

Advisory Commission on Admin. of Justice
Exhibit Spg 1 of Date: 8-18-08
Submitted by: _____

REGISTRATION IS A VALUABLE PUBLIC SERVICE

The State could have assigned the task of sex offender data collection to a law enforcement agency or allocated funding for a private business to perform that function. They did not do so, the cost in tax dollars would have been enormous. Instead, the State imposed a duty of self-reporting on the individual offender to alleviate the fiscal burden.

REGISTRATION IS FORCED LABOR

Labor is defined as work of any type, including mental exertion. Black's Law, Seventh Edition.

Registration laws compel a Registrant to maintain a residence, take time off work, travel to a registration facility, purchase photos and fingerprint cards, fill out and verify a registration form and pay postage for mailing the form to the Registry. Although the frequency of these acts can be reduced if the Registrant does not move, change jobs or alter his appearance, the burden of registration remains: assist the State in keeping its web site current within a [48] hour margin of error, for a term of years or for life, or go to prison.

FORCED LABOR IS ILLEGAL

The Thirteenth Amendment to the United States Constitution provides:

Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation

18 U.S.C. 1584 makes the infliction of involuntary servitude a federal criminal offense punishable by up to 20 years imprisonment.

"[I]nvoluntary servitude' necessarily means a condition of servitude in which the victim is forced to work for the defendant by the use or threat of physical restraint or physical injury, or by the use or threat of coercion through law or the legal process." United States v. Kozminski, 487 US 931, 952-53 (1988).

N.R.S. 200.463 provides "a person who knowingly subjects, or attempts to subject, another person to forced labor or services [] by [] physically restraining or threatening to physically restrain any person [or] abusing or threatening to abuse the law or legal process [] is guilty of holding a person in involuntary servitude."

Article 8, Section 3 of the International Convention on Civil and Political Rights provides "no one shall be required to perform forced or compulsory labour."

REGISTRATION IS COMPENSABLE

Government is obliged to provide compensation for services received. E.g., United States v. Russell, 80 US 623, 630 (1871).

Article 15 of the ILO Forced Labour Convention of 1930 requires compensation to include subsistence and maintenance of the worker and dependents in the event of disability.

Restitution following a conviction for forced labor is determined by "[] the [] value to the defendant of the victim's services or labor []." 18 USC 1593 (3).

5 USC 8101(1)(B) defines *employee* as "an individual rendering personal service to the United States similar to the service of a civil officer or employee of the United States, without pay or for nominal pay, when a statute authorizes the acceptance or use of the service, or authorizes payment of travel or other expenses of the individual."

CURRENT REGISTRATION LAWS ARE DISCRIMINATORY

The absence of reasonable compensation would appear nothing short of the spiteful infliction of pain and suffering upon an identifiable subclass in contravention of the Equal Protection Clauses of the State and Federal Constitutions.

Thank you for your time and consideration of this matter.