



The Digest

“Alone, Helpless, and Living in Fear”

by Sandy and Todd B.

Edited and adapted for the Digest; the full version may be viewed at www.nationalrsol.org and is also linked on The Marshall Project under “Opening Statement” for February 24.

This is how it starts:

I broke the law once in my life - and it was not an act to consciously hurt someone. All my life I have never wanted, and still do not want, to hurt anyone - and apart from my foolishness 14 years ago don't imagine that I have.

Now, however, as a registrant, I live in daily fear of my life being taken. I'm posting here just so someone, somewhere, maybe, can read about it, and maybe take something positive from it.

I was reading an entry on our RSOL members' forum titled, “Alone, Helpless, & Living in Fear,” written by a man named Todd. He is a former attorney, a disabled military veteran, and a registered sex offender. Through his lengthy post on the forum and then subsequent email exchanges and telephone calls between us, I learned why he was afraid.

Flyers with his name, picture, and apartment number were posted on the ground floor of his apartment building in the Rockaway area in Queens, NYC. He suspected a local community board of posting them. He wrote:

...neighbors [started getting] involved, at least one of whom has come to my door three times to harass me, and posted bills up in my hallway with the word “DEAD” written across my face in black letters. My personal security camera system was vandalized and is now partially inoperable.

I've called the police four times in the last week. They take 30 minutes to arrive, which would be far too late if someone intended to break down my door and kill me.

And it seems like someone may have want-

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Another Dream

By Sandy

One of our greatest civil rights leaders, Martin Luther King, Jr., stood in Washington, D.C. many years ago and told the nation that he had a dream. He dreamed of an end to laws and policies, written and unwritten, that ostracized and dehumanized millions of citizens based on nothing but their inclusion in a group that was different from the dominant group.

Fifty years later we are embroiled in another civil rights issue that threatens to rend apart the fabric of our nation. Once again laws and policies exist and are added almost daily that ostracize and dehumanize several million citizens based on their inclusion in a group that is as varied and diverse as were the millions of African Americans of whose equality Dr. King dreamed.

Under the huge umbrella of individuals who are affected by the policies that govern sexual crime today, specifically SORN and the Adam Walsh Act, are

those who have nothing else in common. Some committed misdemeanors and some felonies. The acts of some were consensual while others were forced. Some are male and some are female. Some are children as young as nine. Some are men in their nineties who have lived half a century past the commission of a single offense. Some committed no crime; they were falsely accused and wrongly convicted. Some were not even accused; they are the husbands and wives and children and parents of those who were.

Like Dr. King, I too have a dream. I dream that another person, one whose face is unclear in my mind, will stand up in Washington, D.C., in a chamber where SORN is being discussed and debated, and will forcefully denounce the direction that these laws and policies have taken and are continuing to take us. In my

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March 2015

Calendar of Events

- 3/3 Admin Team Mtg
- 3/11 RSOL Review*
- 3/24 Advancing Advocacy*
- 6/25-27 National Conference

*Details on page 5 and on our online Calendar at nationalrsol.org.

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RSOL Insiders Newsletter

By the Insiders--Jay G., D. Dowdy, Tom N., Jake J., Scott E., Clay S., Sean S., Brandon M.

I'M MAD AS HELL, & NOT GOING TO TAKE IT ANYMORE!

My question to you all is, "Why aren't you?"

The government continues to walk all over the rights of sex offenders in America-- (Remember that Wonderful Land of the Free, we were taught about in school?) Yet we continue to just sit back and think we CAN'T get involved. RSOL and other organizations like Women Against Registry (WAR), and others will fight my battles for me. Folks, it is time to wake up, get up off of your butts, and get to work saving your own backsides.

RSOL and WAR are amazing organizations with an equally amazing group of people who believe in us and are trying to help us by leaps and bounds but consistently run into trouble due to lack of funding, lack of support, and lack of caring on the part of government and the public around us. These folks are human and can only do so much. God bless them all for what they do for us, but YOU HAVE TO OWN YOUR OWN FUTURE!

Step up to the plate and get involved. You and your families have to speak up and speak out! Tell these government bullies that you are sick of the continually increased punishments and negative laws that further deprive us of our God-given rights and liberties. The Constitution is no longer anything that today's courts adhere to. If you have a loved one in prison, just ask him or her. These courts do anything that they want with the law and interpret it in any way that they please. It is up to us to stop this fast moving train. Only until the momentum against us stops, will we begin to reverse the actions.

If you are sick of the registry's increasing punishments that continue to be handed-down by do-gooders in the states and the U.S. Congress in the "interest" of promoting safety and well-being, then you, too, need to get involved. Join your state RSOL Affiliate and participate in that organizations. Donate time and funds to the RSOL Legal Team. Their fights are your fights for the future, if not right now.

RECENT COURT DECISIONS

SORNA Rule Implemented for Statutory Rape

The United States Court of Appeals for the Tenth Circuit implemented the requirement for the federal Sex Offender Registration and Notification (SORNA) Act, which states that offenders who are older by more than 48 months (4-years) of their underage sex partner(s) are subject to the four-year age difference requirement. (United States v. BLACK, 2014 BL 347838, 10th Cir., No. 14-1000, 12/9/14)

SORNA Not in Violation

The provision that authorizes the attorney general to apply any SORNA registration requirement retroactively is not in violation of the United States Constitution's non-delegation doctrine, the Tenth Circuit Court of Appeals ruled on December 30, 2014. (United States v. NICHOLS, 2014 BL 366499, 10th Cir., No. 14-3041, 12/30/14)

Ban on Sexy Materials Unconstitutional

The Ninth Circuit Court of Appeals ruled on January 2, 2015 that a term of supervised release which includes a provision that bans a former inmate from possessing any material that depicts any sexually explicit conduct violates the offender's First Amendment right to access non-pornographic depictions of adults. (United States v. GNIRKE, 2015 BL 99, 9th Cir., No. 13-50101, 1/2/15)

Judge Morgan Christen stated that the condition, as written, deprives the probationer of more liberty that is reasonably necessary to accomplish the goals of supervised release. The Courts "revised" the District Court's order to clarify that the condition applies only to adult pornography and not material involving children in sexually explicit conduct.

NEW BILLS INTRODUCED FOR SENTENCING REFORM

A COUPLE of new bills have been introduced in recent weeks in an effort to help reduce costs in the federal prison system, as well as to reduce overcrowding in the BOP. While several other similar bills were introduced, these two provided here are noteworthy as these appear to have the most bipartisan support.

The U.S. House and Senate reintroduced the "SMARTER SENTENCING ACT", which has strong support from both the Democrats and the Republicans.

Among the provisions proposed, this bill basically addresses various issues related to drug offenses, including reducing mandatory minimums for certain

drug offenders, including drug offenders with two prior drug convictions.

While not addressing sex offenders, it does show an effort by the government to finally take notice and some actions in reducing prison overcrowding and costs in spending in the federal prison system.

Another bill recently introduced by Texas Republican Senator John Cornyn and Rhode Island Democratic Senator Sheldon Whitehouse, is the Corrections Oversight, Recidivism Reduction, and Eliminating Costs for Taxpayers in Our National System (CORRECTIONS) Act.

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Let's Get Talking!

by Brenda Jones

Many of us know of someone accused and convicted of a sexual offense who had little or no idea of the collateral consequences of the plea or conviction they were getting. Often this was simply because even the attorneys involved in the process did not fully understand them. Not long ago, I heard about a new, wonderful online resource called the National Inventory of the Collateral Consequences of Conviction (NICCC) that allows defense attorneys, prosecutors, judges, and the general public to quickly look up how laws and policies in a particular state will impact someone with a particular conviction. This new resource has been developed by the Criminal Justice Section of the American Bar Association and funded through the National Institute of Justice.

On Friday, February 27, I attended the first ever National Summit on Collateral Consequences, which was an invitation-only event held by the ABA and NIJ in Washington DC. My main goal in attending was to network with others interested in criminal justice reform, in the hope that collateral consequences of sexual offense laws would not be ignored.

The good news is, those consequences are NOT being ignored by this group. The challenges faced by former sexual offenders were included in dialogues throughout the one-day

event. Former sex offenders are certainly not alone in having huge hurdles to re-entry, though. Nearly all "returning citizens" struggle to find housing, jobs, and support networks because of the ease with which their convictions (even just accusations!) can be looked up and because of the roughly 45,000 distinct collateral consequences they can face.

I was just a participant, but I found an opportunity to ask a question when one panel was discussing the national trend toward expungements for lower-level crimes. The answer from the panelists was less than useful, but it got people focused on me and on our issue for a moment. Afterward several people approached me with questions and comments.

Quote of the Month:

"Dreams at first seem impossible, then seem improbable, and finally, when we commit ourselves, become inevitable."

~~Mohandas Gandhi

Many ideas were tossed out for consideration on ways to increase success in re-entry and reduce the revolving door. One of my favorite quotes was that professionals in the justice system must never forget that these are HUMAN BEINGS we are talking about.

The bad news I took away, however, was that sex offense issues are simply too "toxic" to be directly dealt with in terms of reform efforts. It has taken

reformers many years just to start having reform conversations AT ALL. Until we can start changing the general public perception and mindset regarding the stereotypical "sex offender," and the public can see that very few are the bogeyman they picture, we will not be gaining much traction.

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Bills from p. 2

This bill also addresses the issues of prison overcrowding and the skyrocketing spending in the federal prison system. Both Texas and Rhode Island have led the nation in prison reform by partnering with faith based and community organizations to help prisoners make much needed changes in their lives so that they may become productive members of society instead of career criminals.

A few of the stipulations included in this bill are:

Requiring eligible offenders to undergo regular risk assessments to determine his or her level of re-offending.

Excludes ALL sex offenders, terrorism offenders, violent and repeat offenders from earning any credits in this program.

Provided incentives to inmates who participate in prison sponsored programming and who exhibit good conduct while incarcerated.

Allows for additional earned time credits for low-risk offenders of up to 10 days for every 30 days that the prisoner

successfully completes the offered re-entry programs.

As currently written, it does exclude ALL sex offenders, but, as with anything, this could change. With this being said, the Insiders propose that we start sending in our letters to our senators, demanding (politely) that certain sex offenders also be included or considered as eligible participants, should the proposed ACT become law.

Over the next couple of weeks, we will draft a form letter to support this effort, and we will email it to the editors of THE DIGEST. We need to be adamant in our demands for sex offenders to be treated just as fair as any other type of offender. It is time for a new movement to take place. Think of sex offenders and a new civil rights movement. We must no longer accept defeat. WE NEED TO GET OUT OF OUR SEATS AND MOVE TO THE FRONT OF THE BUS and prove to the world that we all deserve a fair and equal second chance in life.

News Sources: BNA Criminal Law Reported, USA Today

SORNA Victory in Alabama

by Larry

On February 5th U.S. District Judge Keith Watkins issued a decision in a very important case. See *McGuire v. Strange*, 2:11-CV-1027-WKW(WO). (ALMDC). This case has been pending since December, 2011, and has potential to improve the quality of life for all 17,000 plus registered citizens in the state of Alabama. Judge Watkins did find parts of Alabama's Sex Offender Registration and Community Notification Act (ASORCNA) registration law unconstitutional. This decision gives us some hope because it has long been RSOL's opinion that Alabama has the most punitive registration scheme in the United States. It is noteworthy that the judge agreed with us in his opinion. We encourage all of you to read the full opinion which is linked on our website.

CHALLENGER'S BACKGROUND

The case was initiated by Michael McGuire. The events leading up to Mr. McGuire's pending challenge are a 1985 Colorado conviction and his decision to relocate to his home state of Alabama sometime in 2010. Mr. McGuire's conviction pre-dates that state's registration requirement; thus, he had never been required to register prior to relocating to Alabama. Mr. McGuire decided to be on the safe side and visited his local sheriff's office seeking to confirm that he was not required to register. Unfortunately, Alabama's draconian registration law includes anyone who has ever been convicted, regardless of the date of conviction. Mr. McGuire was detained for several hours and immediately required to comply with Alabama's ASORCNA.

SPECIFICS OF ALABAMA LAW

ASORCNA restricts where a registrant may live and work and requires the distribution of community-notification flyers to those living near a registrant's residence. Registrants must appear in person to verify all required registration information quarterly. Homeless registrants such as Mr. McGuire are required to report in person weekly. The law also requires each registrant to always have in his or her possession a driver's license or identification card bearing a designation that enables law enforcement officers to identify the licensee as a sex offender. The driver's license has bold lettering on the top identifying the person as "Sexual Offender."

Additionally, ASORCNA requires registrants who intend to be away from their county of residence for three or more consecutive days to report such plans in person im-

mediately prior to leaving and to complete a travel permit. When a registrant obtains a permit, the registrant's local sheriff must "immediately notify local law enforcement" in the registrant's destination. Registrants who reside in municipalities ("in-town registrants") must obtain travel permits from both the local police and county sheriff.

COURT'S DECISION

The Court found ASORCNA unconstitutional under the Ex Post Facto Clause of the United States Constitution to the extent that it requires (1) in-town homeless registrants to register on a weekly basis with two separate law-enforcement entities; and (2) registrants to complete travel permit applications with two separate law-enforcement entities.

RSOL'S FUTURE PLANS

Fortunately Mr. McGuire is represented by his brother Mitch McGuire who has done a fantastic job on this case.

We have been in contact with Mr. McGuire regarding the viability of an appeal. Mr. McGuire stated "Even though Judge Watkins did not strike down the entire statute, I am optimistic as we move to the 11th Circuit because the court did issue some significant findings." It is noteworthy that Mr. McGuire has invested more than 4,000 hours of his time and has incurred over \$200,000 out-of-pocket expenses for expert witnesses and other costs.

Mr. McGuire reiterated "All of us want to protect our children from those who would cause them harm. The problem with many of these statutes, and particularly Alabama's law, is that it does nothing to achieve that end. There is no basis to trample the constitution to protect our children from those who pose no discernable threat to them. We will continue this fight for all persons who simply should not be subject to such punitive strictures like those prevalent in Alabama's RSO scheme."

We anticipate that an appeal to the 11th Circuit will easily cost an additional \$50,000 and could top \$100,000. RSOL is considering options for assisting with this case including fundraising. It is our opinion that this case has the potential to have impact beyond Alabama and could possibly end up before the United States Supreme Court. We will keep you informed in future communications.



Announcements

RSOL Review

We are excited to announce that we have two very special guests for RSOL Review at 7:30 p.m. on March 11th. Please join the conference call to hear from Michael Icopino and Mitch McGuire. The phone number is 530-881-1400 followed by access code 957605#.

Both attorneys have worked tirelessly to make life better for registered citizens. Mr. Icopino has more than 30 years of trial experience. He also served on the Board of Directors of the National Association of Criminal Defense Attorneys (NACDL) 2004-2010. He currently is the Co-Chair of the NACDL's Sex Offender Policy Task Force. Most recently Mr. Icopino played a significant role in the favorable outcome of *Doe v New Hampshire*. Mr. McGuire recently won a significant victory in the state of Alabama in the matter of *McGuire v Strange*. Both cases have the potential to impact thousands of registered citizens. All are welcome to listen in on the call, and we will take some questions if time permits. It is not required, but we ask that you sign up so we that we can plan accordingly.

Advancing Advocacy

Steve Yoder is a journalist and freelance reporter currently working on a book about the impacts of sex offender registries and residency restrictions on the family

members of registrants. His presentation for our March Advancing Advocacy will offer practical training on writing op-eds and letters to the editor that get accepted and change minds. Participants will leave with a clear understanding of (1) the structure of good op-eds and letters to the editor, (2) the best places to send an op-ed, and (3) how to pitch an op-ed. You will receive the call-in number, code and instructions when you sign up.

Peaceful Protest

The Anti-Registry Movement (ARM) is holding a peaceful protest in Tallahassee, Florida on April 22, 2015. The stated goal is to raise awareness of the sex offender law reform movement, provide educational material, and garner attention to the plight of registrants and their family members at a high-profile event that brings politicians, celebrity advocates, and the news media together.

Please do not contact RSOL about the event. Contact the organizers at contact@womenagainstrestry.org or rallyintally2015@yahoo.com.

Conference June 25-27

Conference plans are firming up, and by the time this hits your mailboxes, more information should be posted on our website. As soon as it is, get your reservations made for the best discounts, and keep checking the website for updates.

Fear, from p. 1

ed to do that, for later the same day, Todd wrote this on the same thread:

Update: About 30 minutes ago someone attacked my door and broke through it. One of the panels was broken and left a hole you could put a two-liter of soda through. The police came and took another report, the 4th in 4 days. There's little indication that the police think this is a threat against life, not a door.

His landlord came through with support, moving him to another apartment with working security cameras, and for about six weeks he was left alone. But only for six weeks, and then he wrote:

At 2:12 pm on February 9th while I was listening to Buddy Holly, my room's window was smashed in and police grade pepper spray was sprayed into the room. I was home, and within a few minutes would become incapacitated as a consequence of this. I

managed to call 911 and after about 8 minutes numerous responders were there, and I was taken to the hospital.

Unfortunately, my room was no longer livable, and my landlord had me take all of my stuff to a U Haul storage.

I am currently staying at the JFK Radisson, and my funds and resources will run out within days.

One more homeless person on the street in the US. Not a big deal.

I had one email from him after that, written early on Valentine's Day.

Sandy: All of my efforts to obtain some accommodation have failed. I am going to the homeless shelter on 30th street in NYC. From now on, I have no idea what will happen or where I will end up. T.

In spite of my emails and forum attempts to reach him, I heard nothing more until just a few days ago, on

February 22, when he emailed that he had lucked onto a program for veterans that was available through the New York Homeless Shelter System.

Todd said several rather profound things during his sporadic and limited communication with me. He wrote of how those who would harass and threaten and assault another person who wanted nothing more than to be left alone were more dangerous to society that almost all registered citizens were. He spoke of how fortunate he was, being a veteran, to be able to get help, and how much harder it was on those who were not. But what he said that brought hot tears to my eyes and a lump to my throat that I could not swallow speaks so clearly and so

Legal Corner

This is a reader contribution section that solicits legal questions from our readers. Each month a question will be chosen and answered in the newsletter by a member of our Legal Project. This section is intended for information only. It is by no means to be considered legal advice, and it should never substitute for seeking the services of an attorney.

Please note: We often get specific legal questions about someone's conviction or about state-specific registration obligations. Unfortunately, we can't answer them individually because: (1) no one here at RSOL is licensed to practice law; and (2) we do not have the staff or budget to answer the large volume of incoming mail.

Please send your legal questions to The Legal Corner, RSOL, PO Box 36123, Albuquerque, NM 87176. Your question should focus on only one issue, and it should be a question that has relevance to a wide number of registrants and not specific to just your individual case.

By Larry

Question: Can a person go on and use his/her Ph.D in theology and go on missionary trips overseas if convicted of a sex offense if he/she has completed all probation/parole requirements related to the conviction?

Answer: This is a complex question but the short answer is yes. At least for the time being, persons who have been convicted of a crime that requires them to register as a sex offender can still travel outside of the United States. There is nothing in federal or state law that prevents a registered sex offender from traveling; however, Congress has considered proposals that may soon change the rules. In 2013, the House passed H.R. 2848, which would place restrictions on sex offenders who wish to travel internationally and would revoke the passport of those convicted in foreign nations of similar crimes. In May of 2014, the House passed a second bill that applies to sex offenders convicted of crimes against children. Both bills would have changed the passport issuing process so that sex offenders would be required to renew their passports every year instead of on the normal 10-year renewal schedule, which undoubtedly would lead to increased scrutiny on sex offenders. Those bills died at the end of the last Congress, however, a similar proposal has been introduced this year (H.R. 515).

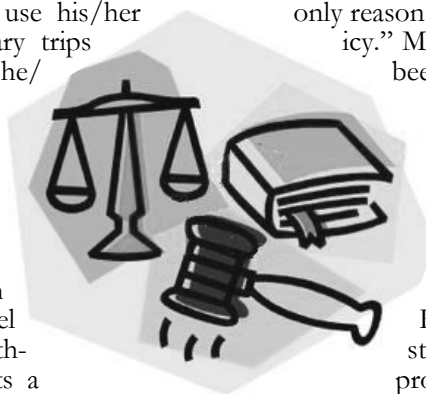
Despite the fact that there is no prohibition, you may encounter a plethora of requirements that make international travel difficult and very unpleasant. Keep in mind that many nations do not want convicted persons and especially sex offenders within their borders, which is clearly their right as a sovereign nation. Also, for a jurisdiction to be substantially AWA compliant, their law must include a requirement that registrants provide 21 days advance notice prior to any international travel. Several states have this requirement, which can (1) be very cumbersome for the registrant; and (2) sometimes result in the foreign nation denying admission based on the crime.

Question: I have been told that federal inmates cannot be placed in halfway houses in the state of Florida. The

only reason given thus far is that it is "Regional BOP Policy." My attempts to obtain further clarification have been unsuccessful. Can you shed any light on the issue? If this is true, this policy treats inmates unequal because it denies us the same opportunity to reintegrate into the community.

Answer: We do not know the answer to your question but will seek to find out. Until we have an answer, we can only speculate. Keep in mind that Florida is one of those states that has a plethora of residency/proximity restrictions. The state law prohibits registered citizens convicted for certain offenses occurring on or after October 1, 2004, from living within 1000 feet of a school, child care facility, park, or playground. However, there is a provision that states "a person does not violate this subsection and may not be forced to relocate if he or she is living in a residence that meets the requirements of this subsection and a school, child care facility, park, or playground is subsequently established within 1,000 feet of his or her residence." See s. 775.215(2)(a). In addition, many municipalities and counties in Florida have more stringent restrictions that exceed state law. For example, Dade county has a 2500 feet prohibition that is currently being challenged in federal court. If the BOP has a policy that prohibits registered citizens from placement in halfway houses, it could be that all of their halfway house facilities fall within prohibited zones.

The BOP cannot disregard state or local law when it places inmates into the community. Also keep in mind that there is always strong opposition and push back regarding placement of former offenders into the community. That opposition is particularly vocal when it comes to anyone convicted of sexually related offenses. You pointed out in your letter that the BOP has a policy that prohibits sex offenders from placement in camps. They cite community safety concerns as a justification for this total prohibition. This policy is driven by community hysteria regarding sex offenders; however, their concerns regarding camp placement are not meritless altogether considering that some camps do not have perimeter fences. One can only imagine the public outcry if someone convicted of a sexually related offense walked away from a BOP facility.



The Courts Rock On: New York & New Hampshire

By Sandy

A ruling in the New Hampshire Supreme Court on February 12 holds hope for registrants to whom harsher punishments or registration requirements have been applied retroactively. One registrant, represented by the ACLU, was successful in showing that New Hampshire's law, as applied to him, was unconstitutional. He had been subjected to lifetime registration, and his conviction was prior to lifetime requirements being enacted. The cumulative effect, in his case, was deemed by the court to be punitive to such a degree that it outweighed any regulatory intent.

The New Hampshire registrant will be granted a court hearing at which he will be allowed to demonstrate that he is not a threat to the public. Prior to this ruling, this avenue was not open to him or anyone else in New Hampshire.

Hopefully this will open the gate for petitions to be made by other New Hampshire registrants similarly situated.

In like manner, the Supreme Court of the state of New York, on February 17, issued a ruling favorable to our advocacy and one that should certainly affect more than one registrant. This ruling has to do with residency and presence restrictions as they were being applied to registered citizens.

Local New York jurisdictions, like a patchwork quilt all over the state, have created their own laws and ordinances governing this, and the Supreme Court's decision is that the state has established the guidelines in this area and that local towns and counties may not create their own, pre-empting those of the state. Registrants who have been subjected to unfairly imposed residence and proximi-

ty restrictions should find themselves getting relief.

This decision has prompted healthy debate and discussion over what research shows about the ineffectiveness of these types of ordinances in reducing crime or improving safety.

These two states join a handful of others where favorable rulings have come down from the state supreme courts--Maryland, California, Oklahoma, Pennsylvania, Maine, Indiana, Alaska, and possibly a few others. It may be too early to declare a domino effect as of yet; however, with every favorable ruling, with every discussion that stresses what research shows, with every expert who weighs in on the side of facts and truth, we are getting closer.

Dream from p. 1

dream, I can hear some of the words he will say.

"These laws were not based on facts or evidence. They were enacted hastily in response to a very few heinous crimes. Research has called the effectiveness of some of them into serious question and flatly contradicted others. We have made some serious mistakes. We must not compound those mistakes by continuing down the same path. We must build on what we have learned from our mistakes. We must enact laws based on evidence, on certainties, not on myths and half-truths and vaguely held beliefs. We must start over."

In my mind the words echo from the Senate floor, through the halls of Congress, out from the windows and porticos, across the rolling lawns and onto the very steps of the Lincoln Memorial where, all those years ago, Dr. King shared his dream, a dream that helped undo generations of injustice and make the concept of equality for all a little closer to reality.

And in my dream, upon his chair of stone, I think I see Lincoln's lips twitch in a half-smile, and further back, peering from the misty shadows, a handsome, dark face nods approval.



RSOL does not in any way condone sexual activity between adults and children, nor does it condone any sexual activity that would break laws in any state. We do not advocate lowering the age of consent, and we have no affiliation with any group that does condone such activities.

From our States and Committees

From the editor: From time to time we receive a letter or an email asking why there has been no report—or why there is never a report—from a given state. There are two reasons. First, we do not have a contact, affiliate, or organization in every state.

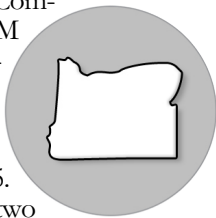
If your state is not listed on our website, we have no one there to represent your interests or the interests of RSOL.



Oregon

Oregon Action Committee held an ARM (Anti-Registry Movement) protest on the steps of the Oregon Capitol Building on February 17, 2015.

We are working on two ARM projects: Olympia Washington Capitol Building next month in March and Tallahassee, Florida in April.



Nebraska

LEGISLATIVE: Nebraskans Un-afraid provided two of the five witnesses

who testified before the Judiciary Committee in support of a bill that repeals all of Nebraska's unconstitutional prohibitions on use of the

Internet by Registered Citizens. All five testified in favor of the repeal. No one testified against. We also distributed an information sheet to every member of the Legislature. A delegation of four individuals from NU spent the day at the Legislature on February 12 on these activities. Click <https://www.youtube.com/watch?v=V28Ygd7sDQc&feature=youtu.be> to see some video highlights.

COMMUNITY OUTREACH: Our monthly FEARLESS gathering, for Registered Citizens and their families to connect and learn from one another about how to survive and thrive in spite of the law, drew about 20 people in February, one of our largest-ever turnouts. We had one individual who drove more than 100 miles to be with us.

We responded to one contact who found us through the RSOL website.

New Mexico

Our 60-day legislative session has just passed the halfway point. Liberty and Justice Coalition (LJC) is preparing for committee hearings on three bills that will directly impact registered citizens.

The bills on our radar are:

- HB 270: Sponsored by Representative Yvette Herrell (R)
- SB 380: Sponsored by Senator Jacob Candelaria (D)
- SB 151: Sponsored by Senator Mimi Stewart (D)

HB 270 has cleared its first committee already. This is the most significant proposal because it will add five new offenses to New Mexico's list of registrable sex offenses. The offenses are: (1) patronizing prostitutes when the person believed to be a prostitute is under the age of 18; (2) promoting prostitution; (3) accepting the earnings of a prostitute; (4) voyeurism; and (5) human trafficking. In addition, conspiracy to commit any registrable sex offense would also require registration. The Department of Public Safety has unsuccessfully sought the addition of these offenses for many years; however, stopping this proposal is far more difficult now due to the change of control in the House of Representatives.

SB 380 would impose a \$140.00 fee on a person at his/her initial registration. It also appears to impose this fee for each time a person registers with the sheriff. SB 380 has not been scheduled for a hearing yet. If this proposal becomes law, the stated purpose is that the funds raised would be used to support the Internet Crimes Against Children Unit.

SB 151 would clarify the state's burden of proof for those individuals it seeks to keep on an indeterminate parole after the initial five years. In addition, the leg-

islation would establish a regular review process for those whose parole has been revoked for a technical violation. This bill was amended in the Senate Public Affairs Committee (SAPC) and has received a "do pass" recommendation and is now in the Senate Judiciary Committee (SJC) awaiting a hearing. We are inclined to support the bill once some technical issues are addressed in SJC.

LJC will have a booth in the Capitol on March 4th and 5th. We are seeking volunteers to help staff the booth and hand our literature to lawmakers and visitors. If you are interested in helping, please contact Lloyd Swartz at 505 252-0915. You can pick your own hours for working the booth.

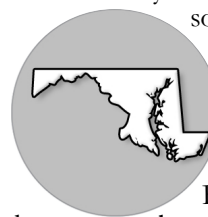
Maryland

We have had an amazingly quiet legislative session in Maryland. I don't understand why because I fully expected somebody to try to fix

the "loopholes" of the recent retroactive decision that took over 1000 people off our registry.

But not a single bill has been introduced. Also no new restriction bills or other "bad stuff." Not sure what to say about that except to be grateful.

In December our Dept of Public Safety announced to the Sex Offender Advisory Board that several additional categories of registrants would be removed or rolled back based on the Doe Decisions. But apparently in January something came up to block that - new elect-



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ed officials maybe, or push-back from victim advocates are possible reasons. Other than the original group with offenses pre-dating public registration, nobody else has been removed. Very discouraging, but this is exactly why FAIR will be launching a declaratory judgment challenge on behalf of everyone else.

Texas

Texas Voices members are swamped with work as the legislative session has begun! We are monitoring bills that we will support or oppose, creating informational packets to be handed out during the committee hearings, training our members on the legislative process, and the list goes on and on. This is a busy time for our folks as the Texas legislature only meets every two years.

Many of our members have been attending reentry conferences around the state and advocating for more resources for registrants. Our voices are being heard.

Our support groups are still going strong. Currently, Texas Voices support groups are available for our members in Houston, Dallas, Fort Worth, Austin, San Antonio and Midland.

California

California RSOL will lead its first peaceful protest on March 7 in the City of Carson, which refuses to revise or repeal its sex offender ordinance. The protest will begin at City Hall and includes a one-mile march to a city park from which registered citizens are prohibited. Family members will serve a picnic lunch to registered citizens, who will stay a short distance away from the park.

California RSOL is concerned about a California Supreme Court decision

which is due no later than March 2 regarding whether or not residency restrictions are constitutional and, if so, whether they can be applied to all registered citizens or only to those on parole. The California Supreme Court rendered a negative decision last month which will require several hundred people who were previously relieved of the duty to register to begin registering again. That decision is on hold until April 29 due to a request for a rehearing.

California RSOL continues to conduct monthly meetings throughout the state in order to educate registered citizens and their loved ones. The February meeting was held in San Diego, and the April meeting will be held in Sacramento.

Missouri

MOSA continues to work with offenders facing prison or currently now in prison making plans for employment, housing and where to live with our help. There is little to nothing in the way of integrating prisoners into society or counselling support for themselves or their families. Mothers, girlfriends, wives and families often contact me looking for guidance, information, and support, or they just need to vent the difficulties with sharing the life of an offender.

MOSA recently made contact with a legislator here in Missouri who proposed a reform bill then got cold feet and put it on the back burner. MOSA intends to continue to pursue this legislator and see if he will listen to our thoughts and National RSOL's thoughts on offender reform. MOSA is making REFORM our new political action word.

MOSA is currently working with a law firm close to our capitol. This firm is sympathetic to the plight of RSO's and how the law mistreats RSO's. I am hoping this firm, already a member of the

National Attorney Criminal Defense League (NACDL), will be interested in involvement with National RSOL and MOSA.

I lost my new members that I worked so hard to get on board. New members are often anxious for immediate change and are easily discouraged, not realizing that it takes patience and time and much groundwork to establish a healthy rapport with state legislators, law enforcement, and the public.

Last but not least (a little cheerleading), we strongly recommend and encourage all National RSOL affiliates, advocates, and team members to attend our Admin Team (BOD) meetings. There is much information to be had and much to learn about the direction we are going nationally that can be applied to affiliate organizations with positive focus towards our future and our success.

Vermont

Currently between the Vermont House and Senate there are 10 bills that RSOL VT is monitoring. RSOL VT's leader has given public input on three of them and is scheduled for more hearings in the near future. The bills we are watching closely are: H.121, S.13, S.7, H.105, H.270, S.10, S.101, H.16, H.221

Vermont RSOL has been active in reducing the number of registrants being shipped to privately owned facilities, action that we feel reduces the opportunity for successful reintegration and further removes registrants from our communities when the focus should be on positive reintegration. To that end, RSOL VT recently gave an interview to a daily newspaper on the matter of H.221.


Students in a sociology class, in the last month, have been corresponding with the leader of RSOL VT, and there

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was an hour long phone interview with members of the class on the societal impact of registrants and why communities fear them so much.

We continue to work with the National RSOL organization and BOD.

Illinois

 Illinois Voices has been hosting “Meet and Greet” each month since November 2014. Meetings were held in Danville, Lebanon, St. Charles and Moline. Our next meeting is scheduled for April 25 in Rockford. The meetings have been well attended, giving both the leadership of Illinois Voices and our supporters a chance to gather, share ideas, and network with one another.

The Illinois legislative session is in full swing each January through May. Our Legislative Committee has been busy identifying bills of interest. As usual, we have identified a number of bills that negatively impact RSOs while doing nothing to increase public safety. We respond to these bills by sending letters to legislative committees and by sending Action Alerts to our supporters explaining how to submit witness slips opposing these bills. Witness Slips are submitted through the Illinois General Assembly website. The bills we are watching this session include:

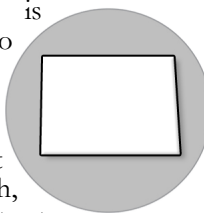
- * SB31 requires sex offenders to register in all jurisdictions of employment
- * HB224 prohibits child sex offenders from operating taxis, limos and “transportation network” vehicles (e.g. Uber and Lyft vehicles)
- * HB307 makes it illegal for “violent offenders” (including all felony sex offenders) to purchase, own or possess body armor
- * HB400 extends the existing county fair involvement restriction for child sex offenders to include all amusement enterprises, carnivals and fairs
- * HB401 mandates retroactive lifetime GPS tracking for all sex offenders

after release from prison

Our Legal Committee has been busy working to identify an attorney and possible approaches for legal action to challenge the current set of unconstitutional laws in Illinois. We raised enough funds last year to help initiate this effort, and we are looking forward to challenging these laws in court.

We recently launched a partner organization called “Hands Up Illinois.” (www.handsupillinois.org) This new organization will provide information and services directly to and specifically for registered sex offenders in Illinois. Although very new, we hope to see Hands Up Illinois grow over time.

Colorado

 Each year, the Colorado Sex Offender Management Board is statutorily required to present to the Colorado House and Senate Judicial Committees regarding best practices, research, data collected by treatment programs (if any) etc. This year, the Board has several policy initiatives it is presenting to the legislature, two of which are shared here.

1. The SOMB suggests that numbers of older adults convicted of sexual offenses need a place to live when they come out of prison or off of probation that provides for their physical and cognitive challenges. This includes assisted living facilities and nursing homes. At this time, 99% of these facilities in the State of Colorado will not accept those with a sexual offense. The Board asked the Legislature to look into this need and consider ideas that may assist in meeting it. The Board also suggested that it is necessary to look at a treatment program that fits the special needs of this population, and that a change in the Standards and Guidelines is likely needed. They stated that because of cognitive challenges, these folks might not be able to remember what comprises their safety plans.

Having a Masters Degree in Gerontol-

ogy, my additional thought was that not only can’t many of them follow or remember a safety plan, they can’t learn new information at all if they truly have cognitive impairment. This brings to light the issues of whether they should be in the criminal justice system at all, and be expected to engage in sexual offense specific treatment.

2. The other policy initiative suggested by the Board is regarding Registration and the SVP Designation. The Board asked the Legislature to consider changing Colorado’s offense-based registration system to a tiered risk based system, and to consider discarding the SVP Designation, instead making Level 3 of a tiered system the highest risk level for purposes of registration.

The previous SVP Assessment Instruments have been shown via Colorado’s Outside Evaluators’ Reports to be unable to assess anything, and the Board Committee considering SVP issues has stated that if the legislature agrees to a risk-based registration system, at a later date, all who were assessed under these faulty instruments will be reassessed. They are afraid to ask for reassessment at this time because it will carry a fiscal note. Their fear is that the legislature will not accept the risk-based system if they try to discard the SVP (with a fiscal note) at the same time. CSOR and AFC believe that it is the moral and ethical responsibility of Colorado’s Legislature and the SOMB to be sure that these people, many of whom have been wrongly labeled SVPs, are reassessed on an instrument that is reliable and valid!

CSOR, AFC, the Public Defender’s Office and Colorado CURE will be there to testify as the second half of the SOMB’s presentation is scheduled in the near future.

Arkansas



Arkansas has 4 bills on our radar. We have sent emails to our members to let them know what is going on. ATAT has been

Continued on page 11

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Talking, from p. 3

So my BIG take-away is this: it is going to take EACH and EVERY ONE of us in this movement speaking out to start dispelling that myth of the bogeyman. EVERY ONE of us needs to tell our piece of the story.

I don't mean about how the justice system "did us wrong." (Nobody cares. Sorry!) Or how you or your loved one are somehow the EXCEPTION to the bogeyman myth. (Sounds like denial and excuses.) No, I mean simply tell how you or that loved one may have a conviction but are still a GOOD PERSON. You do good things. You are a neighbor, a friend, a family person, a sports fan A HUMAN BEING.

Until the rest of our fine country starts seeing us as HUMAN again, we will continue to fight an uphill battle. So let's get talking!



States, from p. 10

sending emails and showing up to testify on all these bills. We seem to have a broad base of support and are cautiously optimistic. The bills are:

SB83 that would prevent level 3 & 4 sex offenders from being on public school grounds after hours to attend a ticketed event;

HB1164 that would allow level 4 sex offenders no longer to live within 2,000 feet of a church;

SB266 which will require ALL registrants, regardless of level, to self identify their status as a sex offender to the leader of any church that they attend;

SB467 that will fundamentally change the status of most families on the registry. This bill is designed to bring Arkansas into "substantial" compliance with the Adam Walsh Act (AWA).

RSOL Letter Policy

We appreciate the many letters we receive from you, and we do respond to as many of them as possible. We ask that you adhere to the following guidelines when writing to us.

- Keep your letter short and on point (extremely long letters with extensive background are difficult for volunteers to decipher in terms of what you are asking);
- Print or use a typewriter if one is available at your institution;
- Only write on one side of standard size paper so that we may scan the document;
- Make sure that your address is visible on the letter because we do not retain the envelopes;
- We cannot answer letters asking what the registration laws are in a particular state;
- We cannot answer letters asking which state is best for sex offenders to reside in;

Fear, from p. 5

painfully of what this whole thing that we try to do is all about. He said:

One of the staff from the Rockaway units that was assigned to help the landlord's son-in-law move my stuff to the U Haul in Far Rockaway said, "Well, you can go start a new life somewhere." That's why I moved to NYC and into the spaces rented there in the first place. You can't start a new life anywhere if everywhere you go people force you to start a new life somewhere else...."

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Volume 8, Issue 3 - March 2015

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