

How to make a successful appeal to get off the Sex Offender Registry

When my 10 years being on the registry had passed, I immediately began researching what it would take to get off this hideous thing. The following are the steps I took, not necessarily in this particular order, but the main thing is to know your state laws regarding the Sex Offender Registry and how to successfully petition.

1. **Stay out of trouble.** One of the first things the District Attorneys and Judge will look at is your criminal record since your sex offense conviction. Do everything you can to stay out of trouble, even avoiding small offenses like speeding tickets and other traffic violations.
2. **Try to better your life (school, work, etc.)** Only a few months after I finished my active sentence, I enrolled in graduate school. It took some wrangling and some legal talk, but I was finally accepted and finished my Masters degree in record time. Things that like go well before the DA and the Judge. Anything you can do to better your life, situation and family, goes a long way, even if its finding steady work, maybe settling down starting a family, whatever it is, show how you're a better person and not a bitter person.
3. **Get involved in a church/religious organization (as much as law will allow).** I've always been very spiritual and involved in church. Of course, as a sex offender, there are quite a few limitations on what your involvement can and should be even in church. Thankfully, I had a church family, who knew me before the plea and accepted me even after. Again, make sure you know your states laws regarding how active you can be though.
4. **Get to know/see a psychologist/therapist.** Some Judges and District Attorneys require some type of mental health/psychiatric evaluation to determine if you are a "threat" to society. Don't wait until it's time to file your petition because those evaluations can cost upwards of \$300-\$500 and require several visits. Thankfully, I know a clinical psychologist and she knew me all throughout my ordeal, but again, even if it's not required, it looks good on you to have those records in your petition.
5. **Know the law/consult an attorney.** Obviously, I didn't have the money to hire an attorney to do a lot of this work, but if you can afford one, do so. Lawyers can cost upwards of \$500 but they can maneuver your petition through the courts a lot quicker than you can plus they can help you with your legal options regarding the state laws. I'm a witness that you don't have to hire an attorney, as long as you have your files/paperwork in order.
6. **File your petition paperwork on time.** In North Carolina, you must give the District Attorney at least three weeks' notice before your petition can be heard. Typically, you must file your petition at the courthouse where you were convicted/sentenced, if you're

in the same state of conviction. Again, research your state laws, both where you currently live and/or the state where you were convicted. But in any case, turn in your paperwork on time.

7. **Talking to the District Attorney may help you.** I had to return to the city where I was sentenced, which was an hour and a half away but I was determined to get off the registry. While there, I was actually able to talk to the District Attorney. Even though they cannot give you legal advice, my DA was able to help me navigate through the process, so that when I went before the Judge, the DA didn't fight the petition, but actually encouraged it. You never know unless you ask.
8. **State your case with confidence.** After all of the hard work of researching, filing paperwork and preparing for the hearing, it all comes down to you, or you and your lawyer, standing before the Judge and stating your case. If you have a good record since your conviction, examples of how you are bettering your life and a psychological evaluation, you are in a very good position to be removed from the sex offender registry. However, it should be noted, that some Judges may not remove you regardless of how many evaluations you have. But at least you have given it your all and the worst thing that could happen is you have to wait a year before you can ask again. Make sure you dress cleanly and properly when you go to court (I recommend a shirt, tie, maybe suit), because you don't want to give the Judge or DA any reason to say no to your petition.

This is basically what I did to be removed from the registry. Again, each state's laws will vary and even requirements from the District Attorneys and Judges may vary. If you really want to be removed from the registry, then you have to be willing to do what they ask of you, if it means your ultimate freedom. Until this registry is abolished for good, we have to continue to fight and show the world just how useless this registry is as it relates to the safety and welfare of our society.