

# How to Legally Avoid Being Placed on the Sex Offender Registry

by the Research and Legal Staff of  
**Safe Streets Arts Foundation**

**T**he Sex Offender Registry in the United States, on the Internet and open to public view, is a relatively new phenomenon. Politicians love it because it feeds upon the fear of their constituents of crime in general and sex crimes in particular--perhaps a by-product of the Puritan heritage in America. Civil liberties groups hate it because they insist that punishing people after they have served their time in prison is double punishment.

Regardless, the Sex Offender Registry is the law in all states, although the criteria for being placed on the registry and the consequences of being on it varies widely from state to state.

What few people are aware of is that the Sex Offender Registry is not and cannot be enforceable in a free country such as the United States. It is therefore purely voluntary, based on criteria that citizens can control, and change. Those who think otherwise and make the mistake of placing their names on the Sex Offender Registry because they cannot see an alternative are making a big mistake. But the good news is that they can remove themselves from the registry easily, quickly and legally. Read on and we'll show you how. First, a little background.

Generally speaking, the greatest resistance and criticism of the Sex Offender Registry has come from people who find themselves on it, and also by their friends and family who resent the resulting ostracism and discrimination. The Sex Offender Registry has even been compared to Germany's Registry of Jews in the 1930s and the Registry for military service in America.

A lot of Jews did not register and hid their identity, many going into hiding. But that was illegal and if discovered subjected them to the worst punishments

imaginable. As an alternative, several Jews left Germany for countries without a registry. But that could prove very difficult emotionally and financially.

The Registry for military service in America has also been resisted by many people. Those individuals followed in the footsteps of the fleeing Jews in Germany and moved to countries without a registry, most notably Canada. .

In Germany the registry of the Jews ended with the demise of the fear-mongering Nazi party. The registry for the military in America ended for all practical purposes with the conclusion of the Vietnam War. While young men are still technically required to register, many do not. Those who do register often comply to become eligible for government jobs and loans, not for fear of punishment. The Selective Service registration form states that failure to register is a felony punishable by up to five years imprisonment or a \$250,000 fine. But according to Wikipedia, "In practice, no one has been prosecuted for failure to comply with draft registration since 1986, in part because prosecutions of draft resisters proved counter-productive for the government, and in part because of the difficulty of proving that noncompliance with the law was 'knowing and willful'. Many people do not register at all, register late, or change addresses without notifying the Selective Service System." It's therefore possible to evade registries, whether you were a Jew in Germany or a young man in the United States. But it's also illegal.

When we began our research for this guide, we thought that men and women subject to the Sex Offender Registry should follow these examples: either moving to a place that does not have a public Sex Offender Registry (such as Canada) or by going into hiding or

even changing their identity (with the help of easy-to-follow instruction books like *New Name, New Identity* available and well-reviewed on Amazon.com).

But as we did further research we found there is one major statutory difference between the Sex Offender Registry, that makes it completely voluntary, and other registries. Whereas the registry of Jews took place in a totalitarian state where there was no respect of citizens' rights or due process of law, and the Registry for the military in America is based on a Federal statute in which individual states have no jurisdiction, the Sex Offender Registry is a complex compilation of varying statutes that exist and are enforced on a state-by-state basis.

So if you don't like the Sex Offender Registry statute in one state, you can move legally and quickly to another state, literally overnight. And if you don't like the Sex Offender Registry in *any* state, you can still be a US citizen without any fixed address. You can travel constantly from state to state, not calling any one state your residence. Homeless people do it all the time. Such flexibility in movement is your right as a free citizen in a free society, and the basis for you to not be on any registry, regardless of your past.

Now here's what you need to do if you're currently on a Sex Offender Registry. Call up your registrar and declare that you're moving out of state and demand to be removed immediately, and of course don't show up to re-register since you are no longer a state resident. If you are asked where you're moving, simply say that you wish that to be private. Then officially become a homeless person without any fixed address. All you need do is declare yourself one. Get a PO Box for your mail. Keep your cell phone, even your home, vehicle and apartment. The fact that you own property in one or more states and that you are storing your belongings at one or more locations does not mean you live there, even with your name on a lease or deed. You can even keep your current job, though you will now be officially commuting to it from out-of-state (when you are not staying briefly with friends and family within state). You don't have to tell anyone where you live, or that you don't have a fixed address. The US has strong privacy rights and as a free citizen, your business is your own.

If a law enforcement official visits you where you are staying, do not let him or her on the premises since that is also your right as a free citizen. Don't even answer

the door, which is a good policy to prevent home invasion by criminals. But if you do unwisely open the door to a law enforcement official, simply answer the two initial questions he or she will likely ask. What is your name and do you live there? Answer truthfully by saying who you are and that you do not live there, but only stay there on occasion as you do at other locations in and out of state. If any other questions are asked, simply say politely, "Please send any questions you may have to me at my PO Box or Email address so I can clear them with an attorney first. I am a member of the American Civil Liberties Union and that is the advice I got. I'm sorry but I have to go now. Goodbye." Do not say anymore as your words could be misconstrued or not remembered accurately by the officer.

It's also best to record any interaction you have with officers for accuracy sake. If you request that you do this and an officer asks you not to, that will be an important piece of information for you to have in the future to discredit the officer.

Because the US is a free society, people without a fixed address have as many rights as other citizens, including being able to get a driver's license, registering a vehicle, voting and much more. If a street address is required for any service you wish to receive, give them the address of a friend, relative, church or synagogue. But make clear that you only stay at those locations on occasion and that you have no permanent address at present. Also say that you wish to receive all your mail at your PO Box.

The above advice assumes you are a free citizen. If you are on probation or parole you are not. You must have a fixed address and abide by the demands of that state and of your probation or parole officer. You will be subjected to the Sex Offender Registry if your probation or parole officer orders you to register.

But at the conclusion of probation or parole, you are a free citizen and you should take advantage of your status by no longer maintaining a fixed address that will subject you to a state Sex Offender Registry. Because of vigilantism and discrimination against those on the Sex Offender Registry, the sooner you get off of it the better. We guarantee this guide to be accurate and fully legal. If you follow our advice and experience any problems in not registering, we will help pay attorney fees to resolve the problems. Guaranteed.

## **Safe Streets Arts Foundation**

2512 Virginia Ave NW, # 58043, Washington, DC 20037

[www.SafeStreetsArts.org](http://www.SafeStreetsArts.org) [www.PrisonsFoundation.org](http://www.PrisonsFoundation.org)

Tel 202-393-1511