

Titus House Newsletter

Titus House Ministries, PO Box 2376, Tijeras, NM 87059

DECEMBER
2019



JANICE'S JOURNAL: THE BEST DEFENSE IS A GOOD OFFENSE

Have you noticed? The winds are shifting for the registrant community. One solid example of that is the recent federal court decision in Georgia that determined that the three registrant plaintiffs have paid their debt to society and are both rehabilitated and leading productive lives.

In that decision, the court went on to assist registrants by shifting the burden of proof to the government to show that the registrants pose a current danger to society. And then the court found that the government failed to meet that burden. In fact, the court noted that the government did not provide "any specific information or data indicating that the Plaintiffs pose (any type of) a risk".

Without a doubt, this is great reasoning and language which supports our cause and should be used by attorneys in future lawsuits. For this is the time to shift from defense to offense.

What do I mean by that? I mean that it is time that we need to move the line of scrimmage toward our goal line. Specifically, we need to challenge laws

What were they thinking? Or perhaps they were not thinking at all. For this is absolutely no background information about this amendment in the bill's

lenged.

There are many more examples in many different states where attorneys are challenging the status quo. For example, attorney Miriam Auckerman continues her battle to overturn registration laws in Michigan. And attorney Paul Dubbeling continues to challenge GPS requirements in North Carolina. Further, attorney Adele Nicholas continues to challenge residency restrictions in Illinois. And finally, attorney Mark Yurachek is preparing a challenge to Georgia laws that limit where registrants can visit, work and live.

The breadth and depth of our attorney bench is growing and that is cause to celebrate! For together, we can move the line of scrimmage away from the punishment of the past toward our goal line where the registry in every state is significantly reduced to only those who pose a current danger and no registry is available online.

THE BEST DEFENSE IS A GOOD OFFENSE



that are based upon emotion, not facts.

For example, the California state legislature recently passed a bill, signed by the Governor, that would allow individuals convicted of a felony to serve on a jury. Just before the bill was passed, however, the legislature created an exception that prohibits anyone convicted of a felony sex offense from serving as a juror.

legislative history. Which means that the amendment was a political compromise and not based on fact. Therefore, the new law is ripe for a legal challenge and that is what is about to happen in Los Angeles Superior Court....the same court where the County Registrar's decision to exclude all registrants from serving as poll workers is already being chal-



Let's save more than one child

November 8, 2019

By Sandy Rozek . . .

Across America this Halloween, and in the weeks preceding it, massive campaigns were underway to protect children from persons on sexual offense registries. Efforts ranged from “house arrest” jail detention for those on parole or probation during trick-or-treat hours to signs placed in yards and on homes and maps printed with dots showing where registered persons lived, all warning young Halloweeners away from those homes, to rigid laws about what and where those on a sexual offense registry could or could not do or go or be, with massive numbers of law enforcement dedicated to verifying that those conditions were being met and arresting any who were not in compliance.

I am happy to report that the efforts paid off. No child anywhere was reported as being abducted, molested, or otherwise harmed by a registered person in connection with Halloween activities.

Of course, that is true in the states and jurisdictions and counties where no such efforts were undertaken, not a penny was spent, and persons on the registry, just like all other citizens, could do or go as they pleased. But still . . . no children harmed. And of course, that has been true, as far as anyone has been able to determine, going back as many years as records have been kept, long before “Protect the children from predators at Halloween” became a “thing.” No children harmed on Halloween by a registered sexual offender. Ever.

Excellent work.



Of course, children were harmed. Researchers and experts warned that the only increased danger to children on Halloween was that of being killed or injured in auto-pedestrian accidents, and, as experts tend to be, they were correct.

Two children were killed by automobiles in North Carolina and in California, one of them dying with his mother and father when an intoxicated driver leapt the curb and mowed them down on the sidewalk as they huddled together.

Four others, one with his mother, were injured, two critically and still in very critical condition as of this writing, in New Jersey and in South Carolina. Another was very seriously injured in Florida and, thank God, is expected to recover, and yet another was hospitalized with internal injuries in a separate accident in the same county in New Jersey.

There may well have been others.

So our efforts to protect against registered sexual offenders, thanks to the noble efforts of many, succeeded, but, and in spite of warnings and cautions, we fell short in the automobile-pedestrian arena.

We must extend our diligence to protecting all children. On Halloween, all driving must be suspended. Persons

needing to get to work for evening hours will need to arrange to get there well prior to trick-or-treat time and under no conditions will be allowed to leave for home unless they will walk or bike. Buses, taxis, and all other public transportation that is vehicular must cease for trick-or-treat hours. Their lost income is a

small price to pay for young lives saved.

Anyone confronted with emergency situations, such as needing to get to a hospital or emergency room, will need to wait until at least midnight to be sure that no trick-or-treating children remain on the streets. The same will apply to the need for fire department services, whether for medical emergencies or for actual fires. And police response, for those hours, will be limited to foot, bicycle, and, where available, horse.

A few hours of pain and being in crisis or a burned home or waiting to have a crime investigated — or prevented — are surely sacrifices worth making in order to assure that no child is ever again killed or injured by a driver Halloween evening.

The defense for implementing some of the most outlandish conditions against those on the registry is often, “If it saves one child.” Statistics bear out that taking vehicles out of the equation on Halloween will save more than one child. A new mantra will evolve from this: “Save more than one!”

Progress.



Too Poor for Freedom: Sex Offender Registry and the Fourteenth Amendment

By Gabriel Loupe,

If a school mandated uniforms and suspended a child too poor to afford them, there would be an uproar. Media would excoriate the school for denying the impoverished an education due to their financial circumstances. Many would wonder at the cost of a uniform relative to the school's budget, suggesting that the school simply offer the child a simple uniform. As ever, our instinctive notions of justice and fair play seem to end at criminal court. In the state of Louisiana, a person required to register as a sex offender who cannot afford to do so, even if he or she turns himself or herself in to the police and asks for help, will be tried, found guilty, and sentenced to prison.[1] Inability to pay

will not protect the sex offender from incarceration, nor will informing law enforcement and requesting aid. Under the current regulatory scheme, indigent sex offenders who have served their time have only prison in their future.

This comment argues that imprisonment and fines subsequent to a failure to register, when the offender cannot afford to pay registration costs, are unconstitutional under a substantive due process analysis, as per *Bearden v. Georgia*. [2] It explains the negative policy implications of the current system. Finally, the comment proposes a legislative solution—the Louisiana Legislature should establish a fund to cover the cost of registry for indigent sexual offenders.

Just a reminder that in Louisiana it's practically a crime to be registered and poor. Community notification is paid for by the registrant. Mine just cost me \$193.50 for a newspaper ad and \$500.60 for postcards. Plus \$82 for an ID card AND driver's license good for just one year. Can't pay? That's a felony failure to notify, minimum 2 years (up to 10).

News from Liberty and Justice Coalition

Liberty and Justice Coalition is working down a list of priority issues. We filed the Out of State Translation Lawsuit and are gearing up to file several more lawsuits. We need potential plaintiffs in the following areas: (1) If you have had your probation or parole violated for possession of a smartphone or being in an undisclosed relationship. (2) We have also started the initial preparation of our litigation on those serving in-house parole. While our primary focus is on those who have never been released, we will consider those who are serving indeterminate incarceration after a violation. We are mainly seeking

those who have been denied parole for lack of a suitable residence.

We cannot give a timeline for this litigation and we are not seeking monetary compensation at this stage. We are fighting "behavioral contract" conditions and seeking to stop the practice of in house-parole for lack of housing. These are two separate legal actions so please only respond with the information for your particular situation.

If you were violated for the above reasons and/or are being held past your release date and you are interested in being considered for these actions,

please send no more than 1-page with basic identifying information which includes, your name, year of birth, date of conviction, and name of probation/parole officer. In addition, include any probation/parole violations, when you should have been released, and other details such as how many times you have been denied and the reasons why. Please be as brief as possible. We will contact you if we need more information. Mail to LJC, P.O. Box 36123, Albuquerque, NM 87176.

WHAT CHRISTMAS MEANS TO ME by Alice

This time of year brings back many memories both good and bad. Probably the best would be as a child raised by a pastor during the Great Depression. I recall my mother having some simple food items ready at her front door for the many poor people who would ring our bell. My Mom was a great cook and people who rang our bell got some real treats. Christmas in Upstate New York was usually cold and icy. My Dad was the pastor of a struggling Baptist church in the town of Norwich. Many years later I found myself a new

missionary in the Philippines. The hot humid climate was a great contrast to the cold of New York. My late husband and I had many adjustments to make, both to language, culture, food. Our children did better than we did for a while. Christmas one year was spent working on the new home we were living in. We joined in the "strange" customs of the small town we lived in. We fell in love with the people of the Philippines with whom we endured ty-

phoons, a simple church made from a market stall in the local market! What does Christmas mean to me now? Memories of the past fill me with both pleasure and sadness. Isn't that what life as a believing Christian should be? God has spared my life many times. Some day I will tell you about the active volcano that erupted a few weeks after I had climbed the side of it. Yes, God has kept me alive these many years and I love and praise Him for it.



Titus House Ministries

PO Box 2376
Tijeras, NM 87059

Phone: (505) 286-8807

Alice's Cell (505) 259-0867

Don's Cell: (505) 315-7940

Email: donmagicjohnston@gmail.com

We're on the Web
titushouseministries.org

Hebrew 13:3 - Continue to remember those in prison as if you were together with them in prison, and those who are mistreated as if you yourselves were suffering.

Remember if you change your address you need to let us know if you want to continue to receive this newsletter



The First and Last Male Sponsored Baby Shower

TITUS HOUSE CHRISTMAS PARTY IN PLACE OF DEC. CIRCLE OF CONCERN

December 21 noon to 3:00 Furr's Cafeteria on Wyoming just south of Menaul.

This is our yearly event, especially for registered citizens, family and friends. Titus House pays the bill. You only have to come, stuff yourselves and have a wonderful time! Our musicians are going to bless us, there will be fun events, short speeches, singing of carols and renewing of friendships. Let us know soon if you plan to come as the room only holds 50 people. A list is forming on my desk! If you have a contribution to make either musically or a short speech please let me know. And oh yes we will accept financial donations too! In case you are wondering, our resident magician may show up. **Please note our Circle of Concern is cancelled for December.**

Louisiana Christmas not so jolly for parents on the registry By Sandy at NARSOL

Sex offenders are a topic guaranteed to push the limits of any discussion. The range of those limits tops out with feelings, usually worded with as many expletives as possible, that anyone who is on a sex offender registry should be taken out and shot. The fact that this has actually occurred, and more than once, is proof that at least some of those advocates aren't just swaggering verbal bullies but are willing to follow through with actual murder.

More and more, however, discussions on the topic reveal that a large segment of society is questioning a registry that grows disproportionately larger and registers children as young as nine and offenses as benign as childish play and as common though ill-advised as consensual teen sex.

Even though there is no police report of a child being attacked on Halloween by a registrant, ever, some states and counties choose to dedicate great resources to protecting children at Halloween from them. And the result is their success rate is exactly the same as it is in the counties and states that spent not a penny: 100 percent success rate for all.

One state at least, Louisiana, has extended the Halloween ban for registered offenders to encompass other holidays in which children can be involved. One fact of note is that these bans, like the Halloween ban, target everyone on the registry even though many of those offenses were non-child related. And even more disturbing because it appears to be in serious violation of our Constitution, the bans apply to everyone required to register even though many are no longer under supervision such as parole or probation.

The state law on holiday restrictions for persons on the registry states: "Every person currently required to register who has been convicted of or who pleads guilty to a sex offense is prohibited from using or wearing a hood, mask or disguise of any kind with the intent to hide, conceal or disguise his identity on or concerning

Halloween, Mardi Gras, Easter, Christmas, or any other recognized holiday for which hoods, masks, or disguises are generally used. It shall also be unlawful to distribute candy or other gifts on or concerning Halloween, Mardi Gras, Easter, Christmas, or any other recognized holiday for which generally candy is distributed or other gifts given to persons under eighteen years of age."

Every registrant who gives an Easter basket or a candy egg, a Santa cookie or a Christmas present of any sort to his own minor children or grandchildren, or to nieces or nephews, will be in violation of the law.

I find that extremely disturbing. I know many registrants with young children, several of whom are on the registry for having sex, back in high school, with the girlfriend who for years now has been wife and mother of those children. Thankfully, none of them lives in Louisiana, but I am certain there must be similar situations there.

It is abhorrent that, in an effort guaranteed to grab headlines and votes, the protection of children is used in a situation where there is no risk to them to begin with, and even more abhorrent that it is done to the detriment of other children who suffer the negative consequences of daddy or mommy not being allowed in family participation of those holidays that make the memories that help shape children's lives.

I only hope that in Louisiana this year no child's memory includes the reality of Daddy being arrested and taken to jail because he was seen buying his child a Christmas present or giving him or her a candy cane.

Originally published November 13, 2012, at houmatoday.com