied he had unsupervised access to children and issued a public statement affirming cooperation with law enforcement.

Under Ala. Code § 13A-10-123, a person commits the crime of intimidating a witness if they threaten, coerce, or retaliate against someone for cooperating in a criminal investigation. While often associated with violent or overtly aggressive acts, the law encompasses non-violent actions that result in adverse consequences tied to cooperation. In this case, no reports of physical threats or harm have surfaced. Instead, the allegations revolve around members being demoted, removed from responsibilities, or physically escorted out after working with authorities.

The case also touches on the Alabama Religious Freedom Amendment, which requires the state to demonstrate a compelling interest when burdening religious exercise. Pastors and church leaders sometimes invoke this protection in disputes involving membership or discipline. But courts have consistently ruled that neither the Free Exercise Clause nor similar state provisions can shield criminal conduct. The state's interest in preventing witness retaliation is considered one of the strongest interests in constitutional law.

Exceedingly rare: What makes the Wagley case especially unusual is the setting and the charge. Criminal prosecutions for witness intimidation within churches are exceedingly rare. Church leaders frequently remove individuals from roles for doctrinal or personal reasons, and the law generally defers to those internal decisions. However, when motive shifts from religious governance to retaliation for assisting in a criminal case, the conduct enters a legal category subject to prosecution.



The case now hinges on intent. If the court finds that Wagley acted not out of religious conviction but to penalize members for cooperating with law enforcement, the witness intimidation charges could stand. If the removals were instead rooted in church discipline or unrelated issues, the defense may argue they fall under protected religious governance.

Because the allegations involve church leadership, criminal law, and First Amendment protections, legal experts are watching the case closely. It raises the question: when does internal discipline within a religious body cross the line into unlawful coercion? Pastor Wagley was initially taken into custody pending a preliminary hearing. No court date has been announced, and prosecutors have not confirmed whether additional charges or witnesses will be added to the case.

**Policies & safeguards:** This case raises a broader concern that goes beyond legal arguments: situations like this should not arise in the first place. Churches and other religious institutions have the ability—and responsibility—to implement clear, transparent policies governing the treatment of individuals who report suspected criminal activity. When policies explicitly protect whistleblowers and require cooperation with law enforcement, it reduces the likelihood of confusion or retaliation and builds trust within the congregation. Institutional safeguards, such as third-party reporting mechanisms, written procedures for handling allegations, and internal non-retaliation rules, can help prevent misconduct while preserving the church's autonomy. Without such safeguards, even legitimate actions may be perceived as punitive, creating risk not only for the institution's legal exposure but also for its moral credibility.

**Legal analysis:** This is not your typical criminal case. Prosecuting a pastor for witness intimidation based on internal church actions raises legal and constitutional questions that courts rarely have to confront. At the heart of the matter is whether a pastor's removal of members from church roles can amount to criminal conduct when those members are also witnesses in a pending criminal investigation.

Legally, the key issue will be intent. The law does not punish churches for reorganizing leadership or disciplining members. But if those decisions are made to punish someone for cooperating with law enforcement, that crosses a line. The state doesn't need to prove that Pastor Wagley threatened violence. They only need to show that his actions were meant to discourage or punish lawful cooperation with authorities.

From a First Amendment perspective, there is no blanket immunity. The U.S. Supreme Court has repeatedly held that religious belief is protected, but religiously motivated action is not immune from generally applicable criminal laws. That means the Religious Freedom Amendment in Alabama cannot shield conduct if the prosecution proves it was intended to obstruct justice.

The defense, if it chooses to emphasize religious liberty, will need to show that the removals were doctrinal—not retaliatory. If the removals were consistent with church practice and not linked to cooperation with police, the intimidation charges may not hold. But if the state presents credible evidence of a retaliatory motive, even within a religious setting, that could be enough for a conviction under Alabama law.

This case will likely hinge not on whether Pastor Wagley had the right to discipline church members, but why he did so. If the reason was punishment for cooperating with the law, a jury may be instructed that even pastors are not above criminal accountability when it comes to protecting the justice process.

### **FLORIDA MAN MISSES REGISTRATION DATE BY ONE DAY, GETS 4 YEARS IN PRISON**

The term "Florida Man" is used online to depict dumb actions by the people in FloriDUH. However, when I stress the importance of registering on time despite how we feel about it, I am not joking. This man missed his deadline date by a single day & will not spend the next 4 years in prison because he was a day late. When it is time to register, no matter how much you hate it, don't delay, do it ASAP. Cops & prosecutors LOVE sending Registered Persons to prison. To add insult to injury, his mugshot was captioned with the same offense term used in the headline.

To be fair, there could've been many legit & not-stupid reasons why Mr. G.D. failed to report on time. Was he sick & in the hospital? Does he have dementia? Those who are transient may struggle to keep up with dates & transportation to get to certain places. But the cops & prosecutors don't care. Remember this quote from the movie

Goodfellows, “Business bad? F\*k you, pay me. Oh, you had a fire? F\*k you, pay me. Place got hit by lightning huh? F\*k you, pay me.” Thing that but replace “pay me” with “Go Register.”

(Source: “S\*P\* Sentenced to Four Years for Failing to Report”. Hernando Sun (FL). 7/14/25. <https://www.hernandosun.com/2025/07/14/sexual-predator-sentenced-to-four-years-for-failing-to-report/>)

“A convicted S\*P\* was sentenced to four years in state prison last month after failing to comply with ... reporting requirements, the Hernando Co. Sheriff’s Office announced. GD, 59, was adjudicated guilty on June 9, 2025, & sentenced to four years with the Florida Dept. of Corrections...”

The charges stem from a July 5, 2024, arrest for failure to comply with S\*P\* reporting requirements. According to the sheriff’s office, GD reported to the Hernando Co. Sheriff’s Office on July 5, 2024, for a required 30-day transient check-in. A review of the Florida S\*O\* & P\* System showed his previous check-in had occurred on June 6, 2024. At his May 2024 check-in, GD had been provided a copy of his reporting requirements, which stated he must complete his next transient check-in by June 5, 2024. Detective G. Marcacci met GD in the front lobby registration room of the sheriff’s office. During the interview, GD acknowledged he was late for the June 5 check-in. He was placed under arrest for failing to comply with sexual predator reporting requirements & transported to the Hernando Co. Detention Center, where he was held without bond.”

To emphasize the rigidity & cruelty of registration, Nebraskans Unafraid shared this story: “Nebraskans Unafraid has been made aware of the case of a person forced to register who is hospitalized & gravely ill in an intensive care unit. This person is immobilized in bed, attached to all manner of medical monitors. Friends of this person contacted the local sheriff’s office, the Nebraska State Patrol, & local police with this question: Due to this person’s medical incapacity, could some arrangement other than personally reporting to the sheriff’s office be made for him? The answer was: No exceptions — he must report in person. Nebraskans Unafraid submits that this is ludicrous & it demonstrates that the true intent of the registry is to inflict cruelty & inhumanity.”

(“Nebraska’s Inhumanity: A Call for Compassion.” Nebraskans Unafraid. 7/29/25. <https://nebraskasunafraid261630439.wordpress.com/2025/07/29/nebraskas-inhumanity-a-call-for-compassion/>)

As a Nebraska Registrant, I’m still angry that I was still forced to register in person while every other service shut down during the COVID 19 lockdowns. The local sheriff’s office is located near a major meatpacking plant that was among the first to experience an outbreak of COVID cases. The cops don’t care if you are in danger of death, they’ll still dem& you register. “Aw, you are in intensive care? F\*k you, go register. We have a worldwide pandemic? F\*k you, go register.” This is beyond asinine & cruel. Don’t take registration lightly if you want to survive in the “free world.”

### **TEXAS: REGISTERED PERSON ASSAULTED BY REGISTRATION OFFICE WORKER**

(Source: Caitlyn Rooney. “Lubbock PD employee accused of assaulting registered sex offender during check-in.” KRQE. 8/13/25. <https://www.krqe.com/news/national/lubbock-pd-employee-accused-of-assaulting-registered-sex-offender-during-check-in/>)

Daniel Diaz-Gonzalez, 42, a civilian Lubbock Police Dept. employee, was arrested and accused of assaulting an elderly person. Diaz-Gonzalez was a civilian sex registration coordinator at LPD. Herman said the assault happened in the lobby of LPD headquarters on 7/24/25. The victim was a registered (person). Herman said (RP) was at LPD for a routine check-in with Diaz-Gonzalez at the time. (RP) filed a complaint that day. Herman said the two were engaged in a verbal altercation that escalated. He also said the incident was captured on video. Court documents stated Diaz-Gonzalez was in the process of completing a Registered’ Persons annual registration when they became involved in a dispute. Court records said Diaz-Gonzalez told (RP) to leave the office, and the dispute escalated. According to court records, Diaz-Gonzalez reacted to a comment made by (RP). The two got closer to each other, court records said, and Diaz-Gonzalez pushed (RP) to the ground. RP advised he was disabled, court records stated. Court documents said (RP) complained he had bodily injury and bruising. An investigation by Metro Special Crimes began on August 5. Diaz-Gonzalez was placed on leave on August 6, and the case was later presented to the DA’s Office. A warrant was issued for Diaz-Gonzalez arrest on Wednesday. He was taken into custody at LPD headquarters without incident.