

Titus House Newsletter

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

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Court order allows City Walk to continue transition home ministry

City Walk, a Florida ministry that welcomes registrants, previously. We especially like their slogan, “Every saint has a past, every sinner has a future.”

We later learned that the mission was dealing with a suit filed against it that could force it to close and abandon its ministry of hope and help to those it serves and will serve.

Good news has reached us that they have been granted a preliminary injunction. We rejoice with them that they will continue serving the needy in Tallahassee, Florida. They have sent us this press release, which we share here:

Detroit — July 10, 2020—A federal court in Tallahassee has entered a preliminary injunction against Wakulla County, Florida, protecting the religious exercise of local church City Walk – Urban Mission. The order comes just two months after City Walk’s attorneys at Dalton & Tomich, PLC filed suit under the Religious Land Use & Institutionalized Persons Act—a federal law that protects the land use rights of religious institutions and assemblies. The suit seeks to secure City Walk’s right to continue its small transition home ministry.

City Walk, based in Tallahassee, began operating its religious transition home in Wakulla County in 2013 to help those in need find love, forgiveness, and a new life in Jesus. In addition to shelter, the ministry provides a recovery program on the organization’s heavily wooded 3.4-acre property. Over the years, City Walk’s ministry has faced opposition because it does not turn away registered sex offenders. Certain neighbors and county officials have tried to pressure City Walk to abandon its ministry. Recently, the County moved to shut the ministry down through zoning enforcement, aiming to limit City Walk to two people in the three-bedroom home. That’s when City Walk was forced to file suit.

On July 9, 2020, the Court found the county’s restriction substantially burdened City Walk’s religious exercise and entered a preliminary order barring all county officials from attempting to prevent City Walk from housing up to six unrelated adults in its transition home. Further, in ruling against the county, the Court found the county planning director’s sworn statement not to be credible because it was inconsistent with prior representations she had made to City Walk – and also inconsistent with the county’s own land use code.

Judge Mark Walker’s order begins with a quote from scripture: “Lord, when did we see you hungry or thirsty or a stranger or needing clothes or sick or in prison, and did not help you?” (Matthew 25:44.2) To which the Lord replied, “Truly I tell you, whatever you did not do for one of the least of these, you did not do for me.” Id. 25:45.

Renee Miller, Pastor of City Walk, expressed gratitude upon hearing the Court’s order.

“It is unfortunate that we had to file a federal lawsuit to protect our right to serve those in need, yet we are thankful this order will allow us to continue our small but powerful ministry,” Miller said. “We hope the county will now stop spending its limited resources on fighting our spiritual outreach efforts.”



Update on Otero County Prison Facility in Chaparral, NM

The Otero County Prison Facility is undergoing rigorous testing, isolation and quarantine protocol in collaboration with the New Mexico Department of Health.

Of the 629 cases of COVID-19 confirmed among state and federal prisoners held in New Mexico facilities, 495 — nearly 82 percent — had been confirmed here (Otero County Prison Facility) as of June 11. The state Department of Health said Wednesday that 15 staff members had tested positive. Three have died. Eight more lie ill at University Hospital in El Paso.

This is a prison population that's now entirely composed of people who, at one time or another, were convicted of a state sex offense.

One of New Mexico's most crowded



prisons, Otero is the only state lockup with more than one COVID-19 case. And yet no prisoner from the facility

has been released early under an executive order issued by Gov. Michelle Lujan Grisham on April 6 Because sex offenders are not eligible.

Next door at the Otero County Processing Center, where Immigration and Customs Enforcement detains hundreds of migrants, 146 people have tested positive for the potentially deadly virus.

Management and Training Corp. (MTC), a private prison company, operates both prisons under contracts with the state and the feds

Good News from Jack, Titus House Boardmember

Good morning Don and Alice,

I have crazy but great news to share with you all.

As you know I moved back to North Carolina back on June 8th. Arrived here the night of the 10th. Rested the 12th and went to the Sheriff's office the 13th. Did all the required stuff, which the sheriff was pretty nice about it all.

Week after all that, I went up to New York to see my mom and pick up my now Fiancé, Cheryl. A week after I registered, we were on our way to Virginia. We stopped at a rest stop to use the facilities. She put our phones in her bag and we got out of the car. While walking to the restrooms my Apple Watch started to ring. I asked her for the phone and she said it was in the car in her bag. Well then it'll just have to wait i said. So then we got back to the car and she gave me my phone, which I noticed it had a voice message. I listened and was the sheriff. Well, as most people, I figure now what is wrong. Cheryl said go ahead and call back to

see what's going on, which I was ready to let it go till the next day.

So, i called as most good men do when the woman tells you to do so, lol. Sheriff proceeded to tell me that after I left something didn't seem right so he handed my case over to the legal office that Friday after I left his office. He called me right after he heard back from the legal office. After reviewing my case, they took me off the registry! Now you can imagine that I was in shock from this news. Cheryl was just as excited as I was. Talk about a surprise, expecting bad news but got the best news instead.

When I was heading out this way I was talking to God, saying I hope this trip is worth it and that it doesn't go bad. Well, He definitely answered those prayers, off the registry, engaged and freedom to live wherever, no restrictions. God is Great!!

So since I'm off, we went to Florida to visit her daughter and then back up to

New York. Sunday, Cheryl and I were able to sit there and listen to her church online. It was a blessing to be able to sit there with your best friend and praise God together.

Now I'm back in North Carolina and she is still in New York. She retires next spring, then we'll be together. She asks about Titus House when I was out there, since I've shared with her the meetings and stuff. So Titus House isn't new to her. One day soon I hope you will be able to meet her when we come out to visit.

Well hope you all have a great day and don't lose hope, God is always working in the background, we may not know what He is up to but He always has the best plans for us.

Love,
Jack



JANICE'S JOURNAL: LET MY PEOPLE GO

How dare they! How dare the CA Department of Corrections[1] once again deny rights to individuals solely because they have been convicted of a sex offense.

Didn't they learn? The department has recently lost every case in which another of their "mistakes" involving registrants was challenged. Those cases were focused upon the department's regulations which denied the benefits of Proposition 57 to every person convicted of a non-violent sex offense[2].

The number of Proposition 57 lawsuits is large and includes successful challenges by ACSOL at both the trial and appellate court levels. It is important to note that the department has lost every court challenge. It is also important to note that the department has delayed justice in these cases by requesting review of the cases by the CA Supreme Court. Because the Court has no deadline, it is not known when the Court will issue its important decision regarding Proposition 57.

As we wait for the Supreme Court to render its Proposition 57 decision, there is another and even more important issue that has arisen for registrants who are currently incarcerated. That is, whether individuals convicted of a sex offense can be denied early release from prison during the ongoing global COVID-19 pandemic.

Looking at the two issues side by side, they appear to be similar in that the department in both cases is denying a

benefit to registrants. Looking at the two issues from a different perspective, they are vastly different.

Why? Because Proposition 57 provides those convicted of a non-violent offense an opportunity to be considered for early parole. Specifically, Proposition 57 does not guarantee early parole for anyone, it merely requires the department to consider it.

By comparison, the department's recent decision to exclude anyone convicted of a sex offense from early release from prison could have deadly consequences. As the department acknowledged in its press release regarding this matter, prisoners are being released in order to "protect staff and inmates at the state's prisons from the spread of COVID-19."

It is widely known that California's prisons are at high risk for COVID-19 infection due to the fact that many of them are over populated. In fact, the department itself reported on June 24 that 1,826 prisoners and 356 staff members had already been diagnosed with COVID-19 and of that total, 20 prisoners have already died.

Therefore, the department's refusal to release from prison anyone convicted of a sex offense could be tantamount to a death sentence.

How dare they?

No individual convicted of a sex offense can or will be sentenced to death. And yet the department has assumed the role of executioner.

We are attempting to address this dan-

gerous situation in the courts. We filed a lawsuit challenging the department's decision on June 23 in Los Angeles Superior Court. And we filed an application for a Temporary Restraining Order (TRO) in the case two days later. A telephonic court hearing regarding the TRO is scheduled for June 30, the day before the department will begin its early prison releases.

We will report the outcome of the TRO hearing on this website the same day of the hearing. If a just decision is not made that day, ACSOL will organize a protest of that decision using every method available during the current global pandemic.

References:

[1] While it is recognized that the full name of this agency is the CA Department of Corrections and Rehabilitation, the phrase "and rehabilitation" has been dropped intentionally in order to call attention to the fact that the agency fails to provide adequate resources for that purpose.

[2] CA Penal Code Section 667.5(c) lists only 9 sex offenses as violent offenses. The current total number of violent offenses is 27, however, law enforcement is attempting to significantly increase that number from 27 to 51 in a ballot proposition known as the "Cooper initiative".

Maryland High Court says Registry is Punishment,

BALTIMORE, MD — A sharply divided Maryland high court ruled March 31 that a convict's placement on the Sex Offender Registry qualifies as "punishment" for a sex offense, meaning that all elements of the crime required for placement — such as the victim's age — must be proven beyond a reasonable doubt at trial or conceded in a plea agreement before his or her name can be placed. The 4-3 ruling marked the first time the Court of Appeals has held regis-

tration to be a punishment of the criminal rather than merely a post-conviction administrative act by a state official to alert the public to a convicted child sex abuser in their midst.

The Court of Appeals rendered its decision in holding that convicted human trafficker Jimmie Rogers' name may not be placed on the Sex Offender Registry because he had not stated in his plea agreement that his victim was a minor. The high court said the head of the Maryland Sex Offender Registry had wrongfully

added Rogers' name, ruling that such a function rests with judges.

In its decision, the majority cited the U.S. Supreme Court's 2000 *Apprendi v. New Jersey* ruling that the constitutional guarantee of due process requires that any fact that would increase a defendant's punishment be proven beyond a reasonable doubt.



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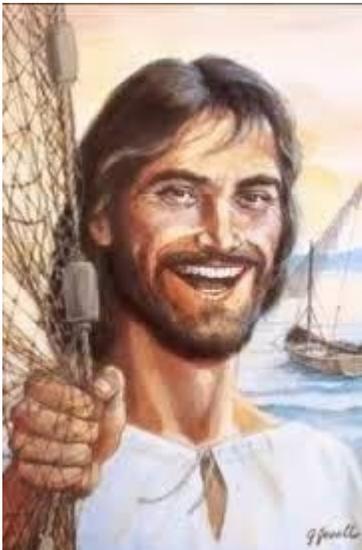
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Hebrew 13:3 - Continue to remember those in prison as if you were together with them in prison, and those who are mistreated as if you yourselves were suffering.

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



Tough Times by Alice

Confusing times are with us now. There are so many opinions regarding the current epidemic that everyone you hear has a different opinion. Numbers are changing drastically overnight and every person who speaks has a different outlook on just what is going on. The same is true with sex offenders. They are considered from the worst possible evil to just people who made a bad mistake. I have been involved with "sex offenders" from about 2006 to the present time. At first, I had little knowledge of this group of people who seemed to be hated more than even other criminals, such as drunk drivers who kill people, bank robbers, etc. After the death of my husband, I began attending a large well-known church in Albuquerque. I had become interested in helping a man from our former church who had landed in prison. I had just learned what "sex offenders" were and I was eager to help someone I knew who had worked in

our Westside church who was in prison accused of a sex offence. I fearfully went to a local prison for the first time in my life. I met this person there, heard his story and over the next six months spent time together in the visitation room writing the outline for our Titus House ministry. As for my role in the life of the church, I went from pastor's wife, teaching children's Sunday School, sitting on the platform playing the organ to a person hardly welcome at church. Now I am married to Don Johnston, a great guy who does most of the work of Titus House. We enjoy a chance to encourage several hundred prison inmates, residents of a halfway house and many who correspond with us. We are a 501c3 ministry. We greatly appreciate any and all donations for this work. We need about \$1,500 a month to carry on this work. We couldn't do this without each of you, including the \$5 a month from several prison inmates. Thank you dear friends!

California Will Release Up To 8,000 Prisoners Due To Coronavirus

California will release up to 8,000 prisoners this summer in an effort to create more space and prevent the spread of the coronavirus that causes COVID-19 in prisons.

News of the plan comes after more than a third of the inmates and staff at the San Quentin State Prison in the San Francisco Bay Area tested positive for the coronavirus.

Anyone who is eligible for release will be tested for the coronavirus within seven days of their return to society, the California Department of Corrections and Rehabilitation said.

California's state prison system currently reports 5,841 coronavirus cases among inmates — a rise of more than 860 cases in two weeks. Another 1,222 employees have also been infected.

"These actions are taken to provide for the health and safety of the incarcerated population and staff," California Department of Corrections and Rehabilitation Secretary Ralph Diaz said. "We aim to implement these decompression measures in a way that aligns both public health and public safety."

More than half of the prisoners could be released this month. The corrections department says it's reviewing the roster of prisoners who have fewer than 180 days left on their sentences; it anticipates roughly 4,800 people could be eligible for release by the end of July.

To be freed, prisoners must meet certain criteria — including that they are not incarcerated for domestic violence or other violent crime, and that they won't have to register as sex offenders.

Circle of Concern

Circle of Concern is aimed at breaking down isolation and fear by providing a safe place for registrants and their loved ones to get together, build community, and learn ways to step out and take charge of their lives and overcome the stigma

they face. The Circle of Concern is a group of concerned registered citizens, family and friends that meet together on the 3rd Sunday of each month. We are meeting this month on August 16, 2020 at 4 pm—6 pm. We will be having a potluck. We meet at Foothills Fel-



lowship Church, corner of Tramway and Candelaria on the far east side of Albuquerque. We encourage and try to help each other. It is a safe place to share our strengths and struggles. We hope you will join us. If you are planning to attend call Don at (505) 315-7940.