LOTL QUARTERLY 2026C (Jul.-Sep. 2026)

"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

(Note: Many legal summaries are derived from summaries from other resources, Sex Offense Litigation and Policy Resource Center at Mitchell Hamline School of Law (SOLPRC) or Florida Action Committee (FAC). Source of analysis is mentioned at the end of each entry, if applicable.)

R.L.P. v. Commonwealth, No. 2025-SC-0121-DG, 2026 WL 1108613 (Ky. 2026): Appellant was civilly committed after being deemed incompetent to stand trial for a violent crime. (While the instant case does not involve a sex offense, the civil commitment statute at issue includes sex offenses as eligible commitment predicates.) One of appellant's arguments was that the law violates due process by requiring the adjudication of an incompetent individual's guilt of a crime. The court rejected this challenge. *Relying on Kansas v. Hendricks* (US SCT 1997), the court concluded that the determination of whether the incompetent person had committed the criminal conduct only serves an evidentiary function. The court also rejected the appellant's argument that the law violates equal protection and due process by creating a more restrictive commitment only for those found incompetent to stand trial, as well as the argument that the manner in which the law was enacted did not satisfy state constitutional requirements. – (SOLPRC)

Del Toro v. State, 142 Nev. Adv. Op. 33, 2026 WL 1256355 (Nev. 2026): Del Toro was subject to 25-year registration in Nevada. Before expiration of the term, he petitioned for release from lifetime community supervision. The state opposed the petition, arguing that Del Toro failed to satisfy one of the statutory conditions for release from lifetime supervision—that he had "complied" with his 25-year registration requirement. The lower court denied his petition for release from lifetime supervision. In addressing Del Toro's challenge, the Supreme Court framed the appeal as turning on the meaning of the statutory term "complied," and held that its statutory meaning was not synonymous with "completed." The court added that the release statute as a whole aligned with this conclusion. The court summed up its holding: For purposes of meeting the release from supervision requirements, an offender need only show conformance to registration requirements through the time of petitioning…[The lifetime probation release law] does not require completion of that term for an offender to be eligible for release from lifetime supervision. The statutes are not mutually exclusive; the registration obligation persists even if an offender is released from lifetime supervision. Accordingly, an offender is eligible for release from lifetime supervision…if they have complied with statutory registration requirements up to the time of petitioning for release. Because Del Toro was denied release from lifetime supervision for the sole reason that he had not registered for 25 years, we reverse the district court's order and remand for further proceedings. – (SOLPRC)

Lane v. Arnold, No. 25A-PL-2925, 2026 WL 1191229 (Ind. Ct. App. 2026): Following his 2008 Indiana conviction, Lane was required by Indiana to register for 10 years. Before the end of that 10-year period, Lane moved to Kentucky, which required that he register in Kentucky for life, based on his Indiana conviction. Lane registered in Kentucky but later moved back to Indiana and was informed by Indiana authorities that he was subject to lifetime registration because of his incurred lifetime registration requirement in Kentucky. Before addressing the merits of Lane's claim the court reviewed the state supreme court's prior decision in *Peters v. Quakenbush*, 260 N.E.3d 919 (Ind. 2025), which considered whether a registrant who originally had a 10-year registration requirement was required to register for life after visiting Florida (requiring that he be on the Sunshine State's registry for his lifetime). Peters complied with his Florida registration requirement during his Florida visit and upon his return to Indiana was told that because he was a lifetime registrant in Florida, he was required to register for life on Indiana's registry as well. In assessing whether Peters was subject to lifetime registration in Indiana, per the Florida requirement, the Court first examined Indiana's "Jurisdiction Statue," which provides (emphasis added): "A person who is required to register as a sex or violent offender in any jurisdiction shall register for the period required by the other jurisdiction or the period described in this section, whichever is longer." The Peters Court interpreted the phrase "is required" to mean active, in-person registration, which Florida did not require (the state only requires that a visitor's registry information remain on the state website registry for their lifetime, without requiring subsequent verification/updating). In the case at bar, the Indiana Court of Appeals distinguished Peters, reasoning that Lane had an ongoing lifetime in-person registration requirement in Kentucky--unlike the one-off Florida regime Peter's experienced. Kentucky law provided that Lane "must return to the local [Kentucky] probation and parole office not less than one (1) time every two (2) years in order for a new photograph of [him] to be obtained" by Kentucky officials to keep their records up to date. Lane also argued that he was not a registrant in Kentucky anymore because he did not appear on Kentucky's public-facing registry. The court rejected the argument, noting that was still registered in Kentucky and that the Kentucky "Move Out" form informed Lane that he would be released from the Kentucky registration requirement only if his Kentucky registration obligations have "expired," which the record failed to indicate had occurred. – (SOLPRC)

Matter of Hyman, No. 2024-001781, 2026 WL 1325146 (S.C. 2026): Hyman challenged his commitment, arguing that the state's reliance on penile plethysmography test (PPG) results was improper and prejudiced the outcome. The Supreme Court agreed, following the "overwhelming majority rule" of courts by declaring that PPG lacks sufficient standardization regarding its application and the analysis of its results. The court added that even if it did consider the test proper, under Rule of Evidence 702, it would deem its results inadmissible under Rule 403 because they are incredibly intimate physiological tests that attempt to quantify a fundamentally subjective experience: sexual arousal. By measuring minute changes in penile circumference in response to stimuli, a PPG device converts a private, allegedly involuntary physiological reaction into numerical data that can be analyzed in a quasi-scientific manner. In doing so, the test clothes the results of a subjective experience in supposed scientific expertise, thereby giving those results an aura of objectivity that ordinary testimony lacks. Furthermore, the error was prejudicial because the state relied upon the PPG results heavily throughout the proceeding, referring to them as dispositive in favor of commitment. – (SOLPRC)

People of MI v. Gary J Shaver Jr, No. 167736, 2026 WL 1508553 (Mich. 2026): Gary Shaver was convicted as a juvenile in 2004. At that time, Michigan's SORA required him to report address changes within 10 days. Years later, Michigan significantly expanded SORA in 2011. The new law imposed much stricter requirements, including requiring address changes to be reported within three business days and making more information publicly available. In 2015, Shaver updated his registration to reflect a planned move, but the move fell through. As a result, his registered address was inaccurate for 19 days. He was convicted of violating the 2011 version of SORA and eventually received a lengthy prison sentence after a probation violation. In 2021, the Michigan Supreme Court decided *People v. Betts*, holding that the 2011 version of SORA was so punitive that applying it to people whose offenses occurred before 2011 violated the constitutional prohibition on ex post facto punishment. In other words, the state could not retroactively impose those harsher registration requirements on people convicted before the law changed. After Betts was decided, Shaver asked the courts to throw out his 2015 conviction because it was based on the unconstitutional 2011 SORA requirements. The Court unanimously ruled that *Betts* does apply retroactively; Betts announced a substantive constitutional rule, not merely a procedural one. The Court explained that Betts effectively prohibited a category of punishment — criminal enforcement of the 2011 SORA requirements — against a class of people whose underlying sex offense convictions occurred before the 2011 amendments. – (FAC)

Sanderson v. Hanaway, Case No. 4:23-cv-1242-JAR (ED Mo. 2016): This challenge to Missouri's law requiring RPs to post up "No Candy At This Residence" signs at their residences during Halloween had been previously declared unconstitutional by the US District Court for Eastern Missouri; the 8th Circuit affirmed the Court's declaratory judgment on the merits but vacated the statewide injunction in light of SCOTUS's intervening decision in *Trump v. CASA.* In CASA, the Supreme Court held that "universal" injunctions are not authorized under the Judiciary Act of 1789; rather, injunctions cannot be "broader than necessary to provide complete relief to each plaintiff with standing to sue." "Based on the foregoing rationales, this Court concludes that CASA only precludes nationwide injunctions on federal officials; it doesn't disturb longstanding precedent authorizing statewide injunctions on state and local officials. Adhering to the 8th Circuit's mandate, the Court finds that the scope of the original permanent." injunction appears to remain appropriate in this case." In other words, the court decided this ruling applies as originally decided upon and applies statewide.

State v. Eaker, NO. S-1-SC-40604 (Slip Opinion, New Mexico 2026): "The New Mexico Supreme Court ruled… that people convicted of certain sex crimes must serve an indeterminate parole term even if they do not serve time in state prison… Eaker pleaded no contest in 2012 to third-degree criminal sexual penetration and incest… Under a conditional discharge, no conviction is formally entered if the defendant successfully completes probation. The district court placed Eaker on five years of supervised probation but warned him that future incarceration in the case would result in a five- to 20-year sex offender parole term. Prosecutors later moved to revoke Eaker's probation, citing violations related to controlled substances, alcohol, laws or ordinances and contact with a child. The district court revoked Eaker's probation and conditional discharge in 2015, adjudicated him guilty of both offenses and sentenced him to three years of incarceration for each count. The court also imposed a five- to 20-year sex offender parole term for criminal sexual penetration and two years of parole for incest. Eaker filed a habeas petition in 2022, arguing that his sentence for criminal sexual penetration had expired before he was transferred to prison because he had received more than three years of presentence credit for time spent in county jail." It was initially granted by a district court but the state Supreme Court reinstated the parole. "The Supreme Court reversed the district court, ruling that the sex offender parole statute is "plain and unambiguous." The justices said the statute requires SO parole when a defendant is sentenced to prison for certain sex crimes, but does not require the defendant to actually serve time in prison before the parole term applies." – ("New Mexico Supreme Court says sex offender parole applies even without prison time." Organ Mtn. News (NM), 6/17/2026. https://www.organmountainnews.com/new-mexico-supreme-court-sex-offender-parole-prison-time-2026/)

Commonwealth of VA v. Richard Cox, Case #s CR25-1288, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1274, 1275 (Circuit Ct., Arlington Co. VA): Please note that this is a county level court and has no binding outside this case; however, it will likely be appealed and the case is of extreme interest to us. The Circuit Court of Arlington Co., VA, determined that Virginia's S.O. "loitering" statute as unconstitutionally vague. The Virginia law made it a felony for certain individuals on the sex offender registry to "loiter" within 100 feet of schools and child day-care facilities. While the legislature chose to criminalize "loitering," it never defined what that term actually meant. As a result, the court found that ordinary people had no way of knowing when lawful conduct crossed the line into criminal conduct. Was it illegal to stop and tie a shoe? Wait for a ride? Stand on a public sidewalk? Walk slowly through an area? The statute provided no answers. In dismissing the charges against Richard Cox, the court held that the law violated due process because it failed to provide fair notice of what conduct was prohibited and gave law enforcement officers virtually unlimited discretion to determine who was committing a crime. The court relied heavily on the United States Supreme Court's decision in City of Chicago v. Morales, which similarly struck down an anti-loitering ordinance because it left citizens guessing about what behavior was prohibited and encouraged arbitrary enforcement. – (FAC)

Hamilton et al. v. Doyle, Case 4:25-cv-00312-SH (N. Dist. OK, 06/18/2026): A federal judge has denied the State's motion to dismiss a constitutional challenge to Oklahoma's law requiring certain registrants to carry driver's licenses and identification cards stamped with the words "SEX OFFENDER." The plaintiffs argue that forcing them to display this label every time they present identification (whether at a pharmacy, doctor's office, airport, bank, or workplace) violates the First Amendment by compelling them to convey a government message they do not wish to express. It also subjects them and their families to stigma, distrust, revulsion, poor treatment. The State attempted to have the case thrown out before it could move forward. The court rejected those arguments, holding that the proper state official can be sued, that the plaintiffs have sufficiently alleged a constitutional violation, and that the case may proceed. The court also refused to strike the proposed class action allegations, leaving open the possibility that thousands of affected Oklahomans could ultimately benefit from the lawsuit. Importantly, the judge recognized the real-world impact of these branded licenses and accepted as true the plaintiffs' allegations that the label subjects them to fear, stigma, humiliation, and potential harm whenever they must show identification. This ruling DOES NOT decide whether the law is unconstitutional. But it is an important first step." It merely allows the challenge to proceed. I must note that past challenges to Oklahoma's State ID/DL marks have failed, but challenges elsewhere have been successful. – (FAC)

Wilson v. State, No. 26S-CR-197, 2026 WL 1800954 (Ind. 2026): State law requires lifetime registration of individuals deemed a "sexually violent predator." (SVP) In previous decisions, the Court held that the law survived an ex post facto challenge because it allows for--after ten years as a registrant--annual reassessment of the designation based on a determination that the petitioner no longer suffers from an impairment making them "likely to repeatedly commit a sex offense." The opportunity, prior decisions held, spared the SVP regime from being deemed "excessive" and non-punitive under the Mendoza-Martinez factors because the assessment of future threat aligned with the non-punitive regulatory purpose of public safety. The instant decision clarifies what a court is to consider for the law's requirement of "meaningful review" to be satisfied. Expert testimony is not required; rather, a court can consider matters such as lack of remorse. Applying the test, the court affirmed the lower court's determination that Wilson did not satisfy his burden that he was not "likely" to reoffend. – (SOLPRC)

Commonwealth v. Myers, No. 1372-25-3, 2026 WL 1791883 (Va. Ct. App. 2026): State law allows for involuntary commitment based on a finding that an individual has been "convicted of a s*xually violent offense" and "because of a mental abnormality or personality disorder, [the individual] finds it difficult to control his predatory behavior, which makes him likely to engage in sexually violent acts" (emphasis added). The trial court rejected the state's petition to commit Myers, reasoning that while carnal knowledge was a "sexually violent offense," it did not qualify as a "sexually violent act" because it did not involve force or violence. The court of appeals reversed, agreeing that Myers' carnal knowledge conviction was a "sexually violent offense," but concluding that "sexually violent act" need not involve force or violence, based on its evaluation of legislative purpose and statutory terms. – (SOLPRC)

Matter of Garnett, No. A25-1257, 2026 WL 1520842 (Minn. Ct. App. 2026): Garnett is a committee confined to a "secure treatment facility" of the Minnesota S*x Offender Program (MSOP). During his commitment, he previously changed his legal name. Later, he wished to change it again (back to its original form). The trial court rejected the request based on its reading of a state law that permits only one legal name change for individuals confined in a "correctional facility." The appellate court reversed, finding that the MSOP is not a "correctional facility"—it is a "secure treatment facility." – (SOLPRC)

Henry v. Sheriff of Tuscaloosa Co., Alabama, 180 F.4th 1294, 1298 (11th Cir. 2026) (en banc): Henry was federally convicted of possessing CP. Under Alabama SORN, he was therefore prohibited from living with his wife and their son, or have an overnight visit with them, for his lifetime. After recognizing that there is a fundamental constitutional substantive due process right of a parent to live with their child, the en banc panel held that the right is not forfeited because of "misconduct," including that of a criminal sexual nature. The court remanded to the circuit panel to determine whether the state prohibition satisfies strict scrutiny, based on a compelling reason and narrow tailoring. – (SOLPRC)

People v. Ellis, No. 166766, 2026 WL 2117682 (Mich. 2026): Michigan's SORA imposes registration requirements on people who are convicted of sexual offenses enumerated in the Act ("listed" offenses). While those convicted of a listed offense prior to October 1995—when the first version of SORA went into effect—are not required to register for that conviction, they are subject to registration under SORA's "recapture" provision, if they are subsequently convicted of "any other felony" on or after July 1, 2011.

Ellis was convicted of robbery and attempted rape in 1983 in Illinois. In 2022, he was convicted in Michigan of attempted unarmed robbery and the court imposed lifetime registration as a Tier III Michigan registrant, per the recapture provision. The case addressed the constitutionality of the recapture provision to the extent that it imposes registration requirements on individuals with a listed sexual offense conviction—for which they were not required to register under SORA—but were subsequently convicted of a nonsexual felony. Ellis contended that the recapture provision was unconstitutional because it imposed cruel or unusual punishment (SORA registration) for nonsexual offenses, in violation of the state constitution.

The Court first held that the conviction triggering the recapture provision was the more recent offense (the attempted unarmed robbery), not the initial offense (attempted rape). Therefore, no ex post facto challenge was at issue; only a cruel or unusual punishment challenge. Previously, the Court held in People v. Kardasz (2024) that the state's 2021 SORA amendments were punitive in nature but that the question of whether registration is cruel or unusual is case-dependent. The Court in the case at bar held that the recapture provision, as it applied to Ellis and his attempted unarmed robbery conviction, a nonsexual offense, was cruel or unusual, because it violated the state's four-part "gross disproportionality" test. This was because, inter alia, requiring lifetime registration for a non-sexual offense (attempted unarmed robbery) was unduly harsh compared to the gravity of the offense, and Ellis had not been convicted of a sexual offense in over forty years. In summary, the Court stated:

SORA registration is an excessively harsh punishment for nonsexual criminal offenses. It is disproportionate to other penalties in both Michigan and the vast majority of other jurisdictions. And it does nothing to advance the goal of rehabilitating the nonsexual criminal conduct that it punishes… We conclude that the recapture provision's imposition of SORA registration requirements is cruel or unusual punishment as applied to defendant and similarly situated individuals whose SORA registration was triggered by a later nonsexual felony. Accordingly, we hold that the imposition of SORA registration requirements on individuals convicted of a nonsexual offense who also have a pre-SORA sexual offense conviction is unconstitutional under the Michigan Constitution.

Lacey v. Arnold, No. 1:26-CV-319-HAB-ALT, 2026 WL 2178778 (N.D. Ind. 2026): In this 42 USC §1983 action, Lacey challenged on ex post facto grounds his "re-registration" as an Indiana registrant. Lacey was convicted of SORN-eligible offenses in Illinois (2006) and Indiana (2007). At the time of his release from prison, Lacey was required to register for ten years under Indiana law, and in February of 2026 Lacey was informed by Indiana authorities that he was no longer required to register in Indiana. Shortly thereafter, the Indiana Legislature amended its SORN law, requiring that he register for his lifetime, based on his Illinois conviction. The court, applying both the state and federal ex post facto provisions, granted relief on the basis of the intent-effects test of Kennedy v. Mendoza-Martinez (USSCT., 2003). Requiring Lacey to re-register, after being told that his registration term had ended, was "additionally burdensome," distinguishing his case from precedent denying ex post facto claims when a registrant's registration term was extended. – (SOLPRC)

United States v. Haff, No. 5:25-CR-42 (MTT), 2026 WL 2100475 (M.D. Georgia 2026): In 1990, Haff was convicted of a registerable offense in Wisconsin and moved to Georgia, in 2019. He registered in Georgia, as required, and complied with the state's SORN requirements from 2019 to 2025. He thereafter moved to Pennsylvania, without informing Georgia of his move, and was told by Pennsylvania authorities that he need not register (which was incorrect). In September 2025, he was indicted in the Middle District of Georgia for interstate travel without registering, based on 18 U.S.C. sec. 2250(a), which criminalizes "travel in interstate" commerce and "knowingly fail[ing] to register or update" registration information. (Haff was also charged by Georgia, in state court, for failure to notify Georgia authorities of his move. Federal prosecutors in Pennsylvania elected not to prosecute him.) The court held that the government's "failure to update" theory required proof that Haff did not notify Georgia authorities before his move to Pennsylvania. However, Haff travelled from Georgia to Pennsylvania after his alleged failure to update. (The government did not argue that Haff's travel to Pennsylvania satisfied the 2250 travel requirement.) Interpreting Carr v. United States, 560 U.S. 438 (2010), the court rejected the government's argument because the prior travel from Wisconsin to Georgia had no nexus to Haff's failure to update his Georgia registry information. "SORNA does not textually require pre-departure notification for domestic changes of residence on its own." – (SOLPRC)

State v. Jeffrey Z., 240 Conn. App. 1 (Conn. Ct. App. 2026): The defendant pled guilty to third degree sexual assault in 1996 and remained lawfully registered thereafter. After 1996, the state amended its SORN law multiple times, including requiring that registration be lifetime in duration. The defendant first challenged his lifetime registration because his 1996 guilty plea was based on his understanding that registration was for ten years. Applying Santobello (USSCT, 1971), the Court held that lifetime registration was the result of an intervening legislative change and therefore did not violate due process because it did not constitute the breaking of a prosecutorial promise. Next, the defendant argued that his 1996 conviction was not for a "sexually violent" offense and therefore should not trigger lifetime registration. The court disagreed, based on facts in the record. Finally, the court rejected the defendant's motion to restrict notification to law enforcement. The court reasoned that the law governing eligibility required that a movant have "served no jail or prison time" as a result of the predicate conviction, and that the defendant had been jailed for seven weeks during the adjudication of his case, which was contemplated to be a part of his sentence. – (SOLPRC)

Tomaso, 107 Mass. App. Ct. 44 (2026): Court reversed civil commitment judgment because experts in their reports/opinions relied upon alleged facts concerning dismissed 2002 and 2003 sexual offense charges (themselves not admitted into evidence in the jury trial).

In re Detention of Todd, No. 25-0635, 2026 WL 1970503 (Iowa Ct. App. 2026): Todd completed sex offense specific treatment and became a mentor to others while in prison. The expert who testified on Todd's behalf and the state's expert disagreed about whether Todd has a mental abnormality and whether he was more likely than not to commit a sexually violent offense if not committed. The state's expert placed significant emphasis on the fictional plots of two books that Todd wrote while incarcerated and opined that these writings undercut treatment as a protective factor. The district court agreed with the state's expert on both issues (though the district court incorrectly stated that the two experts agreed that Todd has a mental abnormality). Todd argued on appeal that there was insufficient evidence to support his commitment. The Court of Appeals disagreed and affirmed the district court's decision. – (SOLPRC)

Osborn v. State, No. SD 38870, 2026 WL 2042101 (Mo. Ct. App. 2026): The predicate offense underlying appellant's commitment was adjudicated in Oregon, where the appellant was found "guilty except for insanity." The sole issue on appeal was the argument that "guilty except for insanity" under Oregon law does not equate to being "found guilty" as required by Missouri's SOCC statute, § 632.450(5), and therefore the predicate offense element was not met. The Court reviewed Oregon law and determined that a finding of "guilty except for insanity" in Oregon constitutes a "guilty verdict" under the Missouri statute, and thus the state satisfied the predicate offense element. Affirmed. – (SOLPRC)

Does v. The Corporation of the President of Church of Jesus Christ of Latter-Day Saints, et al., Opinion - CV-25-0213 (AZ 2026): The Arizona Supreme Court sided with religious leaders who argued the state's clergy-penitent privilege law shielded them from reporting child sexual abuse to authorities. And in declaring that any intervention by the courts would violate the First Amendment, the justices made clear they don't think any changes to Arizona law aimed at forcing clergy to report abuse would be constitutional. "We hold that the First Amendment generally prohibits factfinders from inquiring into a clergy member's application of his particular religious doctrine… in determining whether reporting should be withheld if 'reasonable and necessary,'" Vice Chief Justice John R. Lopez IV wrote in the court's unanimous opinion. "The First Amendment… requires courts to exercise substantial deference to a religious institution's own doctrinal conception of 'confession' or 'confidential communication.'" – (AZ Mirror)

NEW LAWS PASSED JUNE-SEPT. 2026

A few states have wound down their legislative sessions for the year; only NC, MI, OH, PA remain because they have year-round legislative sessions, and bills in those states can be passed at any time. Here are the bills that passed since the release of my previous newsletter:

- New York (NY): Courts must conduct a review of sex offense registry, protection orders, and warrants prior to awarding custody of a child. (Chap.536/ S08198 (2026))
- Feds: I know there will likely be rumors on this news, so allow me to debunk this potential myth right now. Trump's newly appointed (August 2026) Attorney General Todd Blanche instituted a new rule allowing some persons with felony records to regain the ability to own firearms. But the report made it clear that s groups will "remain presumptively ineligible for relief," including undocumented immigrants, violent felons and registered persons. Relief granted through the federal process also would not supersede state-level firearm restrictions. See: https://www.justice.gov/ffrr/federal-firearm-rights-restoration-presumptive-disqualifiers

As a follow-up to a story in the last newsletter: Assembly Bill 2753, introduced by Assemblywoman Esmeralda Soria in Feb. 2026, which would've prohibited anyone who is or has been required to register from running for local elective office, has died in a Senate subcommittee. Two senators voted yes, one voted no, and two abstained from voting, meaning it failed to advance. It may return in next year's legislature.

WHEN SHOULD WE EVER DISCUSS OUR PASTS?

This story out of the UK reminds us that we need to use discretion when disclosing our past offense to people, especially strangers:

"A Carmarthen (Wales) tattoo artist has said she stopped a tattoo session and asked a customer to leave after he allegedly disclosed his previous conviction for child sex offences. Ffion Emma, who works from Mythical Ink in Queen Street, Carmarthen, posted online that the man had appeared to be "a normal human being" before opening up about his past during the appointment. She said he told her he had been in prison and admitted he had been found with indecent images of children. The tattoo artist said she immediately stopped the session and told him to leave the studio...

In her post, Ffion said Evans was "not welcome" at the studio and made clear that anyone convicted of similar offences would not be accepted as a customer. The post attracted a large reaction online, with many people praising her decision to end the appointment. Some comments went further, calling for violent or humiliating treatment of sex offenders, but The Herald is not repeating those remarks. Businesses are generally entitled to refuse service, provided the refusal is not based on a protected characteristic under equality law. – (Tom Sinclair. "Tattoo artist ejects convicted child S.O. from Carmarthen studio." Pembrokeshire Herald, 8 Jun 2026. https://pembrokeshire-herald.com/140338/tattoo-artist-ejects-convicted-child-sex-offender-from-carmarthen-studio/)

I think I need to make this abundantly clear to some folks. You CANNOT convince people to understand you, sympathize with you. Or treat you as an equal or see you as a human being. Many of you have what I call the "cover story," i.e., your way of explaining a past to people. (I've even had people use it when reaching out to me.) Well, that may help you while incarcerated, but not out here in the so-called "free world."

As a Person Forced to Register myself, my advice to you is to only discuss your past ONLY when necessary. Allow me to share my own bad experiences as further anecdotal examples. Back in 2005, I met a gal on a public bus and we seemingly hit it off. She was in rehab after serving time for a drug-related offense so I figured she'd understand my personal plight. Well, she wasn't. When I told her I was on the registry, she responded, "You mean you're a (p-word)?" That pissed me off so I responded, If I call you a crack whore, how would you like that?" Needless to say, we never saw each other again.

In 2019 I was able to get a "Letter to the Editor" published in the Lincoln (NE) Journal-Star regarding abolishing the SOR. In 2020, there was a vigilante murder In Omaha. I had written another Letter to the Editor to the same paper. As this was more a personal issue to me, as the online vigilante group the murderer was a member of was now targeting me, I mentioned my status as a RP. The editor, in an email to me, stated, "Looked back at your past letter we ran in 2019. It seems intellectually dishonest not to disclose your relationship to this issue. I spoke to the editor you dealt with, and this seemed to be an acceptable wording the last time. I would like to alter the last paragraph to say this. We routinely explain writers' role in an issue when it is pertinent. It seems very pertinent here."

I thought it odd this editor wanted to edit out my use of the term "vigilante group" in relation to the literal vigilante group but wanted to label me as a Registrant. (In a separate email, the editor stated, "I am going to make one change. I am going to refer to it simply as a Facebook group, rather than a "Facebook vigilante group." The woman who ran it would dispute your assertion based on stories that have been written, and removing the word doesn't lessen the impact of your argument." The Facebook group was literally named "Stop (name of RP,) PREDITOR" (*sic*). After a member murdered the target, they changed the name of the vigilante group to "Free (the murderer)".

I have to at least give them props for using the term “Registered Citizen” instead of S.O. or worse, one of the “P” words, but since then, this news outlet refuses to publish any more of my editorials.

To paraphrase a famous quote—“To tell or not to tell, that is the question.” Most of society hates us. It doesn’t matter if you pissed behind a dumpster, looked at illicit photos online and never touched anyone, or committed a hands-on offense against an adult. Society thinks everyone on the SOR is an uncontrollable p-word and thinks only of raping and/or murdering children.

Here’s the thing—it is not tattooed on our foreheads… yet. So why disclose it to those who do NOT need to know? Here is when you should disclose it—when forced to in a job or housing application or interview. (Please use common sense and don’t pick “kid friendly jobs.”). You should give serious thought as to when you should disclose your past to someone you are dating, because you want someone who can stand with you. If they can’t handle your past, you’re better off living without this person.

But does a banker, hair/nail stylist, barber, sales clerk, postal worker, random stranger on the bus, etc., need to know about your background? Hell NO! There are many stories like the ones I mentioned above that those on the registry experienced. The moral of the story here is learning when to disclose and when not to disclose your past. Talking about it to the wrong person can lead to some unnecessary hardships.

LIFE IN PRISON FOR ONLINE STING?

Even if this person is a recidivist, life for an entrapment operation is excessive. Also, I don’t even trust law enforcement to conduct these entrapment busts.

(Source: Registered Sex Offender Sentenced to Life in Prison for Attempting to Meet A 13-Year-Old to Engage in Sexual Activity. USDOJ, 29 Jun 2026. https://www.justice.gov/usao-mdfl/pr/registered-sex-offender-sentenced-life-prison-attempting-meet-13-year-old-engage)

“Ocala, Florida – H. has been sentenced by United States District Judge Thomas P. Barber to life in federal prison for attempted enticement of a minor to engage in sexual activity and committing a felony offense involving a minor as a registered s** offender. A federal jury found H. guilty on March 3, 2026. US Attorney Gregory W. Kehoe made the announcement. According to court documents and evidence presented at trial, in May 2025, the Ocala Police Department hosted an undercover operation aimed at apprehending individuals using the internet to exploit children. During the operation, a detective from the Marion Co. Sheriff’s Office (UC) posed online as a neglected 13-year-old child. H. messaged the UC and, after learning the UC’s age, engaged in a sexually explicit conversation. During this conversation, Hedge described his “addiction” to sexual activity with minors and told the UC that he was “grooming” her. On May 22, 2025, Hedge arranged to meet the UC to engage in sexual activity. The Ocala Police Dept. arrested H. when he arrived to pick up the UC at a predetermined location. Hedge is a registered s** offender. He was convicted of first-degree sexual assault of a minor in 1993.”

This is a good time to remind some readers about this fact. This is from FAC. (Source: “A Fake Person Is a Real Victim – At Least Under the Law.” Florida Action Committee. 16 Jun. 2026. https://floridaactioncommittee.org/a-fake-person-is-a-real-victim-at-least-under-the-law/)

One of the most common criticisms of internet sting operations is that there was never an actual child involved. If the “victim” was really an undercover officer sitting behind a computer screen, can there truly be a victim at all?

The criminal conviction itself is not the surprising part — that question has largely been settled by decades of case law holding that an attempted offense can be prosecuted even when the intended victim never existed. The more interesting question is whether a fictitious victim should continue to carry legal weight years later when determining eligibility for sentencing benefits or exposure to collateral consequences.

Amendment 821 was adopted by the United States Sentencing Commission to provide modest sentence reductions for certain low-risk offenders with no criminal history, reflecting the Commission's determination that these individuals generally present a lower risk of recidivism. However, the amendment excludes individuals convicted of "sex offenses".

In *U.S. v. Bryant*, Case 3:20-cr-00049-MHL (ED Va., 06/02/2026), the defendant was convicted of attempting to entice a minor after communicating online with someone he believed was the mother of a 10-year-old girl. We all know how that ends up. Of course neither the woman nor the mother existed. They were a law enforcement officer. Years later, Bryant sought a sentence reduction under Amendment 821 to the federal sentencing guidelines. He argued that because there was no real child involved, his offense should not be considered a qualifying "sex offense" that would disqualify him from relief.

The court disagreed, taking the same stance with the requested relief under 821 as it does with the conviction. The court noted that federal courts across the country have consistently rejected the argument that an actual child must be involved for a conviction under the enticement statute. The crime, the courts have said, is the attempt itself.

Whether one agrees with that policy or not, the Bryant decision serves as another reminder that under the law, a person who never existed can still function as a "victim" for purposes of criminal prosecution, sentencing and even post-conviction relief. In the eyes of the court, it seems like the fictional person will be following Mr. Bryant for the rest of his life.

THE LATEST GAMING TRENDS CAN BE BAD NEWS FOR SOME REGISTERED PERSONS

I love video games. Life sucks without them, in my opinion. It would suck being "On Paper" and having a P.O. say I can't have them. That is why I have a couple of pages on my website dedicated to video games for people on probation, parole, or supervised release.

For most of us, *Packingham v. North Carolina* 582 US 98 (2017) prevents states from banning Registered Persons from the Internet. But *Packingham* did not address those On Paper, and in a concurring opinion, the conservative justice stated they would consider upholding an Internet ban specifically for those On Paper. Currently, if you are "on paper," POs can place restrictions on internet access if your crime involved the computer. Most modern systems ARE internet capable, then you might not be allowed to use certain devices that cannot be easily monitored.

In July 2026, Sony announced that they are ceasing production of physical discs for their gaming consoles. This could cause a ripple in the video game industry, leading to other video game console makers to cease physical games altogether. Nintendo is already experimenting with "game key cards" (i.e., a physical "key" that unlocks a digital download from the Internet but you still need the key inserted to play the game) and the much-anticipated Grand Theft Auto 6 (GTA6) is currently selling as a "code-in-a-box." And many physical stores ("brick-and-mortar stores") have extremely limited games in stock. Even Gamestop rarely carries the latest physical releases in-store, requiring sales for many games through the Internet. In short, the current console gaming companies are trying to push people to accepting digital-only game distribution. This could potentially lock Registrants On Paper out of access to the latest video games. I will not know for sure until that time comes.

Sony also announced they were shutting down the digital stores for the PlayStation 3 console and the Vita handheld. Once these devices lose support, you may be able to argue these devices are no longer Internet capable and that they should be approved for use by a PO. There are still physical options out there like the Blaze Evercade and Atari (yes, Atari has been back for a while now), but these are not widely distributed, so you may have to get someone else to order a device for you.

BREVARD COUNTY, FL IS ALLOWING PRIVATE CITIZENS TO ABUSE COUNTY ORDINANCE TO DRIVE OUT RPs

When FloriDUH locales started passing ordinances preventing RPs from living near parks, they created "pocket parks" in abandoned lots around the community. Some of the "pocket parks" look straight out of horror films—poorly maintained grounds (id even maintained at all) full of broken, unusable toys. Brevard County recently found an even more diabolical way to make the county off-limits to Persons Forced to Register.

(Source: "The "Brevard County Business Self-Certification Registry" is ridiculous!". Florida Action Committee. July 30, 2026. https://floridaactioncommittee.org/the-brevard-county-business-self-certification-registry-is-ridiculous/)

In 2022, Brevard County Commissioners passed an ordinance allowing private businesses where "children gather and recreation occurs" to self-certify as "parks". This voluntary registration on the Brevard County Business Self-Certification Registry creates a 1,000-foot buffer zone where registered (persons) are legally barred from entering.

In preparation for our forthcoming lawsuit, we examined the patchwork of County and municipal ordinances that were adopted on top of the already severely restrictive state law, to analyze their cumulative effect on persons forced to register. In doing so, Brevard came up and just out of curiosity, we did a quick check to see what businesses self-certified themselves as parks. Now you'd think these "places where children gather and recreation occurs" might logically include an arcade, a roller skating rink, maybe a comic book store or a martial arts studio that has an after-school program. But here are just some of the businesses that signed up:

- Stella Maris Environmental Research, which is "a 501(c)(3) not for-profit environmental research organization focused on bringing attention and solutions to current environmental issues with community action". They are located at 155 Duval St, Melbourne Beach, 32951, which according to Zillow is a 1800 Square Feet 4 bedroom, 2 bath single family home. It's a residence.
- The Space Coast Symphony Orchestra: Really? The symphony orchestra? I guess there's no Beethoven for us.
- Flomazin Lifestyle Apparel: According to their website, "Flomazin is the Florida based lifestyle brand that drives your passion to manifest your dreams and live your best life." Guess who can't live their best life? The address that we need to stay 1000 feet away from is 918 Aventine Dr, West Melbourne, 32904, which is an apartment in "Aventine at West Melbourne", which features one to three-bedrooms with rent ranges from $1,315/mo. to $2,280/mo. Curious to know what kind of recreation is occurring at an online clothing retailer who ironically sells a line called "the Flasher" (https://flomazin.com/products/flasher)? Can't make this stuff up!
- How about Cape Canaveral Scientific, Inc., a grant writing company that "specializes in solving stormwater and water resource problems by leveraging and acquiring supplemental grant and legislative funding for our clients." How many children are congregating and recreating at a grant writing business? Oh, and their address is 220 Surf Rd, Melbourne Beach, 32951, a 1834 Square Feet single family home with 3 bedrooms and 2 bathrooms.

Come on! Brevard is just letting anyone who decides they don't want someone they consider undesirable coming within 1000 feet to call themselves a "park". Apparently, in Brevard, the solution to the NIMBY problem is just say you're a "park" and you get to create an exclusion zone that infringes on the freedom of movement of thousands of people. A few years ago, Brevard had to pay out $157,500 to settle another FAC-initiated lawsuit. Maybe it's time for another?

FAC has filed a lawsuit against the state and fifty cities/counties over the myriad of local-level laws. The suit was filed in August 2026. The case info is: *Florida Action Committee v. Glass, et al.,* Case No. 4:26-cv-00388-MW-MJF (N. FL. 2026)