

# Titus House Newsletter

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

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## Civil Commitment of Sex Offenders Pretends Prisoners Are Patients

by JACOB SULLUM



"It was my understanding that I was to do the treatment, then be released," says Mike Whipple, who recently participated in a 14-day hunger strike at the Minnesota Sex Offender Program's facility in Moose Lake. "Twelve years later, I'm still here, doing the same thing, over and over and over."

So far the civil commitment program has incarcerated Whipple three times longer than the prison sentence he served. The hunger strike, which involved a dozen of the program's 737 "clients," ended last week after state officials promised meetings where protesters could air their complaint that there is no "clear pathway" to release from their indefinite confinement. But those meetings surely will not resolve the fundamental problem with programs like this, which evade constitutional constraints by pretending that prisoners are patients.

Twenty states, the District of Columbia, and the federal government have laws that authorize civil commitment of sex offenders who would otherwise be released after serving their prison terms. The Supreme Court upheld the practice in 1997, saying it was appropriate for people who "suffer from a volitional impairment rendering them dangerous beyond their control."

That logic is puzzling. The state punishes people who commit sex crimes based on the assumption that they could and should have controlled themselves. But when it is time for them to be released after completing the punishment prescribed by law, the state says that was not actually true; now they must be locked up precisely because they can't control themselves.

If the government decided to retroactively increase an offender's penalty, it would be clearly unconstitutional, amounting to double jeopardy or an ex post facto law. The trick is to cast continued confinement as treatment rather than punishment.

But what if treatment almost never produces a cure that allows a detainee's release? In Minnesota, only 13 detainees have been unconditionally released since the program was established in 1994; more than six times as many have died in custody.

Back in 2015, when not a single "client" had been certified as fully cured, U.S. District Judge Donovan Frank concluded that Minnesota's "treatment" was a sham designed to conceal "a punitive system that segregates and indefinitely detains a class of potentially dangerous individuals without the safeguards of the criminal justice system." In the United States, he said, "we do not imprison citizens because we fear that they might commit a crime in the future."

Yet that is manifestly what laws like Minnesota's do, confining more than 6,000 people not for what they did but for what they might do. Even if that rationale were constitutionally valid, studies from across the country indicate that recidivism among sex offenders, including those who qualify for civil commitment, is far less common than the Supreme Court assumed.

While condemning Frank's ruling, then-Gov. Mark Dayton conceded that civil commitment decisions are no better than guesswork, because "it's really impossible to predict whether or not [sex offenders] are at risk to reoffend." That did not faze the U.S. Court of Appeals for the 8th Circuit, which overturned Frank's decision on the ground that people "who pose a significant danger" do not have "a fundamental liberty interest in freedom from physical restraint."

Virginia, which began civilly committing sex offenders in 2003, has a much better track record than Minnesota. While Minnesota has conditionally released less than 4 percent of its detainees, meaning they are no longer imprisoned but are still subject to supervision, Virginia has granted that status to 60 percent of its detainees.

State Sen. Joe Morrissey (D-Richmond) nevertheless argues that Virginia's program is "abhorrent to everything that our democracy and our criminal justice system believes in." Morrissey recently introduced a bill that would have abolished the program.

Last month the Senate Judiciary Committee derailed Morrissey's bill, referring it to the Virginia State Crime Commission for a study. "We don't sentence people because of what they might do," Morrissey says. For now, that remains an aspiration rather than a reality.



## **Congress lifts long-standing ban on Pell grants to people in prison** by PBS News Hour

When Congress decided in 1994 to ban federal student aid for people behind bars, it was part of a wider political agenda to “get tough on crime” – even though crime rates had begun to fall in the 1990s.

The number of people behind bars grew, but, without access to federal student aid, higher education programs in America’s correctional facilities dwindled.

On Dec. 21, 2020, Congress moved to lift the long-standing ban on federal student aid – specifically, the Pell grant – for those who are incarcerated. The decision comes after a long push for prison reforms that included calls for a greater emphasis on rehabilitation, reducing prison populations and making prison sentences less harsh.

## **‘Nobody cares about sex offenders.’ COVID deaths spike at state hospital in Fresno County** The Fresno Bee –by NADIA LOPEZ

A spike in coronavirus-related deaths at a state-run psychiatric hospital in Fresno County has angered and alarmed patients, who blame hospital staff for a massive outbreak that infected hundreds and killed more than a dozen patients over the past six months.

One patient who spoke with The Bee said he struggled to bring attention to the outbreak at Coalinga State Hospital in Fresno County. He said he’s been “ignored” and “neglected” for one simple reason — most of the patients in Coalinga are rapists, child molesters, and sexually violent predators.

“I screamed my head off. It’s ridiculous,” said Sam Consiglio, a 69-year-old convicted violent sex offender.

“I’m certain I was ignored. This hospital was really negligent, but I just can’t get anybody to care about these guys because they think of us as the worst of the worst.”

The Coalinga facility has 1,286 beds and treats sexually violent predators, offenders with mental health disorders, and a group of severely disabled people who haven’t committed crimes but represent a danger to themselves or others.

“Nobody cares about sex offenders,” he added. A total of 20 residents have died, including 18 in the past six months, after testing positive for COVID-19, according to the California Department of State Hospital’s patient data tracker.

## **I think today is a great time to share and be creative!** By Terry

What do you think about yourself?

Before I got myself into trouble and landed on a Sexual Offense Registry, I was not a nice person. I did not care about anyone except myself. I was rude, self-centered and nasty to everyone and I was not a good husband or dad to my kids.

As hard as that is to admit, I now realize, that is no way to be or to treat others. For me, it took going to jail for 3 years to understand who I was and who I wanted to be. I never thought in a million years I would be sleeping on a 2" matt for 9 months on the floor of some jail cell. As terrible as Jail is, I found a way to see the positives from that situation and turn them into change for my life.

Society says I am a monster, they say I am a danger to others, they tell me everyday that I am no good and not worth the air I breath. I have news for them. Their wrong!

How we think of ourselves directly affect how we live, how we love and how we create the life we want.

When we allow the opinions of others to tear us down and control how we feel about ourselves, they have total control over our life.

I just can't allow that.

A good self image is more important than anything else you can do for yourself.

Start working on you, so you can be the you , you want to be.



## Carp Feeshin —by Jon

I have always loved fishing. I even joined the Coast Guard to fish around the world. I have caught cod and king crab in Antarctica. I caught a giant sailfish in Mexico. I've caught barracudas in the Dominican Republic, mahi mahi in Fiji, Sharks in the Tortuga's, and I battled for 3 hours with a tarpon off the docks in Key West. In Cape Cod, I caught bluefish and in the mountains of Oregon and Washington, I caught cutthroat trout and brookies.

It was when I came home from the service that I found my first and greatest love- carp fishing! For the uninitiated, carp are freshwater fish. They forage the bottom of still rivers and lakes for plants life and small crustaceans. They are not very pretty. They are dull, greenish gold, have big, fleshy mouths with 2 small whiskers. They grow big. My average catch is ten pounds, my largest was 22 pounds 8 ounces. Ohio's largest was 58 pounds 2 ounces. They are scrappy fighters, they are said not to be good eating but they can be eaten in spite of tough pin bones in their meat. Furthermore, they can be found in just about every state.



In the Bible, Jesus tells us that if we follow Him, he will teach us to be fishers of men. (Matthew 4:19) there are many other references to fishing in the Bible. In truth, fishing for men is quite similar to fishing for carp.

A fantasy fishing trip for some might be the pristine mountain stream. The fish caught here are beautiful, every color and pattern imaginable. Although God might call us to a tropical paradise to be His missionaries to the trout of the world, there is a better chance He will call us to the worst imaginable situations to minister to the carp of the world.

And truly, that is where most of God's people are called to fish. When I came home, I tried "bass feeshin" (in Ohio, we don't fish, we FEESH!!) Bass feeshin consists of casting colorful lures, getting tangled up in the seaweed most of the time. I went crappie feeshin. They have to be 9 inches to keep. They are ALL 9 inches and they feed in schools. They put up no fight. They are good eating but a big bore. Then I caught a carp!! Battle royal!! I found my faaavorite kind of feeshin! I am frowned upon by all other feeshermen, they have more lofty ambitions than catching a CARP!

But by casting my net to the other side, I caught my harvest. Do you want to harvest fish? Has God placed you in the swampy, stagnant pool? Are you surrounded by fish who are always hungry but not the most lovely trophy catch? Do you enjoy a battle more than a snagged line? Perhaps the souls God has called you to fish for are the carp among men. The best place to fish for them is right where we are.



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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



## Thoughts from Alice

**LIFE IS SHORT  
DEATH IS SURE  
SIN THE PROBLEM  
CHRIST THE CURE .**

Many of us have memorized this little poem and figured we weren't as bad as "those people".

COVID has ruined our lives, or has it? We have to wear those stupid masks, can't recognize our best friends at the store! Along with that many of us have lost our jobs. I hear of killings in my city every night and we are just plain fearful most of the time. What is going on? Along with all of that the country seems divided right down the middle. I don't even dare tell my relatives how I voted.

Whoever you ask has a different opinion on school closings, grocery access, whether churches can function normally and what we can do for fun! If our TV is still working we get more scary news. Some believe we are in "end times" as outlined in Scripture while others scoff at us for being scardycats. They tell us there were a lot worse times in the past as

they recount the Civil War etc.

I suggest you read Matthew 24 and the book of Revelation and decide for yourself. Along with that I suggest reading the magazine put out by Franklin Graham called DECISION. Call or write me and I will give you the address.

What does the world tell you to do? Buy a new car, go see some scenery you have never seen, visit your relatives in Florida, and don't worry about it!

Jesus gives us the answer in the Bible in Mark 8:34. He tells us to deny ourselves, take up our cross and follow Him. My human idol right now is Franklin Graham who is traveling the world persuading people to accept Christ as Savior, facing untold dangers. I don't usually recommend magazines but I do recommend DECISION magazine put out by the Graham family.

This is a message to all of you who might read this. I have had to learn a lot of this the hard way as a 91 old human being. I have a tendency to do my own thing instead of consulting the Lord. I hope and pray you won't follow my example but do it all God's way.

**Circle of Concern** has gone **ZOOM**

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 March 21, 2021 at 3 pm—5 pm. MST. We will meet on Zoom. 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. He will send you the link to join by computer or phone. You can contact him at the number above or email him at

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