

# CURE-SORT NEWS

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## New SORNA Regulations Issued - effective Jan. 7, 2022

They will impact everybody on the registry.

By Bill Dobbs, Dobbs Wire

In the last months of the Trump administration the Department of Justice (DOJ) suddenly issued draft regulations under the federal Sex Offender Registration and Notification Act (SORNA). The draft regulations were published as required and hundreds of comments received. After the comment period ended there was no response from the government. The silence continued as Trump exited and Biden took office.

Any hopes that Biden might simply do nothing and leave the regulations in limbo evaporated. The Dec. 8 Federal Register has the finalized regulations. They're lengthy and complicated, lots of questions as to what they mean and how they will be enforced. Without a doubt these federal regulations will make life even more hellish for the hundreds of thousands (900,000+ in 2018 according to National Center for Missing and Exploited Children) listed on state sex offense registries --counting their families and significant others, several million people will be impacted.

**While the states** are at the center of registration matters, these changes expand the responsibilities that registrants have under federal law, creating more trip wires and opportunities for prosecution. The screws are being tightened, again. The existing registry regime has produced no benefit to public safety. A more draconian regime will not change that. As of 2021 every state has had a registry for 25 years. There's still no coherent cry to get rid of these ineffective, destructive laws. I hope these SORNA changes will bring more people into this fight.

The regulations are published in the Federal Register. They're online here:

Registration Requirements Under the Sex Offender Registration and Notification Act (OAG 157; RIN 1105-AB52)

<https://www.federalregister.gov/documents/2021/12/08/2021-26420/registration-requirements-under-the-sex-offender-registration-and-notification-act>

**Also enclosed** in this release was a letter from Daniel Hansmeier, Appellate Chief of the Kansas Federal Public Defender to the Department of Justice that gives perspective on the changes. Excerpt: "The proposed rule defines crimes Congress never envisioned. It seeks to punish offenders who are plainly compliant with SORNA. The regulations do not interpret SORNA; they expand SORNA by defining lawful acts (or impossible acts) as crimes."

(Enclosed here is a call to action by NARSOL). If you do want to take action, here is the contact information.

You can call the U. S. Department of Justice and leave a comment on the agency's comment line at (202) 353-1555, send an online message to the agency at <https://www.justice.gov/doj/webform/your-message-department-justice>, or mail a letter to Attorney General Garland at U.S. Department of Justice, 950 Pennsylvania Avenue, NW, Washington, D.C. 20530-0001.

Be sure to specify that the regulations we oppose are published in the Federal Register on Aug. 13, 2021, in Proposed Rulemaking, Docket No. OAG 157 (AG Order No. 4759-2020)

You may wish to mention one or more of these points or think of one or two of your own.

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- Proposed regulations would significantly harm almost 1 million U.S. families
- Proposed regulations are vague because they create requirements that registrants cannot meet such as registering up to 4 times a year
- Proposed regulations have a chilling effect on travel within U.S. that will harm family members in need as well as limit educational opportunities
- Proposed regulations violate state rights to determine registration procedures

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## Supreme Court won't review LA ID defacement case

By KEN STICKNEY | *The Advocate Staff writer*

Oct 4, 2021

The U.S. Supreme Court has declined to review a Louisiana case that involved a man who defaced his state-issued identification badge by removing the designation "sex offender" from it.

A petition to the high court from the Louisiana solicitor general for a writ of certiorari was denied, according to the court's order list revealed Oct. 4. (NOTE: CURE-SORT News covered the removal story in its 2020 3rd quarter issue.)

The case involved Tazin A. Hill, who pleaded guilty in 2010 to the charge of having sex with an underage girl — she was 14, he was 32. Hill formerly had an address in Duson.

Hill served prison time for the crime and after he was released was required to carry a state-issued ID bearing the words "Sex Offender" printed in orange. Such explicit identification was mandated by a 2006 law.

When Hill reported to the Lafayette Sheriff's to update the badge in 2016, it was discovered that he had defaced the ID by removing the words "Sex Offender."

Penalties for defacing the card could have ranged from two to 10 years in prison with a fine of up to \$1,000. The case of defacing the card was taken in 2019 before 15th Judicial District Judge Patrick Michot Sr., now retired, who ruled in Hill's favor that the state should have taken less restrictive ways than those taken on the ID badge to notify law enforcement officers that Hill had previously committed a sex offense.

The initial sex offense charge was not at issue in the case, only the charge of defacing the ID.

Neither the Louisiana Capital Assistance Center, which represented Hill, nor state Solicitor Liz Murrill, who sought the high court's review of the case, could be reached for comment.

"We are certainly disappointed that the Supreme Court denied the writ and we hope the Legislature will take this up as soon as possible," said Cory Dennis, Attorney General Jeff Landry's spokesman.

The state Legislature took up legislation last session to provide an alternate way to indicate on state ID that the holder had committed a sex offense. The bill did not make it out of committee.

Currently, the state does not put the words "Sex Offender" on licenses or other IDs held by people who have been convicted of sex offenses.

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## In controversial vote, CO state board moves to scrap

### "sex offender" for new terminology

By ALEX BURNES | [aburnes@denverpost.com](mailto:aburnes@denverpost.com) |

November 19, 2021 | *The Denver Post*

Colorado's Sex Offender Management Board plans to no longer recognize the term "sex offender" in its own guiding principles and policies.

The board, which controls treatment standards for people already convicted of sex crimes, voted 10-6 Friday on a controversial proposal to replace "sex offender" with "adults who commit sexual offenses." Board members weren't in lockstep on the issue and voted even more narrowly — 8-7, earlier this year — to consider the language change in the first place.

The board's Friday decision is now subject to a 20-day public comment period before final ratification by the board, a spokeswoman said.

The argument for new language is based around an increasingly popular theory of "person-first" terminology. Labeling someone a "sex offender," supporters of this change say, can impede rehabilitation efforts by creating the permanent perception that the person in question is a danger to public safety.

That's precisely the point, said opponents of this change. Jessica Dotter, sexual assault resource prosecutor for the Colorado District Attorneys' Council and a member of the SOMB, said before Tuesday's vote that the new terminology

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— “adults who commit sexual offenses” — “fails to convey or represent any sort of victim-centeredness.”

Dotter said victims of sexual abuse “want their offender to be held accountable and to be known as an offender.”

Several law enforcement leaders, including the Colorado Springs District Attorney Michael Allen, backed her up on that.

The language change doesn't affect the state's Sex Offender Registry either in name or in policy. What happened Friday is a symbolic shift, more than anything.

But, SOMB Chair Kimberly Kline told reporters this week, it's the kind of change that could affect actual behavior.

“If we're talking about how someone speaks about themselves, ... that can increase risk,” she said. “Ultimately it is victim-centered if we're reducing risk.”

Ironically, the Sex Offender Management Board (SOMB) will not change its name even as it renounces “sex offender” as outdated language. That name is determined by state statute, and thus up to the legislature.

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**Sex Offender Specific Treatment**

By Dr. JoEllen Wiggington

Pacific Professional Associates, Los Angeles, CA

Member of CURE-SORT Board

EDITOR'S NOTE: As our mission is to promote the importance of counseling for the recovery of those who have sexually offended, when appropriate, a discussion will be held in our issue along this topic. This is the 16th article in this series. As said, this is a program of Dr. Wiggington and is not available by correspondence but does use references and workbooks used in her treatment program.

CURE-SORT is dedicated to the idea that sex offender specific treatment (therapy) is critical to navigating the issues faced by perpetrators of sexual assault. This is part 16 of a series describing outpatient treatment for individuals accused or convicted of sexual assault, with references and workbooks used in my treatment program at Pacific Professional Associates in Los Angeles CA. The focus in this issue is relapse prevention or avoidance strategies.

The most important goal of this type of treatment program is to prevent further harm. Sexual assault behaviors are always avoidable, and one can learn to identify what

stimulates or triggers deviant arousal then craft strategies to help manage high-risk situations.

Stimuli are external factors that impact our senses: sight, sound, smell, touch and taste. They come in a variety of forms. They can be obvious or subtle (i.e., seeing a person

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**CURE-SORT**  
**P.O. Box 1022**  
**Norman, OK 73070-1022**  
**(405) 639-7262**  
**e-mail: [Info@cure-sort.org](mailto:Info@cure-sort.org)**  
**web: [www.cure-sort.org](http://www.cure-sort.org)**

Director: Wayne Bowers  
 Editor: Michael Dell  
 Production Assistant: David Prephan  
 Production Consultant: Ia Davis

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similar to one's victim vs. seeing a provocative advertisement) and include situations that cause arousal because there is a potential opportunity to offend. These situations are termed "high risk situations" and being able to identify them allows one to avoid or escape them. Morin and Levenson (2002) point out: "Your brain knows what turns you on, and you will always notice these things above all else...There are many sights, sounds and smells around you that are associated in some way with your offenses – probably so many that you aren't even aware of many of them. Identifying these triggers is half the battle. Whenever you have a deviant thought, no matter how fleeting, stop and ask yourself what came just before it. Whatever that was, it apparently triggered your deviant thought." This recognition gives one the power to make healthy choices about what comes next.

Exercises in this section of Morin and Levenson's (2002) workbook, *The Road to Freedom*, deal with identifying stimuli and high-risk situations. One then acknowledges the thoughts that support offense behaviors, replacing any maladaptive thoughts with healthy ones and establishing plans to escape when needed.

Offense behaviors can also be impacted by internal triggers: thoughts and feelings. Stressors in one's life may drive these internal triggers and lead to re-offense. Previous lessons outline using cognitive restructuring to modify these distortions and substitute healthy thoughts that support pro-social choices.

The next segment in the series deals with establishing "good life plans."

**Your contributions are vital to CURE-SORT efforts**

Work with other advocate organizations continues to grow and more and more people realize the false narrative of danger thrown on so many of you. A special financial gift from the government this year has led many of you to make a contribution and possibly you have others in mind. So, with this in mind, we continue to appreciate the donations we receive.

We thank all of you so much for your support. And we thank so many of you who make comments in correspondence about how much our efforts and assistance through the years has been beneficial to you. Those comments make us realize the importance that we

continue to carry on. Our best wishes and Merry Christmas and Happy Holidays to all of you. And on behalf of the Board of Directors, thank you for your continued efforts and your financial support.

Sincerely,

*Wayne Bowers*  
Chairman of the Board  
CURE-SORT Director

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**Available Resources from CURE-SORT**

We are pleased to offer the following resources. Donations accepted to cover cost of postage and printing. Mail donations to the CURE-SORT, address on Page 3.

**One Breath at A Time** by Ila Davis (\$17.50)  
Non-prisoner only due to facility restrictions

**Understanding Offending Behavior** by Stephen Price. (A collection of 9 of Stephens articles from previous newsletters) (\$ 4.00 for the set of 9 articles)

**When Someone on the Registry Moves into My Neighborhood** (Member Price \$5; Non-Member: \$10)

**SUPPORT GROUP:** Families & friends for those in civil confinement, contact Eldon Dillingham. Interested persons contact at 404 Walnut St., Wamego, KS 66547 [eldoncdillingham@grmail.com](mailto:eldoncdillingham@grmail.com)

**No More Victims - One Man's Journey into Sexual Offending and Recovery.** By S. Sands (Ed G), \$13.95. (Includes postage). Send requests to CURE-SORT or email to [gunder788@verizon.net](mailto:gunder788@verizon.net) or [amazon.com](http://amazon.com)