

REGISTERING WITH DIGNITY

A PRACTICAL GUIDE  
TO REENTRY & LIFE ON THE REGISTRY

# **REGISTERING WITH DIGNITY: A PRACTICAL GUIDE TO REENTRY AND LIFE ON THE REGISTRY**

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## **ABOUT SEX LAW AND POLICY CENTER**

Sex Law and Policy Center is a nonprofit sex offense resource center. Our mission is to rationally and compassionately unpack the fear-driven mythology of sexual offenses and expressly deconstruct inherent gender and sexual minority biases while promoting public safety, strengthening communities, fostering open communication, and driving sex offender registration and notification (SORN) policy reform.

Learn more about Sex Law and Policy Center online at <https://www.sexlawandpolicy.org>

# Disclaimer

## YOUR RESPONSIBILITY WHEN USING THIS GUIDE

When assembling *Registering with Dignity*, we sought to provide you with useful and accurate information. Much of this information was gathered from personal experience, but some of it was collected from relevant legislation, case law, and other legal sources. However, sex offense law changes frequently and is subject to differing interpretations. Sex Law and Policy Center does not always have the resources to make necessary changes to the provided information when laws are changed. If you use any information from *Registering with Dignity*, it is your responsibility to ensure it applies to your specific situation and that the law is current. Sex Law and Policy Center does not employ attorneys, so this guide merely provides legal information and not advice. We recommend you contact a legal professional if you are in need of legal advice.

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## Feedback

If this handbook helps you or could be improved in any way, we ask you to complete the survey on page 74. Feedback and critique will improve future versions of this guide to better serve you and provide better trainings on the provided materials.

## WELCOME HOME

You're about to be or recently were released from incarceration. Now what?



Ten years ago, I was in your position. I remember the grating of the key as it twisted in the old jail lock, and the sound of the door clanging open in the early morning hours. “Booth, time to go!” Sunshine warmed my face, and my breath hung tentatively in the cold January air as I took my first steps back into the “free world.” There was a rush of relief, fear, and uncertainty when the buzzer signaled the close of that life chapter and the beginning of a new one. It was a confusing and terrifying time. I didn’t know what to expect next, and there was no one to guide me on my re-entry journey.

You are **not** alone. Not only am I here to support you, but numerous organizations around the country believe in your capacity for change and a better you. A list of them is located at the back of this handbook. Even though we are here to support you in the “free world,” your life, free from the confines of an 8X10 cell, is your responsibility. There will be no one to tell you when to sleep or when to eat. No one will remind you to report for work duty. Only you have the power to take control of your future and be successful.

I understand coming home from incarceration is difficult and terrifying - my reentry process was a daily struggle. Not only did I need to learn how to navigate the complex system that is sex offender registration and notification, but I also had to believe I was more than my conviction. Looking past your conviction to unlock your potential is difficult for anyone coming home after being incarcerated, but especially so for people who must submit to registration requirements. People will probably make some hurtful comments, and there will be obstacles.

Ignore the chatter, and focus on your self-worth. There are advocates and allies, like us at the Sex Law and Policy (SLAP) Center, who believe you are more than your conviction. Your criminal conviction doesn’t define you. It is merely one plot detail in your much larger life story. We value you and your rehabilitative process, and you should too!

It is critical for you to believe in your capacity for positive change.

Realize you are not a “sex offender,” that label is a present tense word for a past action. At our Center, we prefer people first language like people on the registry. People first language reminds us of the humanity the criminal legal system ardently tries to lock away. Navigating the reentry process will be easier if you reframe your sense of self and refuse to believe you are the worst act you ever committed.

While reframing your sense of self may be challenging, the most difficult part of your journey will be following *all* the registration requirements where you live. It is incredibly easy to make a careless mistake and be reincarcerated. Too many times people on the registry are charged with a “failure to register” for missing a deadline because they didn’t know a school address, an email, or a change in employment had to be updated. Either that, or someone was violated for breaking a condition of community supervision.

Make it your priority to know and understand the rules you must abide by. It is your responsibility to ensure you comply with the rules of the registry and the conditions of community supervision. You don’t have to figure it out alone though. Supportive people and organizations are around to help guide you through the reentry process.

This handbook was designed specifically to help you navigate the registry. There is a discussion about the varying pieces of federal legislation requiring registration for sex offenses. One section details some of your constitutional protections, while another section outlines what to expect from registration. Community supervision and how to successfully complete it is covered later on, as is the reentry process and sex offender treatment. This guide explains your rights to sexual expression and what to do if you feel your rights are being violated. There is an additional section specifically for women and for juveniles on the registry. This guide also helps your loved ones understand what to expect from loving and supporting someone on the registry. In short, it helps you, and those you love, understand your rights as someone on the registry.

Understanding your rights is crucial to ensuring success in reintegrating with your community. It allows you a sense of agency, or control, over your life that the criminal legal system takes from you during incarceration. The most important piece of advice I can impart is to not surrender yourself to anyone else, but rather be your own advocate.

Self-advocacy is about accountability and responsibility. It is about making a commitment to educate and improve yourself. It is about being humble, asking questions, and admitting mistakes. It is about expressing your needs and wants, and learning how to avoid pitfalls. Most importantly, it is about standing up for yourself and others in the face of injustice. Have the conviction to know your rights as a registrant returning to the community. This guide is only the beginning to empowering yourself.

In solidarity,

A handwritten signature in black ink, consisting of the letters 'D' and 'B' in a stylized, cursive font, followed by the name 'Booth' in a smaller, more legible script.

David Booth  
SLAP Center Founder

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# INTRODUCTION

**I**ncarceration and registration for a sex crime is often a dehumanizing experience. This guide is intended as a first step to reclaiming your dignity. Dignity is an acknowledgment of your worth; the ability to be seen, heard, listened to, treated fairly, and valued. You *are* more than the worst act you may have ever committed. It's important for you to accept that as truth. Creating safer communities and having a successful re-entry starts by recognizing your dignity. When your dignity as a registrant is affirmed you are filled with a sense of hope and possibility for change, have space to be accountable and responsible for your actions, and believe you can contribute meaningfully to society.

The purpose of this guide is to inform and empower people convicted of sex crimes who are being released from incarceration or have been recently released, as well as their family members, friends, and allies affected by sex laws and sex crimes registration. Navigating the reentry process is always difficult, especially so for those with a sex offense, because there are a lot of rules and restrictions to know and follow. Successfully reintegrating with your community will require an understanding of these rules and how to follow them with your dignity intact. This guide provides you a navigable pathway to successful reintegration and prepares you to better advocate for yourself and your loved ones.

## A BRIEF NOTE ON LANGUAGE USAGE

We, at the Sex Law and Policy Center, believe it is misleading to use the term “sex offender” when referring to someone on the sex crimes registry. The “sex offender” label implies someone is presently in the act of committing some type of wrongdoing and results in negative emotions replacing reason and justice. It is also frequently used to degrade and unilaterally categorize a diverse group, making it seem that everyone convicted of a sex offense is pathologically dangerous. The result is a limitation on the rehabilitative potential for someone on the registry. While there may have been wrongdoing, someone on the registry has been appropriately punished. We need to give people on the registry a chance to hold themselves accountable and responsible for their actions but allow them to move on with their lives. We resist this language of “sex offender” unless we are referring to specific legislation. Instead you will see people first language like person on the registry or emotionally neutral language such as sex crimes registry or registrant.



# HISTORY OF THE SEX OFFENDER REGISTRY

The *History of the Sex Offender Registry* chapter outlines how sex crimes registries have developed over the last 70 years as a tool for addressing America's moral panic and indignation for sex crimes. While sexual wrongdoing is never acceptable and wrongdoers should be held accountable for their actions, sex crime registries overreach in their scope, overly broad laws, and disproportionate punishments. Sex crimes registries today target a greater number of offenses and people who commit them, require an ever-expanding amount of information, mandates frequent verification, and promises severe consequences for failing to register or update information. Not only is it incredibly easy to be required to be registered, but it is even easier to remain trapped in the criminal legal system for missing a SORN deadline or not knowing where you can sleep.

Registration and notification empowers law enforcement and the public with information. With a push of a button, anyone can know where a person on the registry lives and works, what car they drive, and a host of other identifying information. It is enough to make anyone feel powerless and at the mercy of other's people's decisions about their situation. Knowing the historical context of SORN legislation provides you a basis for understanding today's registration and notification regime and empowers you to advocate for yourself.

## ***KEY TERMS***

***Adam Walsh Act*** – a Federal act passed in 2006 to establish uniform and comprehensive SORN requirements

***Adam Walsh Act compliance*** – designation given to states who follow the majority of the baseline measures outlined in the Adam Walsh Act

***Megan's Law*** – a Federal law passed in 1996 which required all states to notify the community about people registered for sex crimes

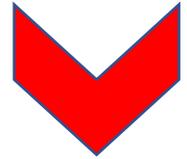
***SORN*** – acronym for sex offender registration and notification, which refers to the dual legislation requiring the registration of and community notification for people on the registry

***Sex crimes registry*** – online database to track and monitor people convicted for certain sex offenses; A.K.A. sex offender registry

***Wetterling Act*** – a Federal act passed in 1994 which required all states to register people convicted for sex offenses for a maximum of 10 years unless a court determined otherwise



Many people think sex crimes registries are a recent development over the last twenty-five years. However, sex offender registration and notification (SORN) schemes have been utilized as a tool for social control since the late 1940's -- when sexuality was even more rigid and repressed than today. Society during that time was characterized by particularly rigid boundaries for gender roles and sexual behavior. Men understood that they were to support their families, and women were to take care of the home. Sexual activity was only considered normal if it was between an adult man and an adult woman of the same race. Anything outside of these societal norms was considered deviant - especially same-sex acts.



*~ 1947 ~  
California  
enacts 1<sup>st</sup>  
registry*

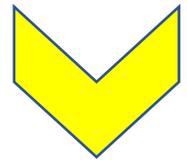
Californian parents, concerned about a supposed rise in sex crimes, enacted the first sex crimes registry in the country in 1947. Initially designed to target people convicted of oral or anal consensual sexual activity, seduction, child molestation and other similar crimes, law enforcement agents often used them to target queer and trans people or anyone else they found undesirable. During the 50s and 60s, law enforcement commonly prosecuted men cruising in parks, restrooms, and other out of the way places looking for or having secret encounters with other men. Another common enforcement tactic was for law enforcement to be discrete and impersonate gay men in frequently gay populated areas, like bathhouses and bars, and entice them into criminal behavior. It was clear few people were shy about their bitter hatred of deviant sexuality.



*~ 1976 ~  
only CA,  
FL, AZ, NV,  
OH, & AL  
have  
registries*

Even though registries were used to target queer and transfolk, they were slow to catch on and riddled with errors. Many registration practices fell out of use prior to our current patchwork system for monitoring and tracking people convicted for sex crimes. By 1976, only five other states--Florida, Arizona, Nevada, Ohio, and Alabama--had created sex crimes registries.

In the 1970s and 80s, gay activists in California fought for and won the removal of public sexual conduct--acts ranging from cruising for sex in a park to dancing in a gay bar--from the sex crimes registry. However, public sex remained a registrable sex offense in other states. Some progressives in the 1970s argued that registering people for sex crimes as an overall policy was unconstitutional, because it created a criminal underclass of people permanently excluded from the rights and benefits of full citizenship.



*~ 1994 ~  
Wetterling  
Act 1<sup>st</sup>  
federal  
SORN law  
enacted*

These sentiments changed when a moral sex panic re-captivated the American public. During the mid-80s, the public was furiously swept up in numerous alleged Satanic sexual abuse cases in daycares around the country. This was followed, in quick succession, by a number of high profile abductions, involving sexual assault and murder, of children in the early to mid-90s.

Lawmakers, starting with Washington in 1990, responded to this public outrage by rapidly expanding the sex crimes registry on a scale that was unprecedented in U.S. history. Little of SORN legislation was enacted with careful consideration of its potential effectiveness, limitations, and impact on community safety. Often SORN legislation was named in memory of





## Registering with Dignity



a child victim. The Federal government began requiring all states to maintain a sex crimes registry through the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, often abbreviated as the Wetterling Act. The 1994 law was named after Jacob Wetterling, an 11-year-old boy who was kidnapped, sexually assaulted, and murdered in Minnesota in 1989.

**~ 1996 ~  
all 50  
states  
follow  
Megan's  
Law**

In 1996, the U.S. Congress supplemented the Wetterling Act with Megan's Law, so named after a high-profile rape and murder of a seven-year-old girl named Megan Kanka in New Jersey. Megan's Law mandated that states now maintain publicly accessible databases containing personal identifying information about people who commit registerable sex offenses.

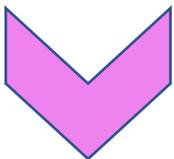
President George W. Bush signed the Adam Walsh Act into law in 2006. This legislation was named after the abducted and murdered son of John Walsh, who hosted the popular and alarmist law enforcement TV show *America's Most Wanted*. The act created the Sex Offender Registration and Notification Act (SORNA), which established a new set of minimum standards for state sex crimes registries -- including extending registration to federally recognized Indian tribes and juveniles, and increasing the amount of personal information registrants were required to provide when registering.



Not every state complies with the varying restrictions of the Adam Walsh Act. As of December 2017, just 18 states meet federal requirements. Many states remark that the financial penalties for failing to meet federal standards do not outweigh the costs of implementing them. Other states do not agree with registering juveniles. Whatever the reason, a majority of states do not follow federal standards.

**~ 2017 ~  
just 17  
states  
AWA  
compliant**

The Wetterling Act, Megan's Law, and the Adam Walsh Act are but three federal laws for registering and monitoring people convicted for sex crimes. There are a number of other pieces of federal legislation and even more on the state-level, which results in a unique SORN scheme for most states. State-specific legislation often regulates what is a registry qualifying offense, the distance a person on the registry can live, work, or loiter near to where children gather, the duration of registration, deadlines for updating changes in information, authorizes or bans the use of social media, and outlines the information a person on the registry has to provide, among other stipulations. In short SORN schemes are a fluctuating collection of vast, complex, confusing, and inconsistent legislation.



Familiarizing yourself with SORN laws in your state and their legal consequences will help you to stay in compliance. You will know where you can and cannot live or work, when you have to update a move or a photo, how long you are to be registered, and a number of other important pieces of information. Knowing this information is vital for you to stay in compliance with SORN, keep you from being re-incarcerated, and help protect yourself when your rights are being violated. Furthermore, it will give you the confidence to take positive steps towards your reentry.



# CONSTITUTIONAL RIGHTS

The *Constitutional Rights* chapter answers some common questions about your Constitutional rights, but there may be additional rights recognized by your state constitution than those provided by the U.S. Constitution. Often people on the registry fail to realize their Constitutional rights do not just disappear upon conviction. You still keep most of your rights, but it depends on the circumstances. Many of your rights are limited under community supervision, but you often regain them after it has been served.

## KEY TERMS

**Community supervision** – a program allowing people to serve out the sentence for their conviction in the community instead of behind bars

**Disenfranchisement** – the loss of the right to vote

**Dynamic risk factors** – factors for predicting the likelihood of re-offense that tends to change over time – i.e. negative peer association, employment history, educational attainment, substance abuse, etc.

**Internet identifiers** – any identities one uses to communicate with another person over the Internet, including usernames, handles, etc.

**Plain view** – Fourth Amendment rule that a law enforcement authority can seize any item they can plainly see without a warrant, if they reasonably assume it to be contraband

**Presence restrictions** – geographical limit on where a person on the registry can loiter, usually near to where children gather

**Static risk factors** – factors for predicting the likelihood of re-offense that tend not to change over time – i.e. age at time of crime, prior criminal history, gender of person harmed, etc.

**Supervision officer** – law enforcement official who actively monitors individuals on community supervision

DISCLAIMER - When assembling the *Constitutional Rights* chapter of *Registering with Dignity*, we sought to provide you with useful and accurate information regarding your Federal rights. Some of this information was gathered from personal experience, but much of it was collected from relevant legislation, case law, and other legal sources. However, sex offense law changes frequently and is subject to differing interpretations. Sex Law and Policy Center does not always have the resources to make necessary changes to the provided information when laws are changed. If you use any information from the *Constitutional Rights* chapter of *Registering with Dignity*, it is your responsibility to ensure it applies to your specific situation and that the law is current. Sex Law and Policy Center does not employ attorneys, so the *Constitutional Rights* chapter merely provides legal information and not advice. We advise you contact a legal professional if you are in need of legal advice.



## ***What are my First Amendment rights?***

*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances*

The First Amendment protects your freedom of press, speech, religion, petition, and assembly – collectively referred to as the freedom of expression. While it doesn't apply to private organizations or institutions, it does allow for all people to communicate their beliefs, thoughts, ideas, and emotions free from government oppression or censorship. The right to freely criticize or express an opinion, exchange ideas, access information, and advocate for yourself when your rights have been violated is important to your empowerment, rehabilitation, and the advancement of societal ideals.

Even though people on the registry are an unpopular group, you are afforded these First Amendment rights like all citizens. People may not want to hear what you have to say, but you still have the right to free expression. Restricting that right makes it more difficult to speak about your experience of being on the registry, excludes you from participating meaningfully in society, and makes it harder for people to rationally decide on reform efforts. Your lived experience is the best way for people to be aware of the negative impacts of sex offender registration and notification. While exercising your right to free expression is important, you must be aware of the limits to your freedom of expression.

There are five ways freedom of expression is typically restricted, mostly in the interest of public safety. While you can protest peacefully you cannot do so if you are illegally trespassing, putting the public at risk, or obstructing traffic. You also cannot damage a person's good name, character, or reputation, either verbally (slander) or in writing (libel). Freedom of expression isn't protected if an average person using average standards thinks your form of expression is inappropriate or gross, like child pornography. For registrants in particular, you can be excluded from participating in religious activities, by presence restrictions, in the interest of public safety. Lastly, if you utter words that threaten people or are likely to cause a fight, then it is likely unprotected speech.

The limits of the First Amendment have also expanded to recognize the rise of digital technology. Most people use the Internet to communicate on social media, through email and instant messaging platforms, via forums and comment sections, and on dating apps. Courts are increasingly recognizing that First Amendment rights are protected during your usage of these seemingly unlimited methods of online communication.

You also have the right to record police activities in a public space, but only if you weren't doing something illegal at the time. However, there's no requirement for private institutions, organizations, and individuals to respect your freedom of expression. You can face consequences, like revocation or suspension of any professional licenses, firing, exclusion from places, or adverse litigation, for freely expressing things as long as the response doesn't run afoul of other laws or contracts. For example, while the government can't necessarily restrict your access, Facebook legally can - and does - implement a policy restricting registrants from having an account.

Regardless of these limitations, your First Amendment rights are not necessarily revoked upon your release from incarceration. They are only limited under community supervision if such a limit promotes community safety, furthers your rehabilitation, is related to your offense, or isn't more restrictive than necessary. The one area receiving the most attention lately is the use of social media and Internet access. Courts limiting registrants access

to social media isn't out of the ordinary, but neither is overturning those attempts. Many states, including Indiana, Kentucky, Louisiana, New Jersey, and North Carolina, have failed in their attempts to blanket ban registrants from social media. Courts have largely agreed these bans are overreaching if they are too broad or fail to explain key terms. This means they can't outright forbid all registrants from accessing Facebook, Twitter, Snapchat, LinkedIn, forums, email, and other means of online communication. They can, however, require you to register Internet identifiers and emails. Reporting this information doesn't necessarily bar you from exercising your freedom of expression, and many states actually require you to register online identifiers.

On the other hand, blanket bans infringe on your First Amendment freedom of expression, because it doesn't account for risk of re-offense and hinders your rehabilitation. Research indicates access to online communication mediums allows for a greater access to employment and housing, and makes it easier for registrants, like yourself, to build a community of support. All of which promotes community safety and furthers successful community reintegration by helping to reduce the chances of re-offense. For this reason, legislation must be clear in who is being restricted, why they're restricted, and what they're restricted from.

### ***What are my Fourth Amendment rights?***

*The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized*

The most significant right you lose while under community supervision is your Fourth Amendment right to privacy. It is a common condition of community supervision to waive your Fourth Amendment right to unreasonable searches or seizures, either under the authority of a judge during your sentencing or a parole board during your parole hearing. This means that while you are under community supervision you will have a lessened expectation of privacy, as long as the search is in the interest of preventing future criminal wrongdoing, your rehabilitation, or your offense committed.

When you sign the conditions of community supervision, you are granting your supervision officer permission to search either you or your property. During your community supervision, your person can be searched as well as your residence, phone, car, or computer. Digital privacy is often eliminated if your criminal history includes an offense or behavior where access to the harmed party was accomplished through use of the Internet. In these cases, the terms of community supervision will often allow for the installation of software on a probationer's computer that grants a supervision officer unprecedented access to their Internet search history, download history, and file history.

You can also be polygraphed or subjected to urinalysis at any point during your community supervision. Any family members, friends, roommates, or anyone else who shares a common space or area with you should also expect a lesser expectation of privacy while you are under community supervision. However, law enforcement cannot search their locked bedrooms or areas you can't access.

Your supervision officer does not require either probable cause or a warrant to carry out these searches. If you are found to have drugs, weapons, or other paraphernalia in violation of your conditions of community supervision, those things may be seized and used as evidence against you. They can be used during a hearing to revoke your community supervision, face additional charges, and/or re-incarcerate you. Be sure you follow the rules and regulations of community supervision to ensure you remain in good standing.



Once you're released from community supervision, don't be intimidated by law enforcement at your door. It's your right to say "NO" to law enforcement, and you don't have to allow them into your home to search you or your property unless they have a warrant. Ensure your friends, family, and loved ones understand that they too can deny law enforcement entrance to your residence. This is your Fourth Amendment right upon release from community supervision.

Even if law enforcement is there to verify your residency for the registry, they don't need to come inside. Only by giving your consent do they have the authority to enter your residence. If they do enter, even without a warrant, any incriminating items in plain view of the officer can lead to your arrest. It is a good idea to keep private possessions out of view of law enforcement. If they can see it, they can seize it.

### ***What are my 5th Amendment rights?***

*No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation*

The Fifth Amendment right to not self-incriminate has received a lot of attention over the last few years, most notably during polygraph testing or sex offender treatment. People on the registry are often required to participate in both, which may force them to divulge information about their sexual history and to admit to sex offenses for which they may or not have been convicted. Failing to disclose this information can result in a sanction or revocation of community supervision, but disclosing this information can net the same result. In either case, a person under community supervision may feel forced to admit to offenses rather than face revocation, but in doing so faces incarceration for revealing details of uncharged offenses.

Courts have become increasingly sensitive to the fact that a person's right to not self-incriminate can be implicated by the conditions of community supervision. There is a considerable amount of disagreement and confusion as to how the criminal legal system should reconcile court-ordered conditions of community supervision and one's Fifth Amendment right to not self-incriminate. Generally, courts have responded in one of three ways.

One response is that people on community supervision can invoke their Fifth Amendment rights without repercussions if the answer to a particular question risks a criminal investigation. For example, in late 2016, the Utah Supreme Court ruled that revealing a complete sexual history violates a person's right to not self-incriminate and cannot be a reason to revoke parole. Courts have also ruled that if someone on community supervision is obligated to answer incriminating questions and does not face adverse consequences, then their Fifth Amendment right is not compromised. For example, California ruled in *People v Garcia* that people on community supervision must answer all questions during polygraphing as their compelled responses can't be used against them in subsequent criminal proceedings. Finally, courts, like the New Jersey Supreme Court, have ruled that people must be informed of their rights against self-incrimination.

Regardless of how courts have ruled, your Fifth Amendment right prevents the government from forcing you to

make incriminating statements that can be used against you in a criminal or civil proceeding. While the government can't compel incriminating statements, you still must assert your right against self-incrimination. That is, an individual faced with an incriminating question must expressly plead the Fifth if you wish to seek its protections.

### ***What are my Fourteenth Amendment rights?***

*No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws*

Your Fourteenth Amendment right to procedural due process ensures that you are granted a fair state hearing when you face a loss of liberty or property. Fair in this instance means you are given notice of a potential loss of liberty or property and a chance to be heard. This right applies regardless of whether or not you're under community supervision, but each state decides what procedures are required for due process. Probation/parole revocation hearings and tier hearings have the most meaningful impact on the daily lives of registrants. These two hearings are the most important means for controlling registrants.

Since community supervision is a conditional release, it can be revoked, or taken away, if you fail to follow the terms and conditions or commit a new offense. It is up to the discretion of your supervision officer as to what happens if you violate the terms and conditions of your community supervision. Sometimes they may give you a warning, but other times they may call for the revocation of your community supervision. As a result of *Morrissey v. Brewer* (parole) and *Gagnon v. Scarpelli* (probation), the Supreme Court decided that people under community supervision are entitled to due process rights when their liberty is at stake.

If you are facing revocation, your supervision officer must provide written notice of the alleged violation. You are then entitled to a preliminary informal hearing where a judicial authority will determine whether there is credible evidence that you are in violation. If you are determined to be in violation you have the right to a second hearing for a final determination about your alleged violation.

During this second hearing, you have the right attend, testify, and present evidence (including witnesses). The right to counsel for this hearing is determined on a case-by-case basis, but many jurisdictions provide for this right. If you're denied counsel you must be provided detailed reasoning for the denial. Possible outcomes for a violation include revocation with incarceration, reprimand with a restoration to supervision, or a return to supervision.

Similarly, you are entitled to certain rights during a tier hearing. When you are released into the community following incarceration for a registerable sex offense you must register with local law enforcement. States classify their registrants according to either their convicted offense or upon an assumption of risk to their community. If your state classifies registrants or determines their level of community notification based on a risk assessment, then a tier hearing will most likely be held.

Prior to the hearing, if you're registered in a risk-based state, the court will examine a number of factors to assess how likely you are to commit a similar offense and the danger you pose to the community. The court will review your case and consider relevant static risk factors (the type of crime, existence or lack of violence in crime, and criminal history) and dynamic risk factors (ties to community, length of time since last conviction, and



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rehabilitative efforts) in their determination of your risk level. As the risk level reflects factors unique to each registrant, the same offense for a different registrant may receive a different risk level.

Your risk level could place you at a serious loss of liberty. If you are classified as high risk, you could face a longer period of registration and/or more frequent reporting requirements. Courts have generally held that registrants are afforded due process because of the loss of liberty and the subjectivity of risk assessments. Furthermore, the evidence used to classify registrants is subjective and open to dispute. For instance, many risk assessment tools have not been validated for race, sex, or sexuality. There is also no conclusive proof of a registrant's risk of re-offense, some sources contend it's high while others cite a low risk.

As such, you are entitled to a meaningful opportunity to contest your risk in most, if not all, jurisdictions. This means you have the right to attend a risk hearing, testify, and present evidence. You are also allowed the right to counsel in contesting your risk level. Possible outcomes include reclassification to a lower level of risk or an upholding of current risk level. Additionally, you may be able to petition for a reclassification after a specified period of time has elapsed.

### ***What are my voting rights?***

While it is mentioned a number of times in the Constitution under varying amendments, the right to vote is merely seen as a privilege. Many times, the Supreme Court has allowed states to observe it at their convenience, and they have.

In every state, except for Maine or Vermont, voting age citizens with a felony conviction are disenfranchised for some period of time. Many states automatically restore voting rights to individuals after their release from incarceration, but some states require a petition to their state government to regain the right to vote. Tennessee and Delaware permanently disenfranchise people convicted for certain sex crimes.

Laws vary in each state, but, unless you are permanently disenfranchised, you must re-register if you want to exercise your right to vote. In many states, you can register to vote online. However, if that option is unavailable to you there are number of places to register. Some states have a Department of Elections, others a County Clerk's Office, or you may be allowed to register at the DMV. Where you can register to vote depends on the state.

# REGISTRATION

Every state, territory, and tribe in the United States has an online registry with their own guidelines for who has to register, what information is registered, and for how long someone must register. Some places may not even require you to register publicly, but others may. In a few places, states will continue to list people on their registry even if they are deceased or no longer a resident, student, or employee there. You may be required to register for life, or for a set number of years. It really just depends on where you live and the crime for which you have been convicted. Every state has a different registration process, and the *Registration* chapter examines many of the general questions people have when they register for the first time.

## KEY TERMS

**Community notification** – provision of SORN laws allowing for information about registrants to be made available to the public

**Community supervision** – a program allowing people to serve out the sentence for their conviction in the community instead of behind bars

**Felony** – most serious type of criminal offense, which carries a minimum potential sentence of 1 year and a maximum of either life imprisonment or death; states have the discretion to subdivide felonies by class or degree

**Misdemeanor** – a type of criminal offense carrying a maximum sentence of up to a year in jail in most states; punishment can also include fines, probation, restitution, and community service; states have the discretion to subdivide misdemeanors by class or degree

**Offense-based classification** – method by which registrants are classified into tier levels based upon the details of the crime rather than perceived risk

**Registration** – provision of SORN laws allowing law enforcement the means to track and monitor registrants

**Risk-based classification** – method by which registrants are classified into tier levels based upon perceived risk rather than details of the crime; usually determined by a number of risk assessment tools and evidence of rehabilitation

**SORN** – acronym for sex offender registration and notification, which refers to the dual legislation requiring the registration of and community notification for people on the registry

**Supervision officer** – law enforcement official who actively monitors individuals on community supervision

**DISCLAIMER** - When assembling the *Registration* chapter of *Registering with Dignity*, we sought to provide you with useful and accurate information regarding your registration process. Sex offense law changes frequently and is subject to differing interpretations. Sex Law and Policy Center does not always have the resources to make necessary changes to the provided information when laws are changed. If you use any information from the *Registration* chapter of *Registering with Dignity*, it is your responsibility to ensure it applies to your specific situation and that the law is current. Sex Law and Policy Center does not employ attorneys, so the *Registration* chapter merely provides legal information and not advice. We advise you contact a legal professional if you are in need of legal advice.



### ***What is the registry?***

Sex Offender Registries (SOR's) are publicly available online databases containing the photos and identifying information of people convicted of sex offenses. While there is no federal SOR, there is a national website acting as a portal to the information on each state's online registry. Sometimes, third party websites create their own registry databases by downloading the data and making it accessible to search engines. Many times, these third-party sites fail to update obsolete information and will only update or remove information with a fee.

While every state maintains their own online registry, the content of the registries and how they tier registrants varies state by state. For example, some states may require your employment to be registered and others do not. Some of the publicly available registration information includes a person's name, current photograph, address, birthday, place of work, sex crime conviction history, age, and victim gender. It is recommended that you be aware of the rules for your state's registry. Contact Sex Law and Policy Center if you have questions about them.

### ***Am I supposed to be on the registry?***

For the majority of people convicted for a sex offense, you will be on the registry for some period of time. The best advice we can offer, if you are unsure about whether you have to register, is to ask someone. Chances are you will be released from incarceration into community supervision, which means you will be under the supervision of a probation or parole officer for a set period of time. You can ask your supervision officer about whether you have to register, and where you have to register. They should have the information.

If you are not released into probation or parole following incarceration, then check with your local state police office to find out about your duty to register. It is important to remember to document any phone calls, emails or correspondence with law enforcement authorities whenever possible. Document the time and date of contact, the person contacted, the topic discussed, and their response. Keep detailed notes.

### ***Can anyone look up my face and personal information online?***

Online registries are available to anyone with Internet access, but public access to your information will depend on where you live and your classification level. Many registries exclude certain classifications of registrants from public notification. For instance, Class C registrants in Washington D.C. are not available to the public, but Classes A and B are. Additionally, if someone wanted to know the identities of Class C registrants in D.C., they can request the information from the registration office. New Jersey does not publish the registration information of Tier I registrants online, but does make Tiers II and III public.

A word of warning, in some places it is illegal to access the online sex crimes registry if you are a registrant, and you can be punished. If this is true for your location, you can ask your parole or probation officer if you are listed and to show you the page. Or, you can ask a friend or family member to look it up for you. Seeing your photo on an online registry can be shocking. Reach out to a loved one if you need to talk to someone.

### ***Will I, my family or loved ones, be harassed for appearing on the registry?***

While unlikely, registrants and their families have reported being verbally harassed, intimidated, or even attacked as a result of being placed on the registry. If you find yourself being harassed, you can report this to local police. If you are on community supervision, bring this up with your probation or parole officer. Law enforcement should take your complaint seriously, and if they don't you can reach out to an organization who support people on the registry. There is a list of these organizations in the *Resources* section of this guidebook.

### ***What is the registration process?***

One of the first things you must do after release from incarceration is to register in-person at your local sex crimes registration office. Be prepared for the entire registration process to take anywhere from a few minutes to a few hours. Depending on where you live, the registration office may be housed in a police department, a courthouse, or another government agency, and may only take appointments for registration, be on a first-come first-serve basis, be handled before a certain time, or only on certain days.

Be sure to check your release papers. It should have information on where and how to register for the first time. If you are not given the information, then ask your probation or parole officer. Do not delay registration, because you must register within a specific time frame or face severe consequences.

You will be asked to provide current proof of residency, such as a driver's license, a rent or utility bill, or an official document with your address. It is usually a good idea to bring state-issued identification with your photo on it. The registration officer will ask you questions, such as your home address, whether you are on community supervision, and other such things as required by your state's law. Be honest with the officer as it will make the process go smoothly.

Next, the officer will take your photograph, your fingerprints, and possibly a DNA swab and palmprints. The officer will review the forms with you, and ask if you understand the rules. Do not be afraid to ask questions about registration if you are unsure of what you are being told.

The final step is your signature, which indicates you understand the registration process. The police will send off the registration documents to the State Police office and you will always receive a copy. If they fail to provide you one, ask them for a copy so you have proof of your registration.

Keep your copy! File it away in a folder for safekeeping on the off chance a law enforcement agent loses your documents. The police may verify your residency and employment information either by contacting your probation or parole officer or by showing up at your home or place of employment.

Eventually, you will have to periodically re-register, which can be as frequently as every 30 days. This may require updating your photo or getting your fingerprints retaken. Registration differs by state so be sure you understand your registration requirements. If you are unsure, ask the officer while you are registering how often you need to re-register and when you need to submit a new photo or fingerprints. Your probation or parole officer can provide you with more information, if you are on community supervision.

We cannot stress this enough. Do not be afraid to ask questions. Failing to register can have serious consequences including more incarceration. While the registration process can be humiliating and the officers intimidating, it is necessary.

### ***Is there anything else I have to register?***

It depends. Some states require vehicle (including boats and private planes), employment, internet identifiers, and school address registration. Others may require other information. At the very least, your name, a current photograph, and your home address will be registered.



### ***How do I know what tier I am in?***

States classify people who have committed registerable sex offenses either by the crime of conviction (offense-based) or by an assessment of their likelihood to commit another sex crime (risk-based). They can classify people by either of these methods in determining how long they are to register, how often they verify their information, or both.

In states where they use an offense-based system, there is no hearing. You are sorted according to where your offense falls in the state's classification scheme. For example, Virginia has an offense-based system. Their legislation determines what crimes go in what tier. If, for instance, you are convicted for aggravated sexual battery, you are designated a violent sexual offender. In states where they use a risk-based system, there is usually a tier hearing if you think you belong in a different tier with less stringent reporting requirements. During this hearing, you are assigned a risk level, which determines what tier you are placed in, and/or level of reporting and community notification. States typically classify you based on a number of factors, such as a risk assessment tool, your criminal history, community supervision status, and other dynamic risk factors. Ensure you understand what classification system your state uses, or be willing to ask someone if you don't know.

### ***Will I have to pay to register?***

Unfortunately, you may have to pay a fee to register, but it depends on the state where you are registered. For example, as of now, Louisiana requires a \$60 annual fee. If a Louisiana registrant cannot pay the fee within 30 days of initially registering, he or she will be charged with a failure to register. Illinois requires a heftier fee of \$100 or 100 hours of community service, and failure to pay is a felony.

Not all states require a registration fee, but it is important to keep in mind laws change. While there may not be a fee today, there may be one in the future. Wyoming, for example, recently increased their annual registration fee to \$150. Check with your parole or probation officer if you are unsure about whether you have to pay a registration fee.

### ***What will happen if I don't register or I forget to register?***

Failing to register is a crime, and is often a felony.

Understandably the registration process can be confusing and terrifying, especially for people whose registration information will be publicly available. However, it is critical for you to register and update any changes in a timely manner if you are legally required to register. You don't want to risk being convicted for another crime. These penalties can be fines in the thousands of dollars, a felony or misdemeanor conviction, and/or additional incarceration. Avoiding a conviction for failing to register can only occur in extremely limited circumstances.

### ***Are there options to be removed from the registry?***

Some places allow certain registrants, after a specified time of registration, the opportunity to ask to be relieved of their duty to register, meaning you will not be on a public registry. Alternatively, you may be deregistered after a predetermined set of years, depending on your tier level, if the option to petition for registration relief is unavailable. You can check your local sheriff department's website to see what the law is in your state. You can also contact a lawyer who specializes in sex crimes law to find out about the process. We know of people who have successfully been removed from the registry. There are also some states where successful legal challenges have been filed to remove certain classes from registration. For example, the Center for Constitutional Rights

successfully challenged Louisiana’s homophobic practice of registering people for crimes against nature.

In either case, it is a long, difficult, and potentially expensive process. There is no guarantee for removal as it depends on each state’s specific requirements, but it might be worth a try. Given the complexity of the process, it may require the assistance of an attorney. Contact a civil rights or registrant support organization for additional information.

***What states allow for people to be removed from the registry?***

Unfortunately, many people will not be able to seek complete relief from registration and notification requirements. Some states include a section providing for the removal from the registry in their sex offender registration and notification legislation, but relief is rigidly defined and only applies to very specific people. If there is no provision, you must either wait for the duration of your tier registration to expire, petition for a lower tier, or explore other legal avenues for registration relief. Thirty-two states provide an option for relief in some fashion: Arkansas, California, Colorado, Delaware, Florida, Georgia, Hawaii, Idaho, Iowa, Louisiana, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Oregon, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, and Wyoming. Remember, this is subject to change so verify your options for relief in the state in which you reside.

***Are there any helpful tips for the registration process?***

Registering can be confusing and terrifying. You may have to schedule an appointment in advance, and take time off from work. Even with an appointment you may have to wait a long time for your registration. Registration is not a pleasant experience, but sometimes the people who register you are respectful and will try to help you stay compliant with registration. We also want to help you stay compliant with these tips:

***MAINTAIN A CALENDAR SPECIFICALLY FOR REGISTRATION***

Your state will most likely have many deadlines and dates for which you will need to be aware. We recommend that you keep a calendar of deadlines so you do not risk a failure to register penalty. For instance, keep track of the date you have to re-register. Some people have to re-register quarterly, and others have to annually. Know the date and write it down. It is also a good idea to be aware of the timeframes for registering any changes. Some states require you to alert registration authorities within 3 days of moving, and others require 3 business days. Make sure you know the timeframes for registering changes in address, employment, school attendance, email, online identifiers, vehicle registration, and any other changes. If you do not know these dates or timeframes, do not be afraid to ask. You have a right to know these dates and timeframes. Write it down and keep it in a place you can remember. Failing to register any of these changes can result in fines, a felony charge, and/or incarceration.



### *CALL AHEAD*

Sometimes your local registration office only handles sex crimes registration requests on certain days or hours. Save yourself the trouble of making an unnecessary trip by calling ahead and ensuring they are open **AND** handling sex crimes registration requests for that day. Some states may require you to schedule an appointment in advance. In any case, call ahead to verify. If you cannot verify hours and location by phone, go in person and risk wasting time. It is better than potentially facing consequences for failing to register on time.

### *GET A “CERTIFIED RECEIPT”*

If your state allows you to re-register by mail, it is helpful to do so with a certified receipt. A certified receipt lets you know the document has been delivered and the date you sent it. This way you have a record of sending out your re-registration, in case it gets lost in the mail or at the state police department. This is a good way to hold yourself accountable in keeping your registration up to date. Also, it prevents you from being charged with failure to register. Be sure to keep a copy of your certified receipt as proof of sending out your re-registration forms, and file it away in a safe place.

### *KEEP DOCUMENTATION SAFE & READILY AVAILABLE*

Keep copies of your registration and community supervision documents. These documents include the conditions of probation or parole, registration, and “certified receipts”. The most important documents are the ones you sign that say you either understand or agree to something like registration and community supervision. Again, be certain that you understand what you are signing before you sign your name. Ask for clarity if you do not understand what you are signing. These documents are important if an officer loses paperwork. They prove you did what you were supposed to do. Ultimately, you are responsible for you.

### *ASK QUESTIONS*

It is a good idea to ask questions if you are unsure how registration or community supervision works. However, be aware that asking the same question in a different way may irritate the officer. It may be helpful to write down questions in a notebook and, underneath the question, write the response. This will help you to not ask the questions over and over again and provide you a reference in case you forget an answer to a question. Make sure you keep this notebook in a particular place so you can remember where it is when you need to refer back to it.



# JUVENILES ON THE REGISTRY

Juveniles are required to register for sex offenses in a number of states. Some of these states register juveniles as young as 10-years-old. States with juvenile registries differ in their registration requirements. In some states, juvenile registrants are subjected to the same reporting requirements as adults, which can include lifetime reporting. Other states allow juveniles an opportunity to petition for registration relief after a period of time. Regardless of time registered, the effects of registration are the same. The *Juveniles on the Registry* chapter discusses many of the issues juveniles face due to registration, including stigmatization, discrimination, and bullying. This chapter also offers advice on how to deal with being registered. Always remember that, in spite of your conviction history, you are valued and worthy of respect and dignity.

## KEY TERMS

**Community supervision** – a program allowing people to serve out the sentence for their conviction in the community instead of behind bars

**Conversion therapy** – a set of harmful and discredited practices that falsely claim to change a person’s sexual orientation or their gender identity or expression

**Residency restrictions** – geographical limit on where a person on the registry can live, usually near to where children gather

**Residential treatment facility** – live-in home providing services for juveniles with serious behavioral, substance abuse, or mental health problems

**Supervision officer** – law enforcement official who actively monitors individuals on community supervision

**Zero tolerance policy** – rules that require severe and consistent punishment -usually expulsion or suspension- when students break school policies

**DISCLAIMER** - When assembling the *Juveniles on the Registry* chapter of *Registering with Dignity*, we sought to provide you with useful and accurate information regarding your registration process. Sex offense law changes frequently and is subject to differing interpretations. Sex Law and Policy Center does not always have the resources to make necessary changes to the provided information when laws are changed. If you use any information from the *Juveniles on the Registry* chapter of *Registering with Dignity*, it is your responsibility to ensure it applies to your specific situation and that the law is current. Sex Law and Policy Center does not employ attorneys, so the *Juveniles on the Registry* chapter merely provides legal information and not advice. We advise you contact a legal professional if you are in need of legal advice.



### ***Do I have to register?***

It is a good idea to verify with your attorney or probation officer whether you have to register for a sex offense as a juvenile. Most states have a public registry for juveniles, but there are a few states that do not require juveniles to register. Some of the states requiring registration for juveniles do not share the registrant's information with the public. Additionally, only six states require lifetime registration for juveniles. The other states allow juveniles to request for their name to be removed after a certain period of time, so there is a chance you won't have to register for the rest of your life.

In addition to registration, juveniles may have other difficult restrictions. Sadly, you may not be allowed to go places where children may gather. This may include public parks, libraries, and schools. City and county ordinances may differ from state law. The best advice we can give is: when in doubt about registration or a restriction, ask and get information in writing. Juveniles and adults typically have a different set of registration rules to follow.

### ***What does my registration status say about me? Do I have a future?***

It is important to stay hopeful during this process, as it is easy to feel overwhelmed and discouraged. Your registration status doesn't define you, and a fulfilling life is still possible. It is really important that you try to have empathy for yourself while you deal with residual trauma from incarceration and the criminal legal system, and while you readjust to life "on the outside." Try to forgive yourself if you feel that is appropriate for your situation. You aren't a monster and you deserve to be treated with dignity and respect. You are valued and you aren't alone in this process. There are advocates working on the rights of formerly incarcerated juveniles. Please seek social support or mental health care if you are feeling hopeless, depressed, or suicidal. You are worth it!

Remember that it's possible to live on the registry, and it is not being the end of your life. Be assertive with your rights, but beware of consequences that might arise in the complex criminal legal system. You will learn how to pick your battles, but you don't have to go through this alone. Vital in this process is finding a trustworthy parent or other adult to advocate for you and support you. You can also reach out to the Sex Law and Policy Center, and we'll see what we can do to ensure you feel heard, respected, and safe.

### ***Can I go to school?***

There is a basic public expectation that juveniles, even formerly incarcerated ones, have a right to an education free of harassment. School districts are not required to provide the registration information of juvenile registrants to parents or students. It is a complicated situation because school administrators must balance other student's safety with the registered student's right to public education.

Each state sets guidelines for notifying parents of your enrollment in school, but there is usually a process. School districts are often notified by law enforcement if a registrant is enrolled in their schools. This will usually trigger a meeting between school administrators, your probation or parole officer, and your parents. During this meeting, they'll determine who is responsible for supervising you while you are at school and whether you may need special transportation to and from school. The process for your enrollment and how much information the public is given all depends on where you live.

Some school officials may decide to keep your identity private, but other officials will alert everybody and actively try to prevent you from attending school. Sometimes, however, the conditions of your community supervision

may limit your education. You may not be allowed to attend the same school as the person you allegedly harmed. Some school districts may send registered students to an alternative school, while other school districts may permit you to stay in school.

We know re-enrolling in school after your incarceration will be difficult and stressful. Unfortunately, there is not a lot of information on how to best approach your re-enrollment process. Given that school officials, depending on where you live, may not be alerted of your conviction we think it is best to contact your probation or parole officer first. Talk to them, and ask them what the rules and regulations are for re-enrolling in school. Be sure to take detailed notes so you don't forget anything. If they don't provide you with enough information contact your local registration office for more details. Be aware, however, that many states do not hold these registration officers liable for any misleading or inaccurate information. If your family can afford it, or there is a free consultation, reach out to an attorney for assistance.

As a last resort, we recommend calling the school you will be enrolled in and find out the process and rules. There is always the option of reaching out to your local state and federal representatives and asking them for guidance. We have not received any feedback as to whether this is an effective method, but, if you try this option, let us know what happens so we can advise other people.

### ***What do I do if I am bullied for my registration status?***

Bullying is hurtful, and can make you feel bad about yourself. It is important for you to know that you are *NOT* alone and it's *NOT* your fault you are being bullied. Regardless of your registration status, you have the right to live and attend school in a safe and violence free atmosphere. Many schools have a zero-tolerance policy for bullying.

While sadly a reality for many young people, bullying can be overcome. We recommend you first advocate for yourself, because the more empowered you feel the more you can stand up for yourself - not only with being bullied but in other important ways. However, only use this method first if you don't feel it is a risk to your safety or you are not being physically threatened.

Bullies want to make you feel powerless, sad, angry, and/or scared. They want to see you get upset and cry, get angry and lash out, or get scared and cower in front of them. They want you to react, because it makes them feel in control. If you ignore their hurtful language and actions, they will lose interest in you.

Don't react to the bully whenever they approach you. You can just turn and walk away confidently. You can yell STOP, and then turn and walk away confidently. Alternatively, if they insult you or call you names – laugh hysterically, ask them if that is the best they can come up, and walk away without another word. You could also look them in the eye, offer them a compliment, and turn and walk away confidently.

It is important to always walk away and keep walking. Not only will it remove you from the hurtful situation, but it will also remind the bully you don't care what they say or do. Make sure you don't bully back. It will make the situation worse, and then you will also be a bully.

If you don't feel comfortable or safe confronting your bully you have options. Don't be afraid to ask for help and tell someone you are being bullied. If you are feeling targeted by a peer or adult, seek support from someone



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you trust, such as a family member, friend, or teacher. If you can't talk to your parents, talk to your guidance counselor.

Don't keep it bottled up. Telling someone can help you feel less alone, and they can help you come up with a plan to stop bullying.

The plan could include staying away from places where the bullying happens, or taking a different route to school. It may include being in the company of a group of friends. Bullies don't usually like taking on multiple people. Their power is reduced with multiple people. If you are being cyberbullied - that is over the phone or internet - tell someone. Don't be afraid to lose your phone or computer. Work with someone on how to handle the cyberbully.

Some strategies may work better than others. Over time, you can build confidence and strength to combat bullies and other antagonistic forces in your life. If you are feeling depressed or suicidal, talk to someone or seek counseling immediately. People do care about and value you.

### ***Can I live with my family?***

It depends on your individual situation. It is a good idea to check with your community supervision officer. If your victim is a sibling or family member that lives in the home, this may cause problems. Usually you can't reside where the victim lives, even as a juvenile. Juveniles convicted of sex crimes often have to live with another parent or family member, in a foster home, or in a residential treatment facility. It might also matter if any other minor children are present? This depends on the conditions of your supervision and the local laws. As for residency restrictions, some places make exceptions for juveniles and some don't. Check with an advocacy organization for help if you are having problems with housing or staying with your family.

### ***What do I do if my treatment provider attempts to change my gender identity, gender expression, or sexual orientation?***

If you have experienced this type of treatment, you may feel bad about yourself or confused. We want you to know you were born perfect and being queer or trans is not a mental disorder. There is nothing wrong with your gender identity, gender expression, or sexual orientation. Sometimes people - even "professionals" - who mistakenly think being queer or trans is wrong, bad, or sick will try to change you. These attempts to change these normal parts of who you are called "conversion therapy." You may also hear the terms "reparative therapy" or "sexual orientation change efforts" (SOCE) to describe these practices. They are all a dangerous set of practices, often motivated by religion, that try to change your queer or trans identity to fit straight and cis expectations. Every major medical and mental health organization in the country agrees that conversion therapy is not real "treatment," doesn't work, and is harmful, especially to young people. Several states and cities have made it illegal for licensed mental health professionals to practice conversion therapy with youth under 18. Licensed treatment providers in every state have an ethical duty to not harm you.

Reach out to the National Center for Lesbian Rights' #BornPerfect Campaign at [BornPerfect@nclrights.org](mailto:BornPerfect@nclrights.org) or call 1.800.528.6257 for help. If you, or someone you know, feels suicidal and needs immediate help, reach out to the Trevor Project or the National Suicide Hotline.



# WOMEN ON THE REGISTRY

Unfortunately, we know very little about women on the registry. While women are the fastest growing population within the criminal legal system, sex crimes registries are still overwhelmingly populated by men. There is little research on women's needs and how they are different from those of men, mostly due to the small percentage of women registrants. Empirical research and anecdotal evidence indicates that women on the registry share some concerns, including child custody issues, sexual harassment, and reentry services. The *Women* chapter, compiled from interviews with women on the registry, provides an overview of expectations for women on the registry.

DISCLAIMER - When assembling the *Women on the Registry* chapter of *Registering with Dignity*, we sought to provide you with useful and accurate information regarding your registration process. Sex offense law changes frequently and is subject to differing interpretations. Sex Law and Policy Center does not always have the resources to make necessary changes to the provided information when laws are changed. If you use any information from the *Women on the Registry* chapter of *Registering with Dignity*, it is your responsibility to ensure it applies to your specific situation and that the law is current. Sex Law and Policy Center does not employ attorneys, so the *Women on the Registry* chapter merely provides legal information and not advice. We advise you contact a legal professional if you are in need of legal advice.



***Will I be sexually harassed as a woman on the registry?***

Women on the registry also report that they are often subjected to sexual harassment. According to some of these women, certain people believe women on the registry are hypersexual and want to be sexually harassed. Women have indicated they often receive threatening, vulgar, and explicit letters and conversations from men in prison, in the community, and on the job. Some of the women have mentioned they have been stalked by men, and their felon status makes self-defense difficult because they can't own a gun. They recommend learning self-defense at your local community center to protect yourself.

Regarding employment, many women with a registerable offense often locate employment within typically male dominated spaces. Sexual harassment and gender-based discrimination coupled with power imbalances between employers and female employees can create barriers to a safe work environment for women on the registry. This may make you vulnerable to harassment from other employees and your boss.

Mention if you are experiencing harassment of any kind from anyone to your supervising officer or local law enforcement. It is illegal to use the registry for harassment in most states, so there may be legal options.

***What about my treatment options as a woman on the registry?***

Women have also mentioned difficulties with re-entry. For instance, women who commit sex crimes are more likely to have sexually traumatic histories. Sex offender treatment, due to the comparatively low number of women on the registry, is often male centered. As a result, gender specific treatment options are rarely available, which means women may not have their needs adequately assessed or met. Often women may attend group, and be the only female present, with men. While being the only female present may not be ideal, it could be an opportunity for a positive interaction. If you feel comfortable speaking out and have a history of sexual trauma, your experience could be a tool to teach the men in the group about empathy and the power dynamics of sexual assault. Regardless, speak with your supervision officer if you feel treatment is inadequate for your situation and try to locate a treatment provider catering to women with sexually traumatic histories.

Pro tip from the women: Contact the health department if you are in need of feminine hygiene products.

If you have personal experiences that you would like to share with us, please email us at [info@sexlawandpolicy.org](mailto:info@sexlawandpolicy.org). It would help us fill in knowledge gaps so that we can better serve other women on the registry.



# FAMILY, SIGNIFICANT OTHERS, & ALLIES

Your loved one or friend will have to adjust to life in the “free world” once they are released from incarceration. It is important to remain open and understanding of the challenges facing the registrant in your life. Incarceration and registration comes with many traumas that can be difficult to overcome, but a loving support network helps in their transition. The *Family Significant Others, & Allies* chapter outlines how you will be impacted, what to expect when a loved one is released from incarceration, and offers tips on how to be a support and be supported.

DISCLAIMER - When assembling the *Family, Significant Others, & Allies* chapter of *Registering with Dignity*, we sought to provide you with useful and accurate information regarding your registration process. Sex offense law changes frequently and is subject to differing interpretations. Sex Law and Policy Center does not always have the resources to make necessary changes to the provided information when laws are changed. If you use any information from the *Family, Significant Others, & Allies* chapter of *Registering with Dignity*, it is your responsibility to ensure it applies to your specific situation and that the law is current. Sex Law and Policy Center does not employ attorneys, so the *Family, Significant Others, & Allies* chapter merely provides legal information and not advice. We advise you contact a legal professional if you are in need of legal advice.



### ***What are my rights as a family member, significant other, or ally?***

Your rights remain the same as they were before your loved one was incarcerated. You have a right to live a life free of harassment, and you may report any such activity to law enforcement. If you live with a registrant then some of your rights might be different in order to keep the household free of any material, like alcohol or Internet access, that might violate your loved one's supervision or registration requirements.

### ***How will registration affect me as a registrant's family member, significant other, or ally?***

Supporters of registrants often assume some of the responsibility and burden for their loved one or friend's presence on the registry. It has ended relationships ranging from marriage to friendship and divided families. If you reside with them, you may face harassment or violence similar to what your registered loved one may experience. This is not guaranteed to occur, but there is potential. There have been isolated incidents in other states that demonstrate this impact. You might have to relocate depending on residency restrictions. Also, your children might face bullying, harassment, or isolation at school.

Have a conversation with your family about how registration might affect you and come up with a plan for how to deal with harassment. Adjusting to the new normal of being registered will be difficult for everyone. If funds allow, it may be a good idea to try and find access to a family therapist or a life coach to create opportunities for healing and family unification.

### ***What is a registrant ally?***

A registrant ally is a person who stands up, speaks out, and supports a registered person who may be the target of discrimination and stigmatization. You are an invaluable resource for someone who is just getting out and might be feeling vulnerable, frustrated, hopeless, and depressed because locating and maintaining a job and a home, becoming financially stable, and dealing with the challenges of registration is difficult. It is a lot to process and having a supportive ally goes a long way in feeling worthy of dignity and respect. There are many ways to act as a supportive ally.

### ***How do I act as a supportive ally to my registered loved one or friend?***

#### ***USE NON-STIGMATIZING LANGUAGE***

People on the registry are frequently dehumanized. When it comes to registrants, they face a criminal legal system and a society that undermines their efforts at rehabilitation and makes a concerted effort to humiliate them. Realizing this and being able to provide support for your loved one or friend is the best way to be a good ally. Try not to use the label "sex offender" when talking about their conviction or others with a sex offense conviction. The "sex offender" label implies someone is presently in the act of committing some type of wrongdoing and results in negative emotions replacing reason and justice. It is also frequently used to degrade and unilaterally categorize a diverse group, making it seem that everyone convicted of a sex offense is pathologically dangerous. Instead try to use people first language like person on the registry or emotionally neutral language such as sex crimes registry or registrant. It will demonstrate to your registered loved one or friend that you see them as more than their conviction.

## *REAFFIRM POSITIVE THINKING*

Registrants will hear a lot of no's from friends, family, jobs, housing, and community supervision. It is a lot to accept and process, but remind them to be easy on themselves. Rejection will be hard to deal with, but encourage them to accept it, strive to be better, and keep their focus on their desired outcome. Reaffirm positive thinking and make it a point to acknowledge negativity, but shift the conversation. Remind your registered loved one or friend that they are not a failure. Urge them to keep working on themselves, stay focused, and give themselves credit for all their positive accomplishments since release. Try to encourage them to celebrate small goals, regardless of how small. Hopefully, it will instill a sense of confidence, and bring them happiness to know they are gaining success in some ways.

## *COMMUNICATE*

Your registered loved one or friend won't know if you support them unless you indicate your intentions. Often, they are released from incarceration and feel they have to deal with being registered alone. Processing the new normal of being registered is a difficult experience and communicating your support to your registered loved one or friend will help them not feel alone. Keep in mind, the stress of registration may result in a registered person responding with negative actions. Due to the punishment for failing to register, this stress may always be brewing under the surface and contribute to a registrant acting out.

Take a moment to communicate to your registered loved one or friend that their expression of frustration and disappointment negatively impacts you and provide constructive and positive alternative expressions. Ask them to work at identifying when they are being bothered so they know how to discuss issues before it becomes unmanageable. Maybe you could have a safe word to use when their negative emotions are particularly bothering you. Choose a word that is not often used in conversation, like pineapple or daffodil. A safe word will provide your registered loved one or friend with a reminder that their negative responses are impacting you. It may also provide an opportunity to discuss what is bothering them.

## *LISTEN*

Listening is a small way to have a big impact. Sometimes a registrant just needs to know their frustrations and disappointments are valid. Try to reflect and listen, not hear, but listen to their struggles. Make an attempt to not interrupt them with your own thoughts and feelings. Let them know that you are open to hearing about their experiences and that, although it may be difficult to hear, you are willing to enter into that space and respectfully listen. Be fully present with them. Set aside your phone, your computer, and other distractions. It will help build trust and allow a registrant to know someone cares. Don't try to jump into problem-solving mode, because it signals that you don't understand the struggles they're experiencing. Instead ask questions to understand the issue and guide them toward a solution. This demonstrates to them you love and care for them and will go a long way in making them feel valued and respected as a human being.



## *What are some strategies for me to be a better ally?*

### *COMMUNICATE YOUR NEEDS*

Communication is a two-way street. You need to feel comfortable with expressing what you need to process the stress of your registered loved one or friend's registration, because they may not be aware of how their actions and words affect you. Be aware of when you feel unappreciated, taken advantage of, or frustrated and make specific requests to ensure your needs are met. You can't support your registered loved one or friend if you resent or are upset with them. Don't be afraid to respectfully speak up, because it will help foster a healthy relationship for both of you.

### *PRACTICE SELF-CARE*

Often being an ally and a supporter to someone on the registry can make you feel stressed out and run down. You may find yourself neglecting your own needs in order to devote yourself to others. Self-care, or activities you engage in to take care of yourself physically, emotionally, and mentally, can help you cope with stressful environments. It can be difficult to practice self-care, but understand that it isn't selfish. You have to be able to care for yourself before you can care for others. You must treat yourself as kindly as you do others.

There are a number of cheap and easy ways to practice self-care. You can unwind by enjoying a quiet stroll listening to the sounds around you, lighting some candles and soak in a hot bubble bath, grabbing a glass of wine and watch a sunset, go for a run, or engage in something creative. Try and laugh every day. Make some friends and engage in a healthy social life to reduce stress. Practice acceptance and know there are things which will be outside your control. Overall, find activities that reduce your stress levels and remind you to love yourself.

### *SEEK OUT YOUR OWN SUPPORTS*

It is normal to be frustrated or mad at them for their offense, and having your own support network can help you deal with these struggles of forgiveness and shame. You can also seek social support from organizations such as Women Against Registry, the Alliance for Constitutional Sex Offense Laws, and the National Association for Rational Sex Offense Laws to connect with family members and friends of registrants who have faced similar challenges. Their contact information is located in the *Resources* section of this guide.

### *SET BOUNDARIES*

Boundaries are really important to establishing a healthy relationship with your registered loved one or friend. They require understanding the limits of your emotional tolerance and acceptance, and knowing what makes you feel uncomfortable or stressed. Be aware of your feelings in varying situations and find out what makes you feel unappreciated and resentful. Give yourself permission to be direct with someone when they have crossed your boundary. It is normal to know when you can't handle a particularly trying situation and step aside.



# COMMUNITY SUPERVISION

Most likely you will find yourself under some type of community supervision following your release from incarceration. The *Community Supervision* chapter discusses what the different types community supervision are generally. This chapter will also help you to understand what your period of supervision will like – the rules you have to follow, communicating with your supervision officer, and to understand your rights during reentry.

## KEY TERMS

**Conditions** – written rules and restrictions that you are required to follow while under community supervision

**Community supervision** – a program allowing people to serve out the sentence for their conviction in the community instead of behind bars

**Revocation** – process by which the conditions of your community supervision are taken away following a violation

**Sanction** – punishments for violating the conditions of your community supervision

**Supervision officer** – law enforcement official who actively monitors individuals on community supervision

**Violation** – term used by law enforcement agents for when a person does not abide by the conditions of their community supervision

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### ***What are probation, parole, and supervised release?***

Probation, parole, and supervised release are three types of community supervision that may apply to you. Community supervision is a form of sentencing which offers an alternative to incarceration provided you meet certain terms and conditions. Usually this means you must meet with a supervision officer and follow a set of rules for a specified period of time instead of serving time in jail or prison. If you are sentenced to community supervision, you either serve it after a period of incarceration or instead of incarceration. Depending on the state, you may be required to serve lifetime community supervision.

Probation is typically assigned during your sentencing hearing as an alternative to incarceration. Supervised release is a form of probation, but is a separate and additional sentence that is served following incarceration. On the other hand, parole is a conditional release from incarceration where a person serves the remainder of their sentence in the community provided they do not commit additional offenses. As an example, a person may be incarcerated for 75% of their sentence and the remaining 25% on parole, but a person on supervised release will serve 100% of their time and then be monitored for a period of time after incarceration.

While living in the community under community supervision you will be supervised by a correctional officer, and you must follow certain rules and restrictions. These rules often detail how often you report to your supervision officer, your curfew, and the terms of your sex offender treatment, among other things. Restrictions often limit where you can live, work, spend your leisure time, the people you can contact, and other similar restraints.

Often these rules and restrictions vary from person to person. For example, if someone committed their offense while under the influence of alcohol or drugs they may be subject to drug testing, or there may be an internet ban if a computer was used to commit a crime. In some states, you may be subjected to GPS monitoring for a period of time, or not be permitted to travel outside a certain distance from your home. It all depends on the crime someone was convicted of and the surrounding circumstances.

While under community supervision your rights are restricted, because the courts consider it a privilege. Any form of community supervision is an alternative to the worst-case scenario - in this case incarceration. If you want to benefit from that privilege and not be reincarcerated, you must comply with the rules and restrictions of your release.

### ***My family lives in another state. Can I transfer my community supervision to be closer to them?***

Under the Interstate Compact for Adult Offender Supervision (ICAOS) it's possible, but you must satisfy certain rules. Furthermore, there is a fee to transfer you. The national ICAOS office has a useful guide to the interstate states, which can be found under the Key Documents section at <http://www.interstatecompact.org>. The state you are transferring from has the discretion to send you to another state, which has the discretion to accept you. Receiving states must accept you if you have 90 days or more remaining under community supervision, not violated the terms of your community supervision, and are either a resident of the state, have family in the state that has indicated a willingness to support you, or a job offer. After you are transferred, you must follow the rules and restrictions of community supervision from the state sending you, the ICAOS rules, and any rules or restrictions of the receiving state.



### ***What do I do with all the paperwork they give me?***

Your paperwork, especially those with your signature on it, is very important. They provide a documented record of your progress while on supervised release. Ensure you keep copies of all of it, especially those for an assessment of sex offender treatment, polygraph testing, paystubs, and anything else related to your time on supervision. It's also a good idea to keep a copy of any sex crimes registration paperwork, in case your supervision officer inquires about your compliance.

File all paperwork away in a safe and locked place, preferably organized by date and subject. This is necessary for your own reference purposes and to protect yourself in case an authority figure misplaces your original documentation. You don't want to run into problems with noncompliance because paperwork was lost. Keeping copies neatly organized also helps keep you accountable.

### ***What are some tips for communicating with my community supervision officer?***

Always, always, always, communicate. No matter the situation, always make sure you have clear lines of communication with your supervision officer. Ensure you alert them whenever you have any contact with law enforcement officers, within the required deadline, while on supervision. Make sure your supervision officer is aware of any employment and housing issues. Whatever the situation, don't surprise your supervision officer with new information when it is too late. Keeping an open line of communication indicates to your supervision officer that you are honest and not trying to hide anything.

Aside from that, you should always be respectful. You will have to interact with your probation or parole office throughout your supervision. If you respect them then they will be more likely to respect you and potentially make supervision go more smoothly. Your actions define you, and if you react in a calm and dignified manner to their rules and restrictions, it will make your community supervision much easier to deal with. Don't give them a reason to make your supervision more difficult than it needs to be. Besides, your supervision officer may be more willing to give you a break in the event you do violate if you speak to them respectfully and don't give them any trouble.

Another thing to remember is that if you don't understand something, ask. It is better to be clear about the rules at the beginning of community supervision rather than being confused and accidentally violating the rules. Violating any of your rules of your supervision can lead to serious consequences, like drug testing or additional incarceration.

### ***Will there be special community supervision restrictions?***

#### ***TRAVEL***

You most likely will have restrictions on how far you are allowed to travel. Be sure that you ask what your travel restrictions are and if you must get permission or notify anyone before you go. You might have to register at the local police station of the city you are visiting within a number of days of arrival. Ask your community supervision officer for these details, as not following their rules can result in a violation with serious consequences.



### *HALLOWEEN*

You might have to follow specific requirements on Halloween, and these vary by location and from year to year. Despite no evidence that registrants pose a significant risk on Halloween, many cities have put strict regulations in place. Some people must put up a sign on their door saying “No trick or treating here,” are barred from decorating their homes, must have their lights off, or are forced to report to the local police station on Halloween. Some states, like Louisiana, will criminalize you for handing out candy on Halloween.

You can check in with your community supervision officer or call the local police station to see what the rules are in your area. We know that this can be a dehumanizing and embarrassing process, but it is necessary that you protect yourself and follow the laws in place.

### *RESIDENCY / PRESENCE / EMPLOYMENT RESTRICTIONS*

Many states often place restrictions on where people on the registry may work, live, or be present at while they are under community supervision. Usually this restriction is a specific distance from anyplace children may gather-including parks, schools, public pools, libraries, and other similar places. For employment, it means you may not be able to work with minors or at any company that provides services to minors. Your supervision officer may have to sign off on where you live or work to ensure compliance with requirements. Many times, these restrictions are removed when you are released from community supervision. However, some states may limit you even when you are free from supervision. Verify whether you are restricted with your supervision officer.

#### ***What will happen if I violate my conditions?***

Determining whether you are in violation of the conditions of your community supervision, and the punishment for violation, is at the discretion of your supervision officer. He or she may give you a warning the first, and possibly the second time you violate any condition of community supervision. However, anytime you violate the conditions of community supervision there is a potential for consequences. Your supervision officer could decide you are in violation and issue a sanction for the violation, instead of a warning, even for a first violation.

The consequences for a sanction can be severe and include a long and painful legal process. If you are issued a sanction, you may be returned to jail for all or part of your original sentence in what is called a revocation of probation (parole). Usually there is a hearing to determine whether your probation should be revoked, meaning you will be re-incarcerated. If you are re-incarcerated - even for a community supervision violation - it could potentially trigger a Sexually Violent Predator (SVP) evaluation and SVP civil commitment proceedings.

It is important for you to follow the rules and restrictions of community supervision, even if you don't agree with them. If you feel you're being discriminated against reach out to an organization or an attorney. The consequences of failing to do can be severe and impact not only you, but also your loved ones.

#### ***When will I be released from community supervision?***

While many people will have a definite expiration date for their community supervision, many states, unfortunately, require lifetime community supervision for people convicted of certain sex offenses. An expiration date for your community supervision should have been given to you during your initial supervision appointment.



Keep in mind, that this date can be extended for any violation of the terms of your community supervision.

Your community supervision will likely end on the pre-determined date if you follow your terms, pay all associated court fines and fees, and perform well while supervised. Sometimes, however, even if you are off paper you may be required to be on good behavior for a number of years. This means that if you are arrested or convicted for breaking any laws that you can face severe consequences. In any case, once you are released from the supervision of a parole or probation officer you are free from following the terms of community supervision.

Occasionally, if you complete all requirements of community supervision, avoid violations, stay in good communication with your supervision officer, and pay all fines and fees you can petition for early removal from community supervision. Talk with your supervision officer to see if this option is available, and, if so, speak with an attorney to start the process.



# STEPPING INTO REENTRY

**Y**ou will face barriers when transitioning home following incarceration. Not only must you follow strict sex crimes registration requirements, but you will also face challenges in locating and maintaining housing, employment, education, and support networks. The *Stepping into Reentry* chapter discusses the barriers you will likely encounter in locating and securing housing and employment, furthering your education, and finding support for your reentry process, and offers tips and tricks for ensuring your success.

DISCLAIMER - When assembling the *Stepping in Reentry* chapter of *Registering with Dignity*, we sought to provide you with useful and accurate information regarding your reentry process. Sex offense law changes frequently and is subject to differing interpretations. Sex Law and Policy Center does not always have the resources to make necessary changes to the provided information when laws are changed. If you use any information from the *Stepping into Reentry* chapter of *Registering with Dignity*, it is your responsibility to ensure it applies to your specific situation and that the law is current. Sex Law and Policy Center does not employ attorneys, so the *Stepping into Reentry* chapter merely provides legal information and not advice. We advise you contact a legal professional if you are in need of legal advice.

# Housing

**R**esearch indicates reentry outcomes - like reducing the chances of re-offense – are better when stable housing is obtained. Despite these findings, securing housing is challenging for any person released from incarceration. Registrants in particular face unique housing barriers due to their conviction. For example, you may have residency restrictions, may be forbidden from living with minors, have eligibility restrictions for federally subsidized housing, and/or face landlord prejudice. The *Housing* section of the *Stepping into Reentry* chapter discusses housing barriers you’ll likely face and suggests ways to secure housing.

## **KEY TERMS**

**Background check** – process of reviewing a potential tenant’s suitability for residency, which may include examining criminal history, credit checks, eviction and court records, employment history, and rental histories

**Community supervision** – a program allowing people to serve out the sentence for their conviction in the community instead of behind bars

**Eviction** – process by which a landlord removes a tenant from their residency

**Lease/rental agreement** – legally binding agreement between a potential landlord and tenant informing each party of their responsibilities and obligations while renting the property

**Private owner/landlord** – person who owns the residence that is rented or leased

**Residency restrictions** – geographical limit on where a person on the registry can live, usually near to where children gather

**Supervision officer** – law enforcement official who actively monitors individuals on community supervision



### ***What are my housing rights?***

Safe, stable, and affordable housing is a basic human right, but there is no federal law preventing housing discrimination based on a criminal record. Such housing is important to people with criminal convictions, because it helps reduce the chances of committing another crime. Finding housing with a criminal conviction, especially for sex crimes, is extremely difficult but not impossible. You might be discriminated against, and, as a registrant, you may face particular hurdles like residency restrictions or people unwilling to rent to you. You may also be unable to meet minimum income qualifications, because of unemployment due to your conviction. If you are on community supervision, you may need to have your supervision officer grant you permission to live somewhere. If you are a person living with HIV, there is good news. A prospective landlord can neither ask about your HIV status nor ask for details about it.

On another positive note, the Department of Housing and Urban Development (HUD) issued guidance on housing policies, early in 2016, declaring that banning applicants from housing based solely on their criminal conviction may be illegal under the Fair Housing Act (FHA). The HUD guidance cautions that policies banning people with criminal conviction from housing may be illegal if it doesn't account for the nature, severity, and time elapsed since the conviction and if the policy isn't tailored for the protection of residents. In other words, housing policies may be illegal if they do NOT consider the potential resident's particular circumstances. Housing officials can investigate violations of the HUD guidance and bring discrimination charges against landlords, which could result in penalties for them and damages for the person denied housing. Even though this guidance is still untested for people on the registry, the policy appears favorable to registrants under certain circumstances.

### ***What are residency restrictions?***

People on the sex crimes registry may also encounter residency restrictions, which limit how far a registrant can live from places children gather. These restrictions vary widely in how far a registrant can be from any place where children congregate including parks, schools, public pools, and daycares. The restricted distance can be anywhere from 300 to 2,500 feet and whether it applies to you depends.

These restrictions can pose housing and employment problems if enacted in your state, city, or county. A state may not have residency restrictions, but the city or county you live in might have them. Always check the city or county you live in first. If they don't have restrictions, then check your state restrictions. Sometimes these restrictions may only apply while you are on community supervision, but sometimes they apply even after community supervision ends. Sometimes residency restrictions only apply to convictions after a certain date. In that case, you need to compare your offense date to the effective date of the residency restrictions to see if you are included.

Due to residency restrictions, it would be wise to see where you can legally live before you consider looking for housing leads. Understandably, this is frustrating, but a quick phone call could save you trouble later on. Check with your supervision officer first, if on community supervision, or with the place you register if not on community supervision to see if there are any residency restrictions. Even if you are not on supervision, don't be afraid to call the community supervision office and ask an officer there. Usually they have better information on restrictions. Unless you ask, there is no way to know for sure if these restrictions apply to you.

Keep in mind that your local law enforcement is not always legally obligated to provide you with correct information. Residency restrictions are currently being successfully challenged across the country, but it is always

a good idea to follow them nevertheless. It is your responsibility to ensure there are no residency restrictions in the area you live.

***Where can I find housing leads?***

***LOCAL CHARITIES***

Even though people are hesitant to rent to people on the registry, people and organizations that regularly interact with people on the registry are aware of the challenges people on the registry face in locating housing. This means that they may have more housing leads for you. Churches, community centers, homeless or transitional housing shelters, reentry programs, and other similar organizations will often have places for you to check out. You just have to be brave and ask.

***FAMILY & FRIENDS***

If you have stable and healthy relationships with your family and friends, they could be a good place to start for housing leads. Don't be afraid to talk to them about tips on places to live or assistance with temporary or permanent housing. Be upfront with them on what you need.

***ONLINE***

Google, if you're allowed to use the Internet, is your friend. If you're not permitted to use the Internet, see if a friend or family member will search for you. It is recommended you largely shy away from large rental companies. Many large companies, even at the risk of running afoul of HUD guidance, will blanket ban registrants from living in their rental units. Instead, search Google, Craigslist, Zillow, Rentjungle, or Hotpads for housing listings or places that are "rent by owner," because they will likely not ask about your conviction or run a background check. Many renters post on these sites, and sometimes they even indicate whether or not they lease to registrants. You could also try searching Google with these keywords: sex offender rent transitional housing *whatever city you live in*. You may have to look through pages and pages of non-leads, but you'll find a nugget of information here and there. Finally, if your city or town or wherever you are living has a local newspaper look through the classifieds there. Leads exists, you just have to be inventive in seeking them out.

***COMMUNITY SUPERVISION OFFICER***

If you're under community supervision, your supervision officer should have information on housing leads. Be direct and ask for assistance. For that matter, you may be able to get assistance from the local Probation and Parole office even if you are completely off of supervision. It doesn't hurt to call and ask.

***Once I have a housing lead, should I be honest about my registration status to potential landlords?***

Don't mention your registration status unless the rental application expressly asks about it or indicates a background check will be run. If they don't ask, you shouldn't tell. The risk, however, is that if your potential landlord discovers your registration status they may actively look for reasons to evict you. You will have to



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consider if you are limited in available housing options based on residency restrictions, rental price, and proximity to public transportation, among other factors when weighing the risks of disclosing your registration status.

If a rental application indicates a background check will be run, then it is generally a good idea to be upfront with a potential landlord about your registration status. Sometimes it may take time to run a check and they may not find out until after you have moved in. Not disclosing your registration status would then potentially cost you a substantial amount of money if you have to pay an application fee and put down a deposit. Additionally, you would then have to locate another residence, and go through the hassle of de-registering and re-registering addresses. It would be a lot less stress and hassle to just disclose at the onset of the application for residency.

If you can manage to contact an actual person, try to arrange an in-person meeting. It could provide you an opportunity to explain why you aren't a threat to the community. Focus on the benefits of having someone on the registry living in the residence. Registrants have strict rules to follow, regardless if we are under community supervision, so we are not likely to be a problem. Furthermore, stable housing is a key factor in ensuring a successful transition back into the community.

### ***Do I need renter's insurance?***

Renters insurance is coverage designed to minimize the impact to you and your belongings in the event of fire, theft, vandalism, and other incidences. A typical policy will often cover the cost to replace or repair your personal property up to the limit of your policy, hotel costs if the place you rent is uninhabitable, repairs if you accidentally damage someone else's property, and medical bills for any guest who is accidentally injured on and around your rental unit. Usually the cost of such a policy is \$10-\$15 a month, much cheaper than if something were to happen to you or your property.

Renter's insurance is important because, with your conviction, you are more likely find a residence in a less desirable neighborhood where the landlord is not as concerned with his property or tenants. In other words, you may be living in an area with a higher crime rate and a lower standard of living. Renter's insurance will help cover the costs of damage or theft if it happens.

### ***Do I need to register my new address?***

It's incredibly important that you register your new address with local law enforcement or whomever handles sex crimes registration. Do **NOT** forget to update your change in address or delay doing it. Every state has a deadline for you to register the new address. If you fail to do so, there could be serious consequences. You could be charged with failing to register, which in many places is a felony and carries heavy fines.

There are also different deadlines for when you move outside a county or city and into a new county or city in the same state and deadlines for when you move outside of your current state. Many times, when you move from state to state, you have to notify local law enforcement or whomever handles sex offender registration days in advance of a move. For instance, if you live in Virginia and move outside of Virginia you must notify the registration office 10 days in advance of your move. You must also notify the new state of your move prior to your arrival and, possibly, schedule a time to register in the new state. Ensure you know what the rules are for moving outside of your current local jurisdiction.

*Any advice for locating housing as a person on the registry?*

***USE THE REGISTRY TO YOUR ADVANTAGE***

The registry can be an extremely helpful tool to suggest places where you can legally live. As inconsistent as the registry is, each state’s registry lists a person’s address. If you can access both the Internet and the registry, use it to your advantage. As a reminder, some states, like California, prohibit people on the registry from looking at it. With the registry, you can map out where people on the registry are living to get an idea of where you could possibly live. Alternatively, you can Google for a residency restrictions map for the location you are looking. Some websites have an interactive map detailing safe spaces for people on the registry to live. As mentioned in an earlier section, be aware of residency restrictions. If you live in an area with residency restrictions make sure the person’s address you are viewing is not subject to residency restrictions. They may be allowed to live in areas you can’t because they lived there before the residency restrictions took effect.

***HAVE A RAINY-DAY FUND FOR HOUSING***

If you can, try to save 3-4 months’ worth of rent in a savings account. Sometimes local jurisdictions with residency restrictions don’t care if you lived there first, they will force you to move in certain circumstances. Many times, residency restrictions include a clause stating that if a place providing services to minors is constructed or started, and your residence is within so many feet, you have so many days to find a new place to live. Having money saved up for such an occurrence can help you pay for a new place. Regardless of residency restrictions, it is a good idea to try and have money saved in case of an emergency.

***MAINTAIN A POSITIVE ATTITUDE***

It will be difficult and take time, but, even as a registrant, there are ways to find housing. Be prepared to be denied housing often. Even with the issued HUD guidance, there are exceptions and you could be banned from certain locations. Private and public landlords may deny housing to people if the nature and date of their sex offense conviction histories poses a threat to the safety of those near the rental unit.

Be patient and don’t get discouraged. These are significant barriers to overcome, but many people on the registry have located housing. They may have dealt with a lot of rejection, but they have found somewhere to live. You will too. Once you do find something, ensure you hold onto it by not giving your landlord a reason to evict you.

Take good care of your residence as it will help you get your deposit back if you decide to move. Not only that, but being respectful and having a clean place will help build a rapport with your landlord. Establishing a relationship with him or her could make it easier for you when you need a reference - if you end up searching for better housing in the future.



## CREATE A HOUSING SPREADSHEET

It is highly likely you will be contacting multiple people about different properties, which could result in you calling places you have been denied from living. Given your criminal background, you will probably submit multiple housing applications for different properties. That involves a lot of time and is a lot of information to keep track of. You don't want to waste that precious time by confusing properties, forgetting the time to go look at a property, resubmitting an application for the same residence, or forgetting to follow-up.

Making a spreadsheet to keep track of your potential housing leads will organize your housing search and reduce some of the frustration with searching. It does not have to be complicated or incredibly detailed, but it should have some key information. Including the following can aid you in the job seeking: address of the property you located, the name of the property manager, the status of the application, and a contact phone number

- ✓ **Address** – Where is the property located? – include apartment number if applicable
- ✓ **Property Manager** – Who is the point of contact (POC) for the property?
- ✓ **Property Manager Contact** – What is the POC's contact info? -email or phone
- ✓ **Rental Price** – What is the price per month?
- ✓ **Background Check** – Do they run a background check?
- ✓ **Utilities** – Are any utilities included in the rental price? -water, electric, trash
- ✓ **Date Applied** – When did you submit your application?
- ✓ **Listing Location** – Where did you find the listing at? – Craigslist, family or friend recommendation, newspaper want ad, cold call, etc.
- ✓ **Status** – What is the current status of the application? – Looked at property? Rejected? Asked for additional information? etc.

Some people may not be allowed to use a computer to create a spreadsheet, or you may not know how to create one. Another method is to keep it old school. Buy a notebook specifically for your housing search, and keep it in an easily accessible location. In addition to keeping track of your housing search, this notebook can be used to take notes about each property you visit, and keep a running list of registrant friendly residences. If you run into places that are registrant friendly, please let us know. It could help someone else in need.

A spreadsheet is helpful for many reasons. Spreadsheets organize information to help you remember information about properties so you can quickly decide which one is the best fit for you. Sometimes, you may have to quickly decide on a place to live and a spreadsheet can help you make a good decision. Sometimes landlords own multiple properties and documenting the places you located will help you avoid calling people who already rejected you for your conviction. This could free up more time to look for additional residences. It also provides a record of your housing search if your supervision officer needs proof that you are actively seeking a stable living situation. Spreadsheets also provides you with visual confirmation of how hard you are working to rehabilitate yourself and reintegrate with your community.

# Employment

Securing stable employment is important to people with criminal convictions, because it helps reduce the chances of committing another crime. Finding employment with a criminal conviction, especially for sex crimes, is extremely difficult but not impossible. You might be discriminated against, and, as a registrant, you may face particular hurdles like presence or employment restrictions or people unwilling to hire you. If you are on community supervision, you may need for your supervision officer grant you permission to work somewhere. The *Employment* section of the *Stepping into Reentry* chapter examines the barriers you'll face in locating and maintaining employment, and outlines strategies for securing employment.

## KEY TERMS

**Background check** – process of reviewing a person's suitability for employment, which may include examining criminal history, credit checks, checking your references, employment history, and social media footprint

**Community supervision** – a program allowing people to serve out the sentence for their conviction in the community instead of behind bars

**Employment restrictions** – limits to where you can work, usually at places that primarily provide services to minors

**Presence restrictions** – geographical limit on where a person on the registry can loiter, usually near to where children gather

**Supervision officer** – law enforcement official who actively monitors individuals on community supervision



### ***What are my employment rights?***

Securing employment will be difficult, because there is no federal law specifically prohibiting discrimination against people with criminal conviction histories. In fact, many employers may ask you about your criminal record, conduct a background check, and choose to not hire you based on your conviction.

Even so, there are steps you can take to protect your rights. Many states limit a potential employer's ability to take adverse employment action due to a criminal conviction. For example, in California and other states, employers cannot use the registry to verify your status and then not hire you. Some states also limit how an employer considers criminal history. The decision not to hire someone based on a criminal record must be related to the job, meaning the criminal record indicates the person could be a liability in that position.

### ***Are there benefits to hiring someone on the registry?***

There is still bias when it comes to hiring people with a criminal history, but employers who have taken the chance have found formerly incarcerated people to be some of their best hires – people on the registry included. Employers hesitant to hire formerly incarcerated people could be swayed by any of the potential benefits to hiring someone with a record.

Financial incentives to hiring formerly incarcerated people will almost always persuade a potential employer. They have a business to run and a bottom line to consider. Two of the biggest financial incentives are the Federal Bonding Program and the Work Opportunity Tax Credit (WOTC). The Federal Bonding Program is a unique employer hiring incentive targeting individuals whose background can pose significant barriers to securing and maintaining employment, like formerly incarcerated people. The program covers employee dishonesty, like theft of property or money, for the first six months of hiring with a federal bond starting at \$5,000. The bonding program is available regardless of when you were released from incarceration. WOTC offers businesses choosing to hire formerly incarcerated people with a felony a tax credit worth up to \$2,400. The downside is it is only good for up to a year following conviction or release from incarceration, whichever is latest. There's minimal paperwork to fill out, but the tax credit helps mitigate the risks of hiring formerly incarcerated folks. Both incentives are a win-win for both the employer and potential employee.

There are also intangible benefits to hiring formerly incarcerated people. Hiring people is an investment. There is a considerable amount of money and resources devoted to the hiring process. If a business has to consistently expend resources on new hires, they will hurt their bottom line. Formerly incarcerated people, people on the registry in particular, have far fewer employment opportunities. When they are successful in their job search they are more likely to be loyal, dependable, and hardworking employees because they appreciate the employment opportunity.

Additionally, terms of community supervision often mandate maintaining steady employment, which means they are in regular contact with a law enforcement agent. People who have been incarcerated often attend a variety of training programs to further their education and build skilled labor. While they may not be masters of their trade, they are often more skilled than an entry level person. In other words, formerly incarcerated people are less likely to quit and more likely to be skilled in certain trades.

## *SELECTED EMPLOYMENT RESOURCES*

<b>Federal Bonding Program</b>	covers employee dishonesty, like theft of property or money, for the first six months of hiring with a federal bond starting at \$5,000	bonds4jobs.com/assets/brochure.pdf bonds4jobs.com/our-services/get-your-bond-today
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<b>70 Million Jobs</b>	criminal background friendly job listing site	70millionjobs.com
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<b>National Hire Network</b>	provides job-related & legal information and resources for formerly incarcerated people	hirenetwork.org
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<b>Volunteers of America</b>	provides registrant friendly reentry services	voa.org
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### *What are presence and employment restrictions?*

You must be aware of presence and employment restrictions, because they can limit where you can work. Many states have both, and, generally, if a state has a presence restriction expect that you cannot work nearby either. Presence restrictions limits how far you can loiter near to or be present at places children gather. Some of the more common areas restricted are a specific distance from parks, libraries, swimming pools, and schools among other places.

Employment restrictions are when people with sex offense convictions are legislatively barred from certain employment opportunities. Almost every state forbids employers from hiring registrants to work with vulnerable populations, such as the elderly and children. Due to these bans teaching, driving a car for Uber, Lyft, or limo services, being a tow truck driver, serving as a coach for a youth sports team, or driving an ice cream truck will not be allowed. Some states may forbid you from employment in other job fields and from obtaining professional licenses. Sometimes these employment restrictions last only while you are under community supervision, but sometimes the restrictions don't expire.

### *Where can I find employment leads?*

## *COMMUNITY SUPERVISION OFFICER*

Ask your supervision officer where you can work if you are on community supervision. Be direct, and ask for assistance. They should be able to tell you the types of job you can apply for, especially since community supervision may limit your options. Talking to them first will help narrow your search. For that matter, you may be able to get assistance from the local Probation and Parole office even if you are completely off of supervision. It doesn't hurt to call and ask.



### *FAMILY & FRIENDS*

If you have stable and healthy relationships with your family and friends, they could be a good place to start for employment leads. Either they may have some leads, or they may know someone who does. Maybe they could ask for leads on Facebook, Twitter, or other social networking sites for you. Don't be afraid to ask about employment leads. Be upfront on what you're looking for and ensure you act as professionally. You don't want to ruin their professional relationships by acting ungrateful, being unprepared for the interview, or arriving late without prior notice.

### *SMALL & LOCALLY OWNED BUSINESSES*

In our experience, it is a good idea to seek out smaller and locally owned businesses rather than large, national chains. These places may not perform criminal background checks, and will probably give you an opportunity to speak with the owner so they can meet you before judging you for your past. Warehouse, restaurant, and construction gigs are a good place to start. Physically take yourself to these places of businesses and inquire about available employment, or call them up and ask. Even if it is not what you want to do, it is always better to have employment. It is easier to find work you want to do when you are already employed.

### *THE REGISTRY*

Consider scanning the registry to find out where other registrants are working if you are struggling to locate potential employment. If the registry for your state lists employment information and you can access the registry, jot down where people on the registry are employed to get an idea of where you could possibly work. There are a few things to remember though.

Check to see whether you can access the registry. It is illegal in some places for registrants to look at the registry. Additionally, the terms of your community supervision, if you are being supervised, may limit your internet access. Be aware of employment and presence restrictions. Some states may limit the locations you are allowed to work. Make sure the job you are applying to is not located within these distances if you live in an area with either of these restrictions.

Most importantly, if you do find potential places for employment, do not mention you used the registry to locate the employer. The registrant who is already employed there may have been hired without disclosing their criminal background. You may risk getting them fired.

## ONLINE

Google, if you are allowed to use the Internet, is your friend. If you are not permitted to use the Internet, see if a friend or family member will search for you. It is recommended you largely shy away from large companies as very few of them will rent to people with criminal convictions. Instead, search Indeed, Idealist, Glassdoor, or Craigslist. There is new website available at 70millionjobs.com, which specifically caters to formerly incarcerated folk. Many employers post on these sites, and sometimes they even indicate whether or not they will run a criminal background search. On many of these sites you can set up an alert to let you know when a new job has posted, but it'll be sent to an email address. If you can have email, it could be useful for you.

You could also try searching Google with a *[job title]* jobs. For example, you could type criminal justice jobs and Google search will return a list of available criminal justice jobs in your area. You can then narrow your search by the date the job was posted, whether full-time, part-time, etc., the location, the company type, and/or the specific employer. Google has partnered with many of the sites listed above, so you may find duplicate job listings.

Another site you could try is LinkedIn. This site is offered with a word of caution. Many places consider LinkedIn a social networking site, and often people on the registry are forbidden from using these sites. If you are on community supervision, check with your supervision officer to see if you can use the site. Otherwise, check your state's legislation to find out. It is up to you to verify you can access these sites.

Finally, if your city or town or wherever you are living has a local newspaper look through the classifieds there. Leads exists, you just have to be inventive in seeking them out. For any of these sites and newspapers, you may have to look through pages and pages of non-leads, but you might find a nugget of information here and there.

## CAREER FAIRS

Career fairs can a useful place to search for jobs. A word of caution; they can be chaotic, stressful, and you may have a more difficult time standing out against the crowd. Regardless, if you do your homework beforehand they can provide you with a variety of leads. Usually, employers from varying job fields will show up and you can talk with them about available opportunities.

It is a good idea to research the varying companies that will be at the job fair and zero in on a few of them. Make sure you know a little about the company and what positions they are hiring for. You also need to ensure you bring multiple copies of your resume, dress professionally, and have a 30-second elevator pitch ready. It is incredibly important to follow-up with any leads you find at a career fair.

You can look for career fairs on Eventbrite, notice boards at your community supervision office, ask your supervision officer for information, and check local newspapers. Sometimes reentry organizations also have job fairs specifically for formerly incarcerated folk. Those are advantageous to attend since employers sign up for the job fair knowing formerly incarcerated folk will be present



## LOCAL CHARITIES

Even though people are hesitant to employ people on the registry, people and organizations that regularly interact with people on the registry are aware of the challenges people on the registry face in locating employment. This means that they may have some employment leads for you.

Churches, community centers, homeless or transitional housing shelters, reentry programs, one-stop job centers and other similar organizations will often have places for you to check out. Be brave and ask for leads.

### ***Should I be honest about my criminal conviction on the application?***

There is almost no right thing to do regarding disclosure of your criminal background because whether you bring it up or not depends on the circumstances. If you do bring it up, how you communicate about your criminal conviction can make a big difference in getting hired. Regardless, you should be prepared to be asked about your conviction whenever you are applying for a job. That said, listing your criminal history on a resume is not recommended. However, answer honestly if asked about it on an application, but indicate you will explain in the interview. Ideally, you want to discuss your criminal history in person with an interviewer.

### ***How should I talk about my criminal conviction during the interview?***

We recommend you disclose your criminal history early in an interview setting if you think a background check will be conducted. Doing it in this way allows you to take control and explain the circumstances on your terms. Additionally, be straightforward, because it will show the interviewer you're honest, responsible and accountable for your past.

One way to do this is during the "tell me about yourself" question. This question is usually asked to understand why you're a good fit for the position. Talk about some experiences that are related to the position. Then, take a brief moment to discuss your criminal history. Mention that you served X number of years in a correctional facility X number of years ago. Quickly move on to what you learned from your time incarcerated, how you have been rehabilitated, and the value you'll bring to the company.

A good rule of thumb is to discuss two to three examples for each. By placing your response between your experience and the value you bring to the company you improve your chances of being hired. People often only remember the first and last parts of responses. At this point in the interview, you don't need to bring up specifics about your conviction. If the interviewer is curious they will ask for more details later.

If the interviewer brings up your background again, there are several key things to remember. Always keep your explanations brief, and only discuss necessary information. Don't make excuses, but take responsibility for the actions that led you to be incarcerated. Explain what you learned while incarcerated, and detail how you want to be better.

Make sure you use neutral language. Try using "I served time for sexual wrongdoing" instead of "I was convicted for a sex offense." The words "convicted" and "offense" often triggers a negative connotation. Always, always, always reiterate your strengths and how you can be of value to the company.

Most importantly, don't forget about your self-worth. If you feel qualified for the job, show it and sell yourself. Believe in your valuable skills and abilities that the employer needs. They need to know you are worth the risk of hiring.

Understandably, interviewing for a job can be stressful with a criminal record. You can reduce the stress if you take time to prepare your story and believe in your rehabilitation. Be authentic, gracious, and enthusiastic. People will more be likely to notice this person, than the one who was incarcerated.

### ***How can I prove I am serious about successfully reintegrating with the community?***

An employer's biggest concern with hiring you is risk. They have to consider what happens if you end up committing another crime or someone discovers your past. Showing evidence of your rehabilitation is a great method to persuade a potential employer to hire you despite your criminal history. Documentation showing your progress will demonstrate to an employer that you are not a risky hire, and may help secure employment.

There are numerous pieces of evidence you could use to show why hiring you is good for business. Earlier it was mentioned that you should keep records of your time on community supervision. These records are one resource to detail the positive strides you've made since your incarceration. Ask your supervision officer for a recommendation letter showing you have not violated the terms of your community supervision. The letter can include things like negative drug tests, successful polygraph tests, compliance with the conditions of community of supervision, and positive progress during "sex offender treatment." If they don't have the time to write one, offer to write one for them that they can review and sign.

Aside from your successful progress on community supervision, you could show how you are taking steps to better yourself. You could bring a transcript if you currently enrolled in school for at least one complete term and you have at least a 3.0 grade point average. Perhaps you have successfully participated in a job training program and received a certificate of completion. Maybe you volunteer at a nonprofit, a soup kitchen, or a local community center, or are active in your religious community. Ask if someone will write a recommendation letter for you that documents your contributions and dedication to the work.

All of these demonstrate good character, a willingness to contribute to the community, and proof that you are actively working to successfully reintegrate into the community. It shows why you are worth hiring. Make hard copies of each piece of evidence and bring them to the interview in case your interviewer requests proof. It has the added benefit of demonstrating to an employer that you think ahead and are willing to work hard, and helps them understand hiring you is not risky.

### ***Do I need to register my new employment?***

When you are eventually hired, keep in mind that most states require the registration of a work address. It is incredibly important that you register your new employment with local law enforcement or whomever handles sex crimes registration. Do **NOT** forget to update your change in employment or delay doing it. Every state has a deadline for you to register the new employment. If you fail to do so, there could be serious consequences. You could be charged with failing to register, which in many places is a felony and carries heavy fines. Additionally, if you live in one state and work in another you will most likely need to register with the state you are employed in. For example, if you live in northern Virginia and employed in the District of Columbia you would need to register your place of employment with both Virginia and Washington, D.C.



*Any advice for locating employment as a person on the registry?*

***CHECK INDUSTRIES WITH LITTLE CHANCE OF CONTACT WITH MINORS***

Your job search will be much easier if you search for industries that don't primarily provide services to minors. At least while on probation, and possibly after depending on the state, you will not be permitted to seek employment at places providing services to minors. In some states, you may be required to alert an employer of your registration status if you will be working with minors. It would be best to apply for employment in industries where you won't run the risk of working around minors. Some places you could look into include warehouse, construction, mechanic shops, and manufacturing trades.

***MAINTAIN A POSITIVE ATTITUDE***

Getting hired with a criminal background, especially one of a sexual nature, is a difficult task. Many states publish a registrant's employment information, and it may deter some employers from wanting to hire you. If they don't want to hire you for a specific position because of your criminal history, ask if there are other positions available they would consider. If the answer is still no, we strongly encourage you to continue your employment search. Having employment will help demonstrate to people that you want to be a part of the community again.

Don't be surprised by how long it will take for you to find employment. Getting hired with a sex offense can be an incredibly long and difficult process, but it is possible to gain employment. You may feel discouraged at times, but remember registrants are employed in varying fields across the country. Keep your chin up!

While finding employment is possible, it is a good idea to start your employment search with reasonable expectations. Unsurprisingly, people on the registry are often unemployed for longer periods of time and often have to search harder for gainful employment. Expect to be rejected multiple times before someone takes a chance and hires you. You may get many "no's" before you get a yes, but eventually someone will look past your conviction. Expect the process to take longer than a day or a week. If people uncover your criminal history, they will likely judge you and possibly make inappropriate or rude comments. Expect to face harassment and discrimination, which may continue after you are hired. Knowing what to expect of this process will help you develop a strategy for seeking out employment.

## *CREATE AN EMPLOYMENT SPREADSHEET*

Managing your job search is just as important as identifying job opportunities. In today's job market, and with your criminal record, it's not uncommon to submit multiple applications for different positions. That involves a lot of time and is a lot to keep track of. You don't want to waste that precious time by missing important application deadlines, confusing companies and positions, confusing interview times, re-applying for the same position, or forgetting to follow-up.

Making a spreadsheet to keep track of your potential employment opportunities will organize your employment search and reduce some of the frustration with searching. It does not have to be complicated or incredibly detailed, but it should have some key information. Including the following can aid you in the job seeking:

- ✓ **Company Name** – What is the organization you're applying for?
- ✓ **Job Position** – What is the position for which you are applying?
- ✓ **Position Deadline** – When is the last day someone can apply for the job?
- ✓ **Contact Name** – Who is your point of contact at the company? Check the employment listing for the name of the hiring manager or the Director of Human Resources
- ✓ **Contact Info** – What is the point of contact's email address or, if preferred, a phone number?
- ✓ **Date Applied** – When did you submit your application?
- ✓ **Listing Location** – Where did you find the listing at? – Craigslist, family or friend recommendation, newspaper want ad, cold call, etc.
- ✓ **Interview Date** – When is your interview scheduled?
- ✓ **Follow-up** – Did you inquire about the status of your application?
- ✓ **Status** – What is the current status of the application? – Rejected, asked for an interview, offered the job, asked for a second interview, etc.
- ✓ **Questions** – What questions do you have for the job position?

Some people may not be allowed to use a computer to create a spreadsheet, or you may not know how to create one. Another method is to keep it old school. Buy a notebook specifically for your employment search, and keep it in an easily accessible location. In addition to keeping track of your employment search, this notebook can be used to take notes during an interview, draft a cover letter, jot down names and numbers for networking, and recording anything else that may come up during your search.

A spreadsheet is helpful for many reasons. Spreadsheets organize information to help you remember information on a position in the event a company calls for an interview. It provides a record of your job search if your supervision officer needs proof that you are actively seeking employment. Spreadsheets also provides you with visual confirmation of how hard you are working to rehabilitate yourself and reintegrate with your community.

# Education

Often the difference between a good job and the unemployment line is your exposure to educational opportunities. Not only that, but it demonstrates a commitment to community reintegration and serving as a role model, because earning a degree requires dedicated effort. Being in a classroom can instill a sense of hope for a better life and teach you skills that will make you more employable. At the same time, registrants are often deterred by the application process and the challenges of financing an education. If you want to better yourself, don't lose hope because of your criminal past. The *Education* section of the *Stepping into Reentry* chapter sets expectations for furthering your education so you can make a more informed decision on whether it's right for you.

## KEY TERMS

**Academic degree**— award earned from an institute of higher learning signifying that a completion of a course of study, i.e. Associate's, Bachelor's, Master's, or PhD degree

**Campus Sex Crimes Prevention Act** — a Federal act passed in 2000 requiring registrants to provide identifying information about institutions of higher learning they attend or employed by

**Community supervision** — a program allowing people to serve out the sentence for their conviction in the community instead of behind bars

**Estimated Family Contribution (EFC)** — measure of how much you could contribute to your education based on your current financial situation, but is not how much you will pay nor is it the amount of financial aid you'll receive

**Financial aid** — funds provided to assist with the cost of attending an institute of higher education

**Free Application for Federal Student Aid (FAFSA)** — application you are required to complete to qualify for financial aid for funding higher education

**Higher education** — additional schooling beyond the high school level, i.e. college degrees

**Residency restrictions** — geographical limit on where a person on the registry can live, usually near to where children gather

**Supervision officer** — law enforcement official who actively monitors individuals on community supervision



### ***Are educational opportunities available to me?***

To an extent, yes. While furthering your education is an admirable goal, you need to be aware that you may not always be accepted for admission. Many schools may have an unofficial blanket ban on registrants attending, while others may allow registrants admission. Other educational programs have restricted access to the campus by only allowing registrants to take online courses. Even though research indicates that a criminal history isn't an accurate predictor of future criminal behavior, many educational institutions attempt to evaluate your risk to other students. Fortunately, this restrictive mindset is changing. Some educational institutions are erasing their "Have you ever been convicted of a felony" question from their application and not inquiring until after acceptance, if at all. Though if you live in a state that requires you to report your enrollment at an institute of higher learning, you will still face barriers to admission.

### ***What are my education options?***

There are a number of options available to you, and the most common ones are your GED, vocational training, and an academic degree. A GED (General Education Development) test is for people who never earned their high school diploma, but want to be certified with high-school level academic skills. If you haven't earned your high school diploma yet, you can earn it at any time by studying for and taking a series of four tests. The only question is where and how much. For more information visit <https://www.ged.com> or call 1-877-EXAM-GED. Many other higher education opportunities require you to have a GED or a high school diploma prior to enrollment. If you plan on furthering your education beyond high school, you will need to determine which educational opportunity is right for you.

Vocational training, or career and technical education programs, are skills-based certificates for particular trades or careers. These certificates take less time than an academic degree, and can be earned fairly quickly. This might be a good academic path for you if your chosen career requires a certificate, or you want to gain practical skills that can quickly put you into the labor force. Keep in mind though, that a certificate is not a degree or an occupational license. It is an educational award showing you went a step further than a high school education. Vocational training can be a step towards a college degree if you want it. You might even be able to count your earned vocational training credits towards your college degree.

Colleges and universities award academic degrees for programs of study that develop a broad range of skills and prepare you for a variety of careers. The most common academic degrees, in order of time required, are Associate's, Bachelor's, Master's, and PhD degrees. These degree programs can require anywhere from two years to five years or more of study before earning, and can cost a substantial amount of money. They can help you qualify for more secure and higher paying employment opportunities, but these opportunities are not guaranteed. You will still have to figure out how your criminal history can impact your employment opportunities. Furthermore, because academic degrees require time, money, and other resources you will need to determine if your current situation and career goals warrant this option.

### ***What should I consider before deciding to further my education?***

Your decision to further your education is dependent on a number of factors, including finances, career goals, your current skills and abilities, and overcoming issues surrounding your criminal record. You may also have to consider community supervision restrictions, access to transportation, and family responsibilities. If continuing your education is still an option after thinking through these issues, then you will need to draft a plan of action for making education a reality.



## Registering with Dignity

You'll need to decide what educational opportunity is the best fit for you. Do you need a GED? Perhaps you just need a certificate to make applying for jobs easier. Maybe you want a four-year degree to make you more marketable. This is a big decision, and you should consider what career you desire and whether or not it may be open to you at the close of your study.

Take time to carefully weigh options. For shorter programs of study, like the GED and vocational training, you won't need to spend a lot of time. They don't cost a lot of money and aren't as time intensive. For academic degrees, you may want to spend more time weighing your decision on whether or not to pursue it. Determine what your goals are and what degree will help you achieve them. Then research schools that offer your chosen degree program and ask yourself some questions. Answer these questions honestly, because it will help you decide if school is the right fit for you right now.

You might consider asking yourself if the school is accredited. Do they offer financial aid? Can you afford it or have a plan to finance it? Have they denied registrants admission? How long is the program? Do they offer online courses? If you are on community supervision, will it still allow you to be in compliance? What does the job market look like? Is there a good chance you can get a job in the field? Are their professional license restrictions for people on the registry? Will you need to work while in school? What are the application deadlines for enrollment and financial aid?

These are only some of the questions you'll need to consider. Make sure you understand how attending school will impact you now and in the future. Talk to family and friends and ask for their opinion and advice. If you are on community supervision, bring it to the attention of your supervising officer and ask for advice. This could be a good time to bring up potential community supervision compliance issues – i.e., whether you can access a computer, determining if chosen school is within allowed travel radius, and permission to enroll in courses outside of curfew. You want to ensure the decision is right for you, because sometimes even earning a degree will not help your employment prospects.

### ***What is the application process for someone with a criminal history, especially with a sex offense?***

Your admissions application will be the same as everyone else, unless they ask if you have a felony or you live in a state that discloses your registration status to campus officials. If so, many online applications notify you that your information will be transmitted to the state police and cross-referenced with the registry. When you're flagged for being a registrant, it triggers secondary application requirements. Usually the school will mail you a letter where they inform you of next steps for the application process. Many times, you will have to respond to the letter and schedule an appointment to interview with a panel or a campus official to determine your risk to the campus. During the appointment, you will have a chance to prove you are not a risk to the campus.

Proving your risk will differ from school to school. Some schools will request a personal statement explaining the circumstances of your conviction. Others may ask you to detail how your experience as a formerly incarcerated person will contribute to your success in the classroom. They may also request permission to speak with your supervision officer or for a copy of your rap sheet.

Be prepared for a request to submit documents indicating that you are not a danger to others. These could be letters of recommendation from your supervision officer, your employer, friends, your religious leader, places



you volunteer for, or other people in the community showing your progress since incarceration. Try to gather recommendation letters from about 3-5 people, and request it weeks in advance. People are busy and may need time to draft a letter for you. Last minute requests may be denied. You could offer to write a template for them and let them tailor it. Anything they can detail that positively speaks to your efforts at change and giving back and/or any positive progress while on community supervision will be helpful for admissions. The application process can be frustrating, but worth the effort if you are accepted.

### ***Why do institutes of higher learning check the sex crimes registry?***

In October of 2000, the federal Campus Sex Crimes Prevention Act (CSCPA) was enacted. CSCPA was designed to ensure that campus communities have readily available information concerning the presence of registrants. It requires registrants to register identifying information about any institution of higher learning they attend or employed at. The provided information is then forwarded to the institution of higher education who is then required to clearly publicize where and how students and staff members can find information about registrants on campus. Many times, campus officials don't report information on registrants to the student body. Typically, professors are allowed to decide how to report that information. Usually, professors will only use the information to shape their classroom discussions, handle group projects, and as needed to ensure the safety of other students. However, information concerning registrants may be disclosed to any person requesting information on specific individuals in accordance with the law. Like the Adam Walsh Act, not all institutions of high education are compliant with this federal mandate.

### ***What is financial aid?***

Financial aid helps students and their families pay for higher education and educational expenses, which includes tuition and fees, room and board, books and supplies, and transportation. Even with limited resources, financial aid is available to reduce tuition costs and help pay for educational expenses. There are several types of financial aid, including grants, scholarships, work study opportunities, and loans available through the federal government, your state, and your school. The amount of aid you receive depends on the determination of your estimated family contribution provided by the FAFSA. Private and/or nonprofit organizations may have merit or membership based awards available as well. Sometimes your employer may offer financial assistance for an education program if it increases skills related to your job. It doesn't hurt to ask if they have a program available.

### ***What is federal financial aid?***

Federal financial aid is money awarded by the U.S. Department of Education as grants, low-interest loans, or work-study funds. Grants are financial aid that don't have to be repaid, with the Pell grant being the most common aid. Pell grants are undergraduate financial aid that depends on financial need, cost of attendance, enrollment status, and length of the academic year. Loans are financial aid that is borrowed with the expectation of repayment. Interest rates and repayment terms for loans will vary. Work-study is an employment program where you earn money to pay for school and is based on an hourly rate. For more information on federal financial aid call 1.800.433.3243 and request a free copy of *Funding Your Education: The Guide to Federal Student Aid*.

### ***Can I receive federal financial aid to help pay for my education?***

Yes, even people on the registry can receive federal financial aid. If you are incarcerated, have certain drug-related convictions, or are civilly committed for a sex offense your eligibility is restricted.

### ***How do I apply for federal financial aid?***

You need to complete the Free Application for Federal Student Aid (FAFSA) to apply for federal financial aid.



## Registering with Dignity

Other than your time, it doesn't cost anything to submit the application, which is available online at <https://fafsa.ed.gov>. The FAFSA is used to determine your eligibility for not only federal financial aid, but also state and school aid. Some private financial aid providers may also request your FAFSA information to determine your eligibility for their aid.

The FAFSA asks you questions about your financial health to determine your estimated family contribution (EFC). It is important to have speed and accuracy when filling out your FAFSA, because the financial aid process is competitive. Some states have a first-come first-served aid process, so it pays to submit early. Also, do not leave questions blank, as this will result in a delay in your application to confirm the correct answer. The earliest date you can submit a FAFSA is on October 1. Attempt to have yours completed as close to this date as possible if you want the best chance at receiving financial aid. You will need to complete a new FAFSA annually for every year you're in school, as the FAFSA accounts for your current financial health and doesn't carry over year to year.

### ***Do I have to apply for admission to a school before I list it on my FAFSA?***

No. On your FAFSA, list all the schools to which you have applied or might apply.

### ***Are scholarships available to me as well?***

Generally speaking, scholarships are available to you as well. Most scholarship applications don't inquire about an applicant's criminal history, and there are some scholarships available for those who've been incarcerated. If you would qualify for the scholarship without a felony conviction, you most likely will qualify for it with one. Don't be afraid to apply for scholarships you're eligible for just because of your criminal history.

### ***Are there deadlines for financial aid?***

There are deadlines to apply for financial aid, but the sooner you apply the better your chances of receiving aid. The federal government, schools, and other organizations all award their financial aid money differently and at different times. Most all of them use the FAFSA to determine your eligibility for financial aid, so the deadline for FAFSA is of utmost importance. If you're applying for scholarships, make sure you're aware of those deadlines as well.

Missing any deadlines means you miss out on a chance to help fund your education. Some places may award latecomers financial aid, but the chances of that are slim and the payout is often small. It's just better to not miss deadlines. Make sure you know the deadlines for all federal, state, school, and scholarship opportunities and strictly follow them.

### ***Do I need to register any schools I attend?***

Failing to register your education is a crime, which can lead to another criminal conviction and/or fines. While registrants are not banned from being on school campuses, there are some measures you must take in order to lawfully be on a school campus. The Campus Sex Crimes Prevention Act (CSCPA) requires registrants to register any college or university they attend, but some states do not follow this rule. If you don't know whether your state follows this rule, either ask or proactively submit your school information to your local sex offense registration office. If you live in one state, but attend school in another, then you have to submit the school information to both states. In some states, you must also register your information with campus security prior to starting classes. Ensure you understand the deadlines for registering your school.



## *Any advice for when I join the campus community?*

### *BE A SHINING EXAMPLE OF SECOND CHANCES*

Take pride in accomplishing getting accepted to an institution of higher education, but know that your educational opportunity is only beginning. Applying for enrollment shows a willingness for positive change, but now the real work begins. Demonstrate to the campus community that you are dedicated in making your life better by standing out for all the right reasons. Study and work hard to earn good grades. Aim to earn a spot on the Dean's List, or your school's equivalent academic honor roll. Get involved on campus. This is your opportunity to shine, so be sure you take advantage of it.

### *INTRODUCE YOURSELF TO PROFESSORS*

More likely than not, your professors will know that you're a registrant. Get ahead of any awkward or uncomfortable conversations about your past by scheduling an in-person meeting with each of your professors. Give them a chance ask you questions and share any concerns they may have about your presence in their classroom. Be honest when answering their questions and talking about your conviction. Having a face-to-face conversation demonstrates that you've nothing to hide, and it gives the professor a chance to see you as a human instead of a name in a letter. This meeting gives them a chance to know you.

It might also provide an opportunity to develop a professional relationship with the professor. If it feels right, see if they wouldn't mind acting as a mentor. It might afford you the chance, especially if the professor is in your field of interest, to receive career and academic advice. Perhaps, they would write you a recommendation letter or have a job connection later on. It could also be advantageous for the professor. Maybe you could open their mind and teach them about registrants and show them that second chances provide a wealth of opportunity.

### *IMPROVE YOUR PROFESSIONALISM*

The best time to prepare for a career is while you're earning your degree. There are a number of opportunities to develop your skill sets and prepare you for a career. Most institutions of higher education have a writing center on campus where they help you develop your writing abilities. Usually there is a technology office where a number of classes on various programs and applications are offered. They can teach you how to make better use of Microsoft Office, data analysis programs, and other tools that could increase your marketability. Many times, there is also a career services office, which helps you prepare for the job market. The career service office will connect you with employment, provide mock interviews, help you prepare a resume, and teach you how to dress for interviews. All these services, which are included in your tuition, vary by institution so stop by as soon as possible to see what they can do for you.



### *CONNECT WITH ACADEMIC ADVISORS*

Academic advisors are available to support your educational and career success. Make use of their knowledge and advice to help guide you towards your career goals. In particular, they help you plan your courses so you don't take unnecessary ones and ensure you take the classes you need to at the right time. Academic advisors are also there to help you find a tutor if you're struggling academically. They may also know of internships or teacher assistant positions. You won't know what support and resources they can direct you towards unless you ask. Develop a professional relationship with them so they can help you succeed.

### *GET INVOLVED IN CAMPUS ACTIVITIES*

Being on the registry can leave you feeling alienated sometimes. If you're allowed to be on campus, why not involve yourself in social clubs and activities? Take the opportunity to participate in extra-curricular activities and attend events on campus. They're one way to expand your network socially and professionally and explore topics you're interested in. Schools always have some kind of entertainment going on. Plays, movie nights, sporting events, lectures series, and conferences are sure to take place. Check the schools calendar of events, either on the school's homepage, Twitter, or Facebook. If it's illegal for you to access social media, find a family member or friend to look for you. If online isn't an option, you can also keep an eye out for flyers around campus.

### *CONNECT WITH THE FINANCIAL AID OFFICE*

Your school's financial aid office is where you need to go to learn about scholarship offerings and other opportunities for financial aid. They can also answer questions about student loans and how to manage them and understand them. Sometimes financial aid offices offer workshops on personal finances to include saving money and budgeting wisely. Services provided by financial aid offices vary by institution, so stop by as soon as possible to see what they can do for you.

### *STOP BY THE LIBRARY*

The library is a great place to quietly study, research, or write papers. You can also use it to check out course books instead of purchasing them, if you can get your course list of books prior to class. It could be a way to potentially save thousands in textbook fees. Also, school libraries have a number of databases and magazine subscriptions you'd normally have to pay for. Use them while you can.

### *BE AWARE OF STUDENT DISCOUNTS*

Always keep your student id handy, because it could save you money. You can find student discounts on everything from Amazon Prime, car insurance, hotels, clothing, computers, and restaurant meals among other places. Student discounts will be even more available at businesses near your school. They may not advertise it, but if you ask you may be rewarded. Don't be afraid to ask if someone offers a student discount. The worst thing they can say is no.

# Social Support

Finding social support can be a slow and difficult process, but it's possible and helpful to eventually make connections with other people. The process of being released from incarceration with a sex offense can be isolating and bring up feelings of shame. However, making connections with others can help in the reentry process. The *Social Support* section of the *Stepping into Reentry* chapter offers some ways to find social support and tips on how to deal with harassment.

## ***KEY TERMS***

***Background check*** – process of reviewing a person's suitability for volunteering, which may include examining criminal history and checking your references

***Community supervision*** – a program allowing people to serve out the sentence for their conviction in the community instead of behind bars

***Presence restrictions*** – geographical limit on where a person on the registry can loiter, usually near to where children gather

***Supervision officer*** – law enforcement official who actively monitors individuals on community supervision



### ***Why is having social support a good idea?***

Being released from incarceration, figuring out registration, and learning how to hold yourself accountable is a stressful process. Often you may feel alone, hopeless, and depressed and wonder how you can manage community reentry. Having strong social supports can help you manage these difficulties and be accountable and responsible so you are not reincarcerated.

### ***How do I find social support?***

There are no guaranteed ways to find social support. As someone on the registry, this will be a difficult process and you may face a great deal of rejection. The mandated treatment groups can be a good way to start the support process. Bear in mind that the terms of community supervision may prevent you from engaging in relationships outside of treatment. You can also reach out to family and friends to see if they want to maintain their relationships with you. You might be surprised at their openness. Certain places have support groups for people convicted of sex offenses. Organizations such as the Alliance for Constitutional Sex Offense Laws (ACSOL) and the National Association for Rational Sex Offense Laws (NARSOL) offer social support, meetings, and conferences that are meant to offer hope and support. NARSOL has affiliate organizations in many states. A list of these organizations is available in the *Resources* section at the end of this guide.

### ***What are some other ways to find social support?***

Aside from engaging with registrant friendly organizations and people known to you, there are other ways to find social support. You could try becoming a pen pal. Maybe you can write to people who are still incarcerated. This offers you the chance to stay connected with people and you may not feel as lonely. If you do write, make sure you set healthy boundaries with your pen pal. If you don't know how to find a pen pal, reach out to Black and Pink or the Sex Law and Policy Center. Either of these organizations have people who are looking for friendship. Ask around in your community. See if there is a way to volunteer at a soup kitchen, the local LGBT Center, or somewhere else you may have an interest in. It could be a way to serve the community and give back. Keep in mind, that you may have to be aware of presence restrictions and some places may conduct a background check before allowing you to volunteer. Alternatively, ask your supervision officer if they have any upcoming classes or support groups. They may have something for you to get involved in. Opportunities for finding social support exist, but you may have to look hard for them or get creative in finding support.

# Family Impact

Adjusting to life on the registry is a difficult process, and everyone will need time to cope with this new normal. There are many different ways that families can react, and you likely won't have much control over this. It is a lot of changes to process, and people are going to feel a range of emotions from anger and sadness to fear, shame, and regret. The *Family Impact* section of the *Stepping into Reentry* chapter introduces you to how the registry may disrupt your family and offers advice for how to cope with the new normal of registering for a sex crime.

## KEY TERMS

**Community notification** – provision of SORN laws allowing for information about registrants to be made available to the public

**Community supervision** – a program allowing people to serve out the sentence for their conviction in the community instead of behind bars

**Custody** – court granted agreement to allocate parental rights

**Parental rights** – rights and responsibilities to decide how to care for a minor, i.e. providing food, shelter, discipline, education, and medical care

**Presence restrictions** – geographical limit on where a person on the registry can loiter, usually near to where children gather

**Registration** – provision of SORN laws allowing law enforcement the means to track and monitor registrants

**Residency restrictions** – geographical limit on where a person on the registry can live, usually near to where children gather

**SORN** – acronym for sex offender registration and notification, which refers to the dual legislation requiring the registration of and community notification for people on the registry

**Supervision officer** – law enforcement official who actively monitors individuals on community supervision



### ***How will my family and loved ones adjust to my presence on the registry?***

While being publicly registered may be stressful and traumatic for you, your family members and loved ones are also often impacted in subtle, but important ways. They share in the burden and responsibility of your conviction, so it is important to understand how sex offender registration can disrupt their lives. Your family will face many of the same consequences of registration as you do. The trauma you experienced during the court proceedings, your likely incarceration, and your transition back into the community is also experienced by those closest to you. They might have had to answer some tough questions while you were incarcerated, may not know how to help you, or may need time to process before they can help you.

You may find that your family is fully supportive and eager to help. If so, keep honest and open lines of communication open. Be direct and let them know how they can help you, but also discuss how you can help them. Everyone involved should be aware sometimes someone may say hurtful things or ultimately decide to not support you after you return home. Your family may also need more time to process the changes, and it's normal for them to need space or to not support you. Registration is a difficult burden to bear, and it may be easier for some families to not support you. The stress family members feel can sometimes hinder their supportive role for their registered loved one's successful community reintegration. Try not to hold it against them, and give them space to process their emotions.

If your family is unable or unwilling to support you, it is important for you to reach out to people who are supportive even if they are not related by blood. They could be friends, other members of your community, or organizations specifically for formerly incarcerated people. You do not have to handle the stress of community reintegration alone. There are people available who understand and are willing to help. Having a support network is a huge strength in dealing with the consequences of registration.

It is normal, regardless of whether or not your family supports you, to feel responsibility for family problems. Acknowledge the continuous struggles, but work hard to ensure registration has as minimal an impact as possible. Please remember that you and those closest to you will need to have patience and understanding while everyone adjusts to you being on the registry. Reach out for help if you are feeling unsafe at home or struggling with family problems.

### ***How will registration affect me as a registrant's family member?***

The impact of the registry on the family of people on the registry cannot be overlooked. Your family members often face harsh treatment daily simply due to their love and support for you and often face many of the same adverse consequences of registration. If you are unable to locate and maintain stable employment it can lead to financial hardships for the rest of the family, which can result in tension and fighting. This can be exacerbated if the terms of your community supervision mandate you not to live with or be in the presence of minors and you have children.

If you are allowed to live with your family and are on community supervision your supervision officer may limit the activities you can attend with your children. Presence and residency restrictions may prevent you from enjoying time with your kids at libraries, public and amusement parks, swimming pools and other such places. If you can't spend time with your kids because of this talk to them and explain why. Then come up with other ideas to enjoy time together, like family movie nights.

Your children may also be impacted through bullying, harassment, or isolation at school. Many children of people on the registry have indicated they are teased, often feel left out, or suffer from fear, anxiety, or depression. This can make your child angry or feel resentment towards you. It is important you talk to your children to help them handle an uncomfortable situation at school or to see if they are having problems.

Due to these varying adverse consequences, many family members and loved ones of people on the registry indicate they often feel stressed, frustrated, depressed, isolated, overwhelmed, and/or targeted due to their loved one's presence on the registry. Some will lose close friends or family relationships because of the public notification requirement leaving them to feel alienated. Many family members often experience threats and harassment from neighbors and the community due to the community notification component of registration. Others may feel embarrassment or shame because of the stigma of supporting someone on the registry. This may prevent them from engaging in social activities. They may feel their privacy is violated by the close scrutiny of law enforcement officials.

In short, their experiences mirror those who are subjected to registration requirements. It is important for you to understand that your struggles are not unique, but rather shared with your family and loved ones. It's healthy for you and your family to build a strong support system, find meaningful work, and take up a hobby. Exercise, get spiritual, join a support group or a book club. Find healthy and productive ways to process the realities of a life on the registry.

### ***Will I still have custody rights to my children?***

The short answer is that SORN laws don't expressly restrict your parental rights, but they may be limited through other laws. Most likely your custodial rights will be stripped while incarcerated, while on community supervision, and until you comply with any conditions that the court determines to be in the best interest of the child, and this applies to men on the registry as well. This also means that if you have children before the completion of your sentence you may have your child taken away. In addition, if a person on the registry begins a relationship with someone who has children, the other person may risk losing custodial or visitation rights to their children.

While parental rights are not constitutional rights, judges take any request to remove or limit them seriously. Many of the custodial limitations for people on the registry require proving that the registrant is a risk to the welfare of the child. This means a judge will look into the exact nature of the offense and any attempts at rehabilitation when determining custodial rights. Ensure you are ready to take care of your children before seeking custody. Try to be steadily employed and have stable housing. Reintegrating with the community is a stressful process, and it's normal to need time before you're ready to be a caregiver again.

### ***Am I allowed to live with or see my family?***

Depending on the terms of your supervision and your offense, you may not be allowed to live with anyone under the age of eighteen--including your own children or siblings. Many times, families will be split up or forced to move because of residency restrictions. Landlords may evict family members if you don't live in a private residence and they discover your registration status. If supervised contact with minors is permitted by your probation or parole officer, the guardian of the minor must be aware of your sexual conviction. However, a great many registrants are able to live with and spend time with their families. Spending time with family, friends, and loved ones can prove valuable in helping you transition back into your community.



# TREATMENT

Whether or not treatment works for you will depend on your motivation to grow and learn. Many current treatment programs for sex offenses has proven to be ineffective, but the criminal legal system requires it in an attempt to promote community safety. The biggest problem is that treatment is a one-size-fits-all approach, and people who commit sex offenses don't all have the same treatment needs. Genuine treatment that works to ensure your needs are met usually involves guided recovery and support. Most treatment for registrants is based on the cognitive behavioral therapy (CBT) model, which raises your awareness of the harm to someone caused by your actions, allows you to choose to be responsible for those actions, and provides you useful strategies to prevent you from being in situations that could lead to another offense. The *Treatment* chapter reviews many of the common questions about treatment for those convicted of sex offenses.

## KEY TERMS

**Cognitive behavioral therapy (CBT)** – type of therapy that seeks to stop problematic sexual thoughts and behaviors by teaching technique to think about or engage in other, healthier behaviors

**Community supervision** – a program allowing people to serve out the sentence for their conviction in the community instead of behind bars

**Containment model** – coordinated approach between a supervision officer, treatment provider, and polygrapher to manage people convicted of sex offenses in their community

**Fifth Amendment** – includes the Constitutional protection against self-incrimination for a crime, must invoke it by pleading the Fifth

**Penile plethysmography** – controversial pressure-sensitive device which can be attached to a penis and used to gauge sexual arousal to stimulating photos, audio recordings, or videos

**Polygraph test** – controversial test claiming to measure deceit based on your answers and physiological responses (i.e. skin conductivity, blood pressure, pulse, and respiration) to questions

**Supervision officer** – law enforcement official who actively monitors individuals on community supervision

**Sex offender treatment** – varying therapeutic models designed to reduce re-offense for people convicted of sex offenses

**DISCLAIMER** - When assembling the *Treatment* chapter of *Registering with Dignity*, we sought to provide you with useful and accurate information regarding your Federal rights. Some of this information was gathered from personal experience, but much of it was collected from relevant legislation, case law, and other legal sources. However, sex offense law changes frequently and is subject to differing interpretations. Sex Law and Policy Center does not always have the resources to make necessary changes to the provided information when laws are changed. If you use any information from the *Treatment* chapter of *Registering with Dignity*, it is your responsibility to ensure it applies to your specific situation and that the law is current. Sex Law and Policy Center does not employ attorneys, so the *Treatment* chapter merely provides legal information and not advice. We advise you contact a legal professional if you are in need of legal advice.

### ***Am I required to go to treatment?***

Courts almost always require you to complete sex offender treatment while you are on community supervision. If you are currently under supervision, you can check with your community supervision officer to determine whether you are required to go to treatment. We would encourage you to request documentation to determine if this is part of the court's order, or whether it is a condition being imposed by the probation officer.

### ***Why am I required to go to treatment?***

Virtually all people convicted of sexual offenses are thought by the criminal legal system to have some kind of psychological or emotional problems that caused their sexual offending behavior. In treatment, you might not find that the models and approaches are relevant to your case, identity, or personal situation. It is understandable that you may feel like these programs do not work for you or address your needs. However, you might be surprised that this process can, in fact, be helpful to you. It is important to remember that since treatment is often a requirement for completing community supervision, it is necessary to participate to the best of your ability if you wish to graduate from community supervision.

### ***What are my treatment options?***

Generally speaking, people required to attend sex offender treatment as a condition of their community supervision have few (if any) options in their treatment. In some cases, it is possible to choose between different treatment providers that are frequently used by the state, or to contract with a private therapist – however, that is rarely allowed.

### ***What can I expect from treatment?***

Most programs are between 18 months and 2 years long. However, we have heard from many people that they were not allowed to complete the treatment program in the prescribed time. Sex offender treatment is based on research and methods specific to the registrant population. Much of the work focuses on sexual histories, impulsive behaviors, and thought errors through a cognitive behavioral framework. Special therapy workbooks are made for sex offender treatment, and you might not always agree with the content of these books. Some states use the containment model, defined by its collaborative team approach involving a therapist, law enforcement officers, and polygrapher. Under this system the therapist is required to share some information obtained from the patient with law enforcement. You should be aware of what you reveal in treatment to ensure that you don't further incriminate yourself to law enforcement. Ask your treatment provider if your state requires the containment model. Some therapists may be open about their methodology and their practices if you ask them to explain them to you.

### ***Will there be invasive or uncomfortable testing?***

Depending on the type of treatment program you are placed in there might be. Most sex offender treatment programs rely on the use of polygraph testing – including questions that may feel very personal and violating about your sexual experiences, sexual thoughts, sexual development as an adolescent, and masturbation habits. Most treatment programs require you to fully disclose this information as a condition of continued participation. Some programs also rely on penile plethysmography, which involves measuring blood flow to the penis. These tests have been criticized by some experts for being ineffective and dehumanizing. If you identify as LGBTQ, you should be aware that any treatment designed to change one's sexual orientation should be considered illegitimate. If you find yourself being exposed to such therapy, reach out to us at the Sex Law and Policy Center.



***Will I have to pay for treatment?***

In some states, you will be required to pay for your own treatment. However, in other states you only have to pay for treatment if you go to a program that is different from the one preferred by your probation officer. In most states, it is illegal to violate someone's community supervision because they cannot afford to pay for sex offender treatment – which is why most states use a sliding scale of payment for people who have lower income levels. You should talk to your community supervision officer if you are concerned that your probation may be violated because you are unable to afford treatment.

***Am I allowed to seek out private therapy in addition to mandatory treatment?***

Maybe. Many community supervision programs have schemes that discourage this – sometimes the probation officer will allow you to see a “qualified” private therapist instead of attending the program normally used by the probation system, while in other circumstances you must only use the treatment providers approved for mandated treatment.

***Am I allowed to assert my Fifth amendment rights in treatment?***

In some jurisdictions, you have the right to not self-incriminate yourself during sex offender treatment. This means that in certain places you are allowed to refuse to answer incriminating questions during treatment that might get you in trouble for previously undisclosed crimes. However, you might be pressured or coerced into answering by a treatment provider or polygrapher. You should consult a lawyer for more information about your Fifth Amendment rights in your state.

***What do I do if I encounter homophobia or transphobia in treatment?***

You have a right to competent, useful, and safe treatment. Because not all treatment providers are adequately trained in sexuality, you might come across homophobia or transphobia in treatment. You could try respectfully bringing it up to your treatment provider, and, if nothing changes, then you can reach out to the Sex Law and Policy Center for advocacy help.



# SEXUALITY

Queer and transfolk, especially, know what it's like to be labeled deviant and worthless, and have our lives scrutinized and policed. Not too long ago, we were criminalized for our sexual desires, and, in many respects, we still are. It's important to note many registrants are queer or trans, and it's largely a function of how America polices our sexuality and gender expression. Regardless of how many registrants are queer or trans, there are things you should be aware of as a queer or trans registrant. The *Sexuality* chapter discusses your sexual rights, and those of your heterosexual counterparts, while you are registered.

## KEY TERMS

**Community supervision** – a program allowing people to serve out the sentence for their conviction in the community instead of behind bars

**Health threat laws** – laws enacted to guard a perceived situation or factor that is a risk to the wellbeing of other people

**HIV criminalization** – prosecuting people based on their HIV status.

**Polygraph test** – controversial test claiming to measure deceit based on your answers and physiological responses (i.e. skin conductivity, blood pressure, pulse, and respiration) to questions

**Pornography** – any audio, visual, or written material used for the purpose of sexual arousal

**Supervision officer** – law enforcement official who actively monitors individuals on community supervision

DISCLAIMER - When assembling the *Sexuality* chapter of *Registering with Dignity*, we sought to provide you with useful and accurate information regarding your Federal rights. Some of this information was gathered from personal experience, but much of it was collected from relevant legislation, case law, and other legal sources. However, sex offense law changes frequently and is subject to differing interpretations. Sex Law and Policy Center does not always have the resources to make necessary changes to the provided information when laws are changed. If you use any information from the *Sexuality* chapter of *Registering with Dignity*, it is your responsibility to ensure it applies to your specific situation and that the law is current. Sex Law and Policy Center does not employ attorneys, so the *Sexuality* chapter merely provides legal information and not advice. We advise you contact a legal professional if you are in need of legal advice.



### ***What are my rights to sexual expression?***

You have a right to legal sexual activity and expression as a registrant. However, those on supervision may have special restrictions that limit sexual expression including rules against looking at pornography, alerting your supervision officer when you engage in a relationship, or “cross-dressing.” We advise you to follow the official rules of your supervision to avoid additional penalties or jail time. We know that this can be incredibly difficult for some people, and we encourage you to seek support if you are finding this to be a challenge.

### ***Am I allowed to have sex?***

Yes, you are allowed to have legal consensual sex while on the registry and under supervision. However, if you are under supervision and required to take polygraph tests, be prepared to discuss your sex life. Your examiner may ask intrusive questions, such as how many sexual partners you have, if you engage in kink or risky behavior, and the nature of your sexual fantasies.

### ***Will I get in trouble for being queer?***

While there is no law expressly banning same-sex attraction, we live in a homophobic culture with many biases against same-sex attraction and acts. If you are having a hard time with your treatment provider or supervision officer you can contact the Sex Law and Policy Center for help with advocating for yourself and to walk you through a plan of action.

### ***Does my partner have rights?***

Your partner may experience some of the same consequences of supervision or registration that you are dealing with. If you have a same-sex partner, there might be some issues with queer/transphobia. You shouldn't let these problems get in the way of following your supervision requirements or your relationship, even though we know that dealing with queer/transphobia can be incredibly hurtful and humiliating. Sit down with your partner and talk about constructive ways to handle the queer/transphobia, or find a support group where you can express your needs.

### ***What are my rights as a transgender person?***

Transgender people have the same rights as everyone else, but unfortunately many people in the criminal legal system forget this or willfully ignore that fact. There is mounting evidence of a lack of awareness and practical policies to aid transfolk in re-entry, which often results in few resources and support for them to successfully reintegrate with their communities. Locating and maintaining employment and housing, receiving treatment and medical care, and other re-entry issues will be doubly challenging.

Denying your rights as a transperson to live an authentic life makes asserting your identity and ensuring you're treated with respect, while ensuring your safety and not receiving a supervision violation, very difficult. Many states rigidly follow policies requiring them to address you by your birth name and gender, even if you don't identify as such. This can be a humiliating and dehumanizing situation with the only option often being to formally change your name and secure gender change documentation. We strongly suggest reaching out to an organization that specializes in transgender rights, such as TRANScending Barriers, the Sylvia Rivera Law Project, the Transgender Law Center, or the National Center for Transgender Equality to help you navigate this issue.

### ***What are my rights as a person living with HIV?***

People living with HIV are threatened by sex crimes registries, and by the criminal legal system more generally,

in particular ways. If you are living with HIV+, it is important that you, in order to avoid punishment, familiarize yourself with whether and how the law criminalizes HIV in your state.

As of this writing, 34 states and 2 U.S. territories have HIV-specific laws making it a crime for a person living with HIV to expose another person to the virus through sex, sharing needles, and in some cases, even bodily fluids such as saliva. Six states require sex crimes registration as part of punishment under HIV-specific laws: Washington, South Dakota, Arkansas, Louisiana, Tennessee, and Ohio. In order to secure a conviction of a person living with HIV, the statutes do not require for the virus to actually be transmitted; most of them do not require proof of intent to transmit or even evidence that the sexual practices in question posed any risk of transmission.

Since 2008, there were at least 303 reported arrests or charges nationwide of cases involving the alleged risk of HIV-transmission. States such as Michigan have “health threat” laws that give public health departments the authority to subject people living with HIV to forced testing, counseling, or quarantine.

Many states also have laws that make it a crime for a person to know that he or she has HIV without disclosing that information to their sexual partners. In court, it usually ends up being one person’s word against another. It is therefore a good idea to secure written acknowledgement from your sexual partners that they are aware of your HIV-status.

As for whether you need to disclose your HIV status to your supervising officer, there is no law or policy specifically stating that you must disclose that information. We would encourage you to not initiate a conversation of disclosure with your supervising officer. However, if you were tested during your incarceration, then assume your supervising officer is aware of your status. It would be a good idea to keep a detailed log of all observations that may seem prejudicial or discriminatory, and then consider submitting a complaint to your state's ombudsmen's office.

For more information on how sex crimes registries affect people living with HIV in your state, spend some time browsing the website of the Center for HIV Law & Policy.

### ***Can I look at pornography?***

Oftentimes the terms of your community supervision will prevent you from viewing pornographic material, even if the content is legal. Their reasoning is that consuming porn can lead to further “deviant behavior.” This can be a huge burden to some people, but it is best that you follow the rules of your supervision to avoid violation. Law enforcement might even consider non-pornographic material as a violation of your supervision. For example, Sports Illustrated, Maxim, or any other magazines that show revealing photos but don’t cross over into pornography may be considered a violation.

It is best to protect yourself and find out what you’re allowed to possess. You may be asked during your polygraph examination if you are consuming porn, so be prepared to answer that question. If you are not under supervision, then viewing legal porn depends on your case. You may even be forbidden from owning a camera or a phone with a camera installed as naked pictures sent by you or to you may be considered pornography. Some people are banned from viewing porn for the rest of their lives. Be sure to have clarity on your supervision conditions and other restrictions that might apply to your case. Consult your supervision officer or a lawyer if you are unsure.



# DIGITAL RIGHTS

**W**e live in the digital age and use the Internet to locate housing and employment, build support networks, and achieve higher education, among other uses. It's not possible to expect most people, including registrants, to be banned from using the Internet. Even the courts are beginning to recognize the importance of digital access, but when and what you can access all depends largely on whether you are under community supervision. The *Digital Rights* chapter answers common questions on Internet access for people on the registry.

## ***KEY TERMS***

***Community supervision*** – a program allowing people to serve out the sentence for their conviction in the community instead of behind bars

***Internet identifiers*** –any electronic name used for Internet-based communication, may include e-mail, instant messenger, or social networking accounts

***Social media*** –Internet-based networks that facilitates the sharing of information and other forms of expression

***Supervision officer*** – law enforcement official who actively monitors individuals on community supervision

DISCLAIMER - When assembling the *Digital Rights* chapter of *Registering with Dignity*, we sought to provide you with useful and accurate information regarding your Federal rights. Some of this information was gathered from personal experience, but much of it was collected from relevant legislation, case law, and other legal sources. However, sex offense law changes frequently and is subject to differing interpretations. Sex Law and Policy Center does not always have the resources to make necessary changes to the provided information when laws are changed. If you use any information from the *Digital Rights* chapter of *Registering with Dignity*, it is your responsibility to ensure it applies to your specific situation and that the law is current. Sex Law and Policy Center does not employ attorneys, so the *Digital Rights* chapter merely provides legal information and not advice. We advise you contact a legal professional if you are in need of legal advice.



### ***What kind of registry-based Internet restrictions can I expect?***

Typically, registry-based Internet restrictions come in two forms. The first is a ban on a registrant's access to certain websites. Not only do states often forbid registrants from access, but websites do as well. You may find yourself banned from reviewing the registry in some states. Social media sites often include provisions in their terms of service forbidding people from registering for an account. States will often enact blanket bans from sites, but these bans have been legislatively challenged in a number of places. The other common restriction you may encounter is through the registration of Internet identifiers. These bans often place a burden on registrants to inform law enforcement authorities of all their online usernames, email addresses, and accounts used primarily for communication purposes. Many times, people can search for registrants using their Internet identifiers.

### ***Can I go online?***

Some people are restricted from accessing the Internet while under community supervision, but there has been a surge in challenges to blanket Internet restrictions. It is always a good idea to check the rules and regulations you signed when you began community supervision. Your supervision officer may let you use a computer, but not use the Internet. Other times, you may have to ask permission to use the Internet, which might require the supervision officer installing software on your computer to monitor the sites you visit. You may be forbidden from owning a smartphone or a phone with a camera. Some people may have Internet restrictions that last beyond probation due to state specific legislation. This can make finding a job, housing, or social support incredibly difficult. If you are prohibited from accessing the Internet, ask a friend or family member to go online for you and help with these tasks.

### ***Can I use social media?***

Some social media sites ban you from using their sites as a registrant, including Facebook, Instagram, and Match.com as of this writing. However, other sites allow you to use them, including Twitter, LinkedIn, and Google Plus. You can search for their policies for people on the registry on their websites. Even if social media sites don't ban you, the state or locality of your residence might. If you are hesitant, consult the State Police or your supervising officer to get written permission to use the social networking sites you are interested in.

### ***Do I need to register my Internet identifiers?***

Whether or not you need to register your internet identifiers depends on your state of residence. Some states require you to list them, but many do not. If your state does require you to register them, then ensure you know the deadline for registering the Internet identifier. It can be anywhere from 48 hours to never. It is also helpful to keep in mind that some states allow people to search the registry by Internet identifiers.

### ***Do I have freedom of speech online?***

Your digital rights vary based on your supervision restrictions. The important thing is that you need to make sure you aren't violating the terms of your supervision. Some registrants are allowed to use the Internet and some are not. If you are allowed the use of the Internet, you must protect yourself from violation. For example, you might be barred from certain social media websites or interacting with minors online. Aside from community supervision restrictions, you are generally allowed to use the Internet with the same freedoms as anyone else.

According to the First Amendment Center, all citizens are barred from posting obscenity, fighting words, defamation, child pornography, perjury, blackmail, incitement to imminent lawless action, true threats, and solicitations to commit crimes. However, be aware that your Internet presence might be subject to special scrutiny



## Registering with Dignity

based on your registration status, especially if your computer has surveillance software installed. For more information and legal consultation, you can reach out to civil rights organizations that specialize in digital rights such as the Electronic Frontier Foundation or the ACLU.

### ***Can I communicate with other registrants online?***

In many places, it is illegal to communicate with other registrants both in person and online aside from during treatment groups while you are on community supervision. It is a good idea to ask your probation or parole officer if you are allowed to communicate with other registrants. Registrants not on supervision, however, are allowed to communicate online together freely as long as you follow the general rules for online speech listed above. For some people, it can be incredibly empowering to find community and social support among registrants who've gone through similar experiences. Many registrant rights organizations offer both in-person and online community support opportunities.

# RESOURCES

## Mental Health & Suicide Hotlines



## Registry Advocacy Organizations

<https://all4consolaws.org> | ACLU Building 1313 W. 8<sup>th</sup> Street Los Angeles, CA 90017 | (818) 305-5984



ACSOL is dedicated to protecting the Constitution by restoring the civil rights of registrants and their families. In order to achieve that objective, ACSOL will educate and litigate as well as support or oppose legislation.

<http://arkansastimeaftertime.org> | P.O. Box 11491 Conway, AR 72034 | (501) 444-2828 | [rsol@arkansastimeaftertime.org](mailto:rsol@arkansastimeaftertime.org)

Our goal is to help make communities safer and to protect our kids. In order to do this, we must learn to differentiate between those truly dangerous repeat violent sexual predators and those who at some time in their past committed a sex-related offense, served their sentence, completed or are currently undergoing treatment, and are working hard to re-integrate into society.



<https://cautionclick.com> | P.O. Box 1548 Waynesville, NC 28786 | (716) 632-8673 | [info@cautionclick.com](mailto:info@cautionclick.com)



CautionClick is dedicated to promoting public safety through evidence based legislation, public awareness and prevention strategies, promoting evidence based policy reform and community management practices for non-production child pornography offenders, and advocating sentencing which is fair, just and consistent with the purposes of sentencing.

<https://impactjustice.org> | 2633 Telegraph Ave., Ste. 104 Oakland, CA 94612 | (510) 899-5010 | [info@impactjustice.org](mailto:info@impactjustice.org)

Every child deserves a childhood. When we label kids as sex offenders, though, we deny them that most basic human right, while doing nothing to benefit society. We punish youthful indiscretions not unpack them, marginalize rather than prevent. Our children deserve better, which is why our mission at Impact Justice's Center for Youth Registration Reform is to eliminate the practice of placing youth on registries.



<http://cure-sort.org> | P.O. Box 1022 Norman, OK 73070 | (405) 639-7262



CURE-SORT works to provide information, resources, contacts, and support to individuals, families, defense attorneys, treatment providers, public media, legislators, law enforcement personnel, and other professionals who work with or are interested in issues of sexual abuse and its prevention.

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<https://floridaactioncommittee.org> | P.O. Box 470932 Lake Monroe, Florida 32747 | (904) 438-8FAC

Florida Action Committee (FAC) intends to educate the media, public, and legislators with facts versus myths about sex offenders. FAC works to reform the SO laws and registry in Florida.



<http://ilvoices.org> | P.O. Box 523 DeKalb, IL 60115 | 888-6-VOICES | [info@ilvoices.com](mailto:info@ilvoices.com)



Illinois Voices promotes the elimination of sexual abuse and the preservation of civil rights for all individuals through the use of effective legislation based on empirical research.

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<https://narsol.org> | P.O. Box 36123 Albuquerque, NM 87176 | (888) 997-7765

NARSOL envisions effective, fact-based sexual offense laws and policies which promote public safety, safeguard civil liberties, honor human dignity, and offer holistic prevention, healing, and restoration.



<http://oncefallen.com> | 8258 Monon Ave., #3 Cincinnati, OH 45216 | (513) 238-2873 | [iamthefallen1@yahoo.com](mailto:iamthefallen1@yahoo.com)



The purpose of Once is providing an honest education on the truth about sex offender laws and issues, and offering some support services and guidance to those seeking to reform America's sex offender laws. Once Fallen is not a legal referral service, nor can we provide legal advice on sex crime defense or appealing convictions, and any advice given is a solitary opinion based upon the personal experiences and conclusions made by the owner of this site.

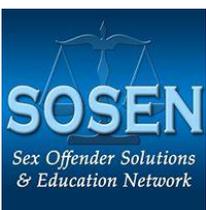
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<https://sexlawandpolicy.org> | 507 Jersey Ave., Ste. 2 Jersey City, NJ 07302 | (202) 750-0475 | [info@sexlawandpolicy.org](mailto:info@sexlawandpolicy.org)

The mission of the Sex Law and Policy Center is to rationally and compassionately unpack the fear-driven mythology of sexual offenses and expressly deconstruct inherent gender and sexual minority biases while promoting public safety, strengthening communities, fostering open communication, and driving SORN policy reform.



<http://sosen.org> | P.O. Box 235 Dixon, IL 61021 | (800) 773-4319



Sex Offender Solution and Education Network's primary mission is to educate the public, the news media, law enforcement and legislators with the true facts about Child Sexual Abuse in an attempt to reduce the unfounded and unwarranted hysteria as a result of misinformation and propaganda. We are striving to incorporate Solutions based on facts that will help change the attitude of our lawmakers from writing and passing legislation which hinders life, liberty and the pursuit of happiness for both registrants and their families.

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<http://texasvoices.org> | P.O. Box 23539 San Antonio, Texas 78223 | (877) 215-6688 | [info@texasvoices.org](mailto:info@texasvoices.org)

Texas Voices is a grass-roots, all-volunteer, non-profit organization established in 2008. We strive to educate and raise awareness about the ineffectiveness of the public sex offender registry and the negative impact it has on community safety.



<https://womenagainstry.org> | P.O. Box 463 Arnold, MO 63010 | (800) 311-3764 | [contact@womenagainstry.com](mailto:contact@womenagainstry.com)



Through peaceful demonstrations, educational forums, and political events WAR will present compelling evidence of the dangers and damage to American society caused by excessive, unconscionable sexual offense registries.

## Criminal Justice Advocacy Organizations

<http://blackandpink.org> | 614 Columbia Rd. Dorchester, MA 02125 | (617) 519-4387 | [members@blackandpink.org](mailto:members@blackandpink.org)

Black & Pink is an open family of LGBTQ prisoners and “free world” allies who support each other. Our work toward the abolition of the prison industrial complex is rooted in the experience of currently and formerly incarcerated people. We are outraged by the specific violence of the prison industrial complex against LGBTQ people, and respond through advocacy, education, direct service, and organizing.



<https://ccrjustice.org> | 666 Broadway, 7<sup>th</sup> Floor New York, New York 10012 | (212) 614-6464



The Center for Constitutional Rights is dedicated to advancing and protecting the rights guaranteed by the U.S. Constitution and the Universal Declaration of Human Rights. CCR is a nonprofit legal and educational organization committed to the creative use of law as a positive force for social change.

<https://criticalresistance.org> | 1904 Franklin St., Ste. 504 Oakland, CA 94612 | (510) 444-0484 | [cnational@criticalresistance.org](mailto:cnational@criticalresistance.org)

Critical Resistance seeks to build an international movement to end the Prison Industrial Complex (PIC) by challenging the belief that caging and controlling people makes us safe. We believe that basic necessities such as food, shelter, and freedom are what really make our communities secure. As such, our work is part of global struggles against inequality and powerlessness. The success of the movement requires that it reflect communities most affected by the PIC.



<http://equaljusticeunderlaw.org> | 400 7<sup>th</sup> St. NW, Ste. 602 W. DC 20004 | (202) 670-1004 | [admin@equaljusticeunderlaw.org](mailto:admin@equaljusticeunderlaw.org)



Equal Justice Under Law is a national civil rights legal nonprofit dedicated to achieving equality in our justice system by challenging wealth-based discrimination. We believe everyone should be treated equally, regardless of wealth-status. Unfortunately, our society currently operates two systems of justice: one for the rich and another everyone else.

<https://famm.org> | 1100 H St. NW, Ste. 1000 W DC 20005 | (202) 822-6700 | [famm@famm.org](mailto:famm@famm.org)

Families Against Mandatory Minimums is the most effective sentencing reform advocacy group in the United States. FAMM has worked to eliminate mandatory sentencing laws, and promote sentencing policies rooted in the fundamental American values of individualized justice, fairness, proportionality, and respect for liberty and due process.



<https://hivlawandpolicy.org> | 65 Broadway, Ste. 832 New York, NY 10006 | (212) 430-6734 | [info@hivlawandpolicy.org](mailto:info@hivlawandpolicy.org)



The Center for HIV Law and Policy (CHLP) is a national legal and policy resource and strategy center working to reduce the impact of HIV on vulnerable and marginalized communities and to secure the human rights of people affected by HIV.

<https://justleadershipusa.org> | 1900 Lexington Ave. New York, NY 10035 | 347-454-2195

JLUSA believes that America's most challenging barrier to expansive, systemic criminal and juvenile justice reform is the absence of clear and consistent leadership by those who have been directly affected by our failed criminal justice policies.



<https://lambdalegal.org> | 120 Wall St., 19th Floor New York, NY 10005 | (212) 809-8585



Founded in 1973, Lambda Legal is the oldest and largest national legal organization whose mission is to achieve full recognition of the civil rights of lesbians, gay men, bisexuals, transgender people and those with HIV through impact litigation, education and public policy work.

<http://lgbtmap.org> | 3020 Carbon Pl., Ste. 202 Boulder, CO 80301 | (303) 578-4600 | [info@lgbtmap.org](mailto:info@lgbtmap.org)

MAP Founded in 2006, the Movement Advancement Project is an independent think tank that provides rigorous research, insight and analysis that help speed equality for lesbian, gay, bisexual and transgender (LGBT) people. MAP's work is focused on three primary areas, policy, movement capacity, and effective messaging.



<http://nclrights.org> | 870 Market St., Ste. 370 San Francisco, CA 94102 | (415) 392-6257 | [nclrights.org](http://nclrights.org)



NATIONAL CENTER FOR LESBIAN RIGHTS

NCLR is a national legal organization committed to advancing the civil and human rights of lesbian, gay, bisexual, and transgender people and their families through litigation, legislation, policy, and public education.

<https://rootandrebounce.org> | 1730 Franklin St., Ste. 300 Oakland, CA 94612 | (510) 279-4662 | [info@rootandrebounce.org](mailto:info@rootandrebounce.org)

Root and Rebound works to increase access to justice and opportunity for people in reentry from prison and jail, and to educate and empower those who support them, fundamentally advancing and strengthening the reentry infrastructure across the state of California.



<https://seroproject.com> | P.O. Box 1233 Milford, PA 18337 | [info@seroproject.com](mailto:info@seroproject.com)



Sero Project is a network of people with HIV and allies fighting for freedom from stigma and injustice. Sero is particularly focused on ending inappropriate criminal prosecutions of people with HIV, including for non-disclosure of their HIV status, potential or perceived HIV exposure or HIV transmission.

<https://new.swopusa.org> | 340 S Lemon Ave., #7566 Walnut, CA 91789 | 877-776-2004 (x5) | [support@swopusa.org](mailto:support@swopusa.org)

Sex Workers Outreach Project-USA is a national grassroots social justice network dedicated to the fundamental human rights of sex workers and their communities, focusing on ending violence and stigma through education, community building, and advocacy.



<https://srlp.org> | 147 W 24<sup>th</sup> St., 5<sup>th</sup> Floor New York, NY 10011 | (212) 337-8550 | [info@srlp.org](mailto:info@srlp.org)



Sylvia Rivera Law Project works to guarantee that all people are free to self-determine gender identity and expression, regardless of income or race, and without facing harassment, discrimination or violence.

<https://tgiip.org> | 370 Turk St., #370 San Francisco, Ca 94102 | (415) 554-8491 | [info@tgiip.org](mailto:info@tgiip.org)

TGI Justice Project is a group of transgender, gender variant and intersex people—inside and outside of prisons, jails and detention centers—creating a united family in the struggle for survival and freedom. We work in collaboration with others to forge a culture of resistance and resilience to strengthen us for the fight against human rights abuses, imprisonment, police violence, racism, poverty, and societal pressures. We seek to create a world rooted in self-determination, freedom of expression, and gender justice.



<https://transcendingbarriersatl.org> | 3715 Hancock Drive Decatur, GA 30034 | (404) 333-7581 | [info@transcendingbarriersatl.org](mailto:info@transcendingbarriersatl.org)



TRANScending Barriers Atlanta works to eradicate the issues plaguing transgender people in Georgia who are disproportionately affected. We engage in community capacity building and provide beneficial resources for aiding in the success of the individuals we encounter so that lives can be changed and a community uplifted.

<https://transgenderlawcenter.org> | P.O. Box 70976 Oakland, CA 94612 | (510) 587-9696 | [info@transgenderlawcenter.org](mailto:info@transgenderlawcenter.org)

Transgender Law Center changes law, policy, and attitudes so that all people can live safely, authentically, and free from discrimination regardless of their gender identity or expression.



# Registering with Dignity Survey

## *Privacy of Information*

Your feedback is important to us, as is your confidentiality and privacy. This survey is completely voluntary and anonymous, so if you choose to fill out this survey we will keep your information anonymous. We appreciate your feedback, because it will improve future versions of this guide and raise awareness of the issues registrants face in their communities.

## *Options to Submit – mail or online at*

If you choose to complete this survey there are three options to submit it to us.

1. Mail your completed survey to us at: Sex Law and Policy Center | 507 Jersey Ave. Ste. 2 | Jersey City, NJ 07302;
2. Scan and email your completed survey to us at [info@sexlawandpolicy.org](mailto:info@sexlawandpolicy.org); or
3. Complete and submit your completed survey online at: <https://www.sexlawandpolicy.org/dignity>

## Guidebook Questions

How helpful were each of the chapters and sections? *Please indicate which option best describes how helpful.*

HISTORY OF THE SEX OFFENDER REGISTRY:

Very helpful    Somewhat Helpful    Helpful    Not Really Helpful    Not Helpful

CONSTITUTIONAL RIGHTS:

Very helpful    Somewhat Helpful    Helpful    Not Really Helpful    Not Helpful

REGISTRATION:

Very helpful    Somewhat Helpful    Helpful    Not Really Helpful    Not Helpful

JUVENILES ON THE REGISTRY:

Very helpful    Somewhat Helpful    Helpful    Not Really Helpful    Not Helpful

WOMEN ON THE REGISTRY:

Very helpful    Somewhat Helpful    Helpful    Not Really Helpful    Not Helpful

FAMILIES, SIGNIFICANT OTHERS, & ALLIES:

Very helpful    Somewhat Helpful    Helpful    Not Really Helpful    Not Helpful

COMMUNITY SUPERVISION:

Very helpful    Somewhat Helpful    Helpful    Not Really Helpful    Not Helpful

STEPPING INTO REENTRY - HOUSING:

Very helpful    Somewhat Helpful    Helpful    Not Really Helpful    Not Helpful

STEPPING INTO REENTRY - EMPLOYMENT:

Very helpful    Somewhat Helpful    Helpful    Not Really Helpful    Not Helpful

STEPPING INTO REENTRY - EDUCATION:

Very helpful    Somewhat Helpful    Helpful    Not Really Helpful    Not Helpful

STEPPING INTO REENTRY – SOCIAL SUPPORT:

Very helpful    Somewhat Helpful    Helpful    Not Really Helpful    Not Helpful

STEPPING INTO REENTRY – FAMILY IMPACT:

Very helpful    Somewhat Helpful    Helpful    Not Really Helpful    Not Helpful

TREATMENT:

Very helpful    Somewhat Helpful    Helpful    Not Really Helpful    Not Helpful

SEXUALITY:

- Very helpful    Somewhat Helpful    Helpful    Not Really Helpful    Not Helpful

DIGITAL RIGHTS:

- Very helpful    Somewhat Helpful    Helpful    Not Really Helpful    Not Helpful

How easy was it for you to understand *Registering with Dignity: A Practical Guide for Reentry and Life on the Registry*? Please indicate which option best describes how easy it was to understand.

- I didn't understand almost anything.  
 I only understood a few things.  
 I understood about half of the guide.  
 I understood almost everything.  
 I understood everything.

Please explain what was difficult to understand.

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After reading any part of *Registering with Dignity: A Practical Guide for Reentry and Life on the Registry*, do any of the following statements apply to you? Please indicate any responses that describes you.

- I feel empowered to advocate for myself.  
 I feel more confident about what to expect about living on the registry.  
 I have immediate needs that this guidebook helped me resolve.  
 Other, please indicate? \_\_\_\_\_

Please explain your response.

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Would you recommend *Registering with Dignity: A Practical Guide for Reentry and Life on the Registry*, to others? Please CIRCLE the one response that describes you.

Yes                      No

Please explain your response.

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## Questions About You

Which of the following best describes you? *Please indicate any responses that describes you.*

- Currently incarcerated registrant
- Formerly incarcerated registrant
- Friend, family, or ally of a registered person
- Community Supervision Officer
- Attorney or legal service provider
- Reentry or community service provider
- Other, please indicate \_\_\_\_\_

Is English your primary language?

Yes                      No, I prefer \_\_\_\_\_

What's your highest completed level of education? *Please CIRCLE one response which best describes you.*

- Pre-high school     GED             Career/Vocation Certificate     Some college
- Bachelor             Master's     PhD or J.D.                             Other, please indicate \_\_\_\_\_

What's your racial background? *Please CIRCLE the responses which best describes you.*

- Black or African American             White or European American             Latino/Hispanic
- Asian or Asian American             Native American                             Alaskan Indian
- Middle Eastern                             Prefer not to answer

How old are you? *Please CIRCLE one response which best describes you.*

- Under 18     18-29     30-39     40-49
- 50-59     60-69     70+     Prefer not to answer

How do you identify? *Please CIRCLE one response which best describes you.*

- Male     Female     Trans     Intersex     Other, please indicate \_\_\_\_\_

How many people in your life do you consider a financial or emotional supporter? *Please CIRCLE one response which best describes you.*

- None     1-2     3-4     5-6     7 or more

## Wrap- up Questions

Any final thoughts of what you liked or didn't like about the guide or advice for improving it?

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