

Titus House Newsletter

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

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IN: DIVIDED 7TH CIRCUIT REVERSES ORDER TO REMOVE SEX OFFENDER NAMES FOR 'RIGHT TO TRAVEL' VIOLATION BUT REMANDS EQUAL-PROTECTION CLAIM

Source: theindianalawyer.com 8/17/21

A split en banc 7th Circuit Court of Appeals has reversed a decision from an original three-judge panel that ordered the removal of six names from the Indiana sex offender registry, finding that the state's sex offender registration law doesn't discriminate based on residency. However, the case was remanded for further consideration of an equal-protection claim.

Judge Amy St. Eve — a member of the original panel who dissented from the January ruling — wrote for the en banc majority Monday in *Brian Hope, et al. v. Commissioner of Indiana Department of Correction, et al.*, 19-2523. She was joined by Chief Judge Diane Sykes and judges Frank Easterbrook, Michael Kanne, Michael Brennan, Michael Scudder and Thomas Kirsch. Judge Ilana Rovner penned a partial dissent, which was joined by judges Diane Wood and David Hamilton.

Sex offenders in Indiana are required to register at least once per year in every county where they live, work or study under Indiana's Sex Offender Registration Act. The law, known as SORA, went into effect in 1994 and was amended in 1996 to require registration by anyone convicted elsewhere of a state offense that was "substantially equivalent" to an Indiana offense requiring registration.

SORA was amended again in 2006, this time to apply to a "person who is required to register as a sex offender in any jurisdiction." But offenders convicted pre-SORA don't have to register as such, pursuant to the Indiana Supreme Court's holding in *Wallace v. State*, 905 N.E.2d 371 (Ind. 2009).

According to the 7th Circuit, if an offender was under no registration requirement before SORA's passage, courts have held that imposing a registration requirement in the first instance is impermissibly punitive. But that's not the case for sex offenders who were previously required to register in another state. For those individuals, being required to register as a sex offender in Indiana isn't punitive.

Stories from the Treasure Chest

Transparency – Shame = HEALING

I would like to share with people, who are marked SOs, that they may experience the liberated freedom, forgiveness, and good fortune that I have found. Not by my own power, but through the power of the Holy Spirit and submission. For much of my life I was bound, on a deep level, by my feelings of shame and guilt. Even though, I was a born-again Bible believing Christian, I still could not shake that deep sense of shame. Shame about what I had done. Shame about what people thought of me. Shame of what they might think of me, if they knew..... I had asked the Lord, many times, for forgiveness and knew that it had been given. But, still did not feel free from shame. It



is natural to have regrets about past mistakes and choices, but, it wasn't until I finally had the realization that **"if the God of all creation had forgiven me, who was I to not give myself?"** I was the God of my own heart! Not giving Yahweh the rightful place on the throne of my heart, hindered me in my healing. Transparency in the group therapy settings was difficult but liberating. When I confessed my sins and spoke all my filthy deeds, to human beings, and examined

them thoroughly with a group of my peers and therapists it was like, the door of my closet was now wide open. The walls had a fresh coat of paint and a bright new lightbulb had been installed. The door was wide open for anyone to see in. The enemy could no longer hold me in that shame. I later learned that shame is one of the most crippling debilitating emotions for anyone. It's based in fear and keeps the person paralyzed in their growth and healing. Another liberating experience was when one of my Christian brothers, laid hands on me and prayed the father's blessing over me. Something happened in that moment that advanced me forward in my healing. (continue on page 2)



WAR Family Foundation Declares it is Time to Pivot as a Matter of Fundamental Fairness

Pivot from annihilation to reasonable accountability and justice for all ARNOLD, MO, UNITED STATES, August 18, 2021 /EINPresswire.com/ -- Families are living at the little 'red dots' seen on the map. Each dot represents one of the 917,000 men, women or children adjudicated for any one of a vast number of offenses. Those dots also represent almost three million wives, mothers, sisters, girlfriends, brothers, fathers, grandparents and so on. Our challenge to all who have ever made a mistake they regret deeply is to join us in pivoting from the annihilation of human beings to reasonable punishment followed by restoration. All children have the right to live without fear of harm. That includes children of those required to register. When a person realizes they will never be free of past, current and what amounts to sanctioned future punishment that creates a profound sense of hopelessness. Why try to replicate a changed life if the stigma and hate prevail. The cornerstone of a safer society hinges on child abuse prevention, physical and sexual, training programs which reiterate that over 95%



of sexual abuse comes from family, friends, and trusted authority figures and not from people on a list which merely gives a false sense of security. At the heart of the need is for communities to see the ripple effect of the judgment placed on the families of individuals required to register. The collateral damage is real, painful, and terrifying for family members. Reported scenarios are those of being harassed, threatened, beaten, murdered, homes set on fire, property damaged, passed over for scholarships, embarrassed when signs are placed in their yards, asked to leave the church. All these things turn the ripple into a tidal wave. The major focal point must be redemption and reintegra-

tion as pointed out in the American Psychological Association (APA) paper 'Why call someone by what we don't want them to be'. It is imperative that a pivot takes place to turn away from mass incarceration and long sentences in deplorable dilapidated facilities with disgusting food, mold, mice and less than stellar medical services and take a laser beam approach to the original design. That beginning day one of incarceration preparing them for reentry to include a job, place to live and a positive support system. That pertains to the 95% of those who will one day be released. Some with health issues due to situations previously described as well as poor or non-existent medical or dental care resulting in disabilities at taxpayer expense. Help wanted signs are everywhere yet there is a shortage of applicants. When registered citizens apply they are not even considered due to being on the list resulting in fear for employers and human beings unable to provide for families. It is time to pivot as a matter of fundamental fairness. Vicki Henry WAR Family Foundation +1 800-311-3764

Transparency (continue)

Most of my life I had feelings of being rejected, abandonment, and unloved, never knowing my mother or father. Something was unlocked in the spiritual realm that day and released in the physical realm. It was a feeling so powerful that I could not deny it, and to this day I tell of this fascinating liberation and freedom that I obtain through being transparent, vulnerable and willing to be honest with myself and others, regardless of the outcome. Which, by the way, always has a favorable outcome, no matter how scary it feels at the time. For me, gaining control of the peace that surpasses all understanding began with letting go of the control of, what people may think, what the outcomes may be, and trusting the Lord who says, "that all things work together for the good for those who love God and are called

according to his purpose." One of my favorite scriptures is in Ephesians 4: which says when the darkness is brought into the light, it becomes light. And that has been my experience when I have to disclose to people about my past, as many on the registry will have to do. I use discernment as to what level of disclosure is necessary for each situation. I've come to understand that most people do not want to know what I have done but, for what I am doing. Most people are appreciative of the transparency offered about my being on the registry and are not interested in the details. So I live my life with Godly integrity. Being where I am supposed to be. Do what I say I'm going to do. Generally speaking, most people are pretty forgiving and the ones who are not simply do not talk to me. And I'm

okay with that. I cannot change the past. However, I can change the future and influence the people around me in a positive manner that, hopefully, glorifies the Lord in everything I think, do, and say. I pray you find within yourselves the courage it takes to be vulnerable, honest and forthright into the healing around of self-examination and introspect. That brings about freedom, liberty, and peace. More to come. LAM Legacy Acres Ministries (a prison aftercare ministry) Based in New Mexico



WHY SEX OFFENSE LAWS DO MORE HARM THAN GOOD

By Deborah Jacobs

There are few crimes more heinous than child molestation. Whether violently attacked by a stranger or preyed upon by a trusted adult in the home, school or place of worship, children who survive such assaults are often left to walk a life-long path of sorrow and pain.

Unfortunately, our government has failed to take steps that will make a meaningful difference in preventing sex offenses. Megan's Law, civil commitment, and the newest trend in anti-sex offense legislation, banishment zones, which restrict people convicted of a sex offense from living within certain geographic areas, all play to the fears of the public. But when it comes to stopping sex assaults, these measures do more harm than good.

To understand why, one must look at the realities of sex crimes in America today. The vast majority of sex offenses are committed by trusted adults—family members, friends, clergy—and go unreported because of manipulation of the victims, unconscionable decisions by other adults, or both. We saw this most vividly when lawsuits uncovered that the Catholic Church hierarchy had hidden and ignored countless cases of child sexual abuse for decades, choosing to protect its reputation over the children under its care. Unfortunately, this happens in family hierarchies even more frequently.

Because the most common type of sex crime so often goes unreported, most people that have committed a sex offense never become part of the criminal justice system and therefore are not affected by Megan's Law or banishment zone laws. As a result, these laws give the public a false sense of security, letting us believe that people convicted of a sex offense have been exiled from their neighborhood, or that if a person convicted of a sex offense does live nearby, we will receive notification of his presence. If we believe that, we are fooling ourselves and, worse, doing our children a disservice. People who commit sex offenses live in every American community, and children need supervision no matter what.

Laws like banishment zone ordinances actually make us less safe, as they impede rehabilitation and thereby increase the likelihood of reoffense. People who transition from prison into society face countless challenges, and most have very limited resources, financial or otherwise. People who want to lead law-abiding lives after serving a prison sentence need to establish stability in their homes, jobs and families. Those are difficult things to achieve, but add to this the consequences of Megan's Law and limits to where people can live, and few have hope of succeeding. Indeed, the fear of the stigma of Megan's Law can force people underground, out of the watchful eye of police and parole officers.

Banishment zone laws may very likely force people listed on the registry to move from environments in which they have support networks into other communities in which they have no support, putting residents in their new communities at risk. Further, people who are labeled as "sex offenders" lose jobs, get evicted, are threatened with death, and harassed by neighbors. Some have had their homes burned down or been beaten in acts of vigilantism. Coping with this kind of stress is almost impossible, and without exceptionally strong support systems, most are doomed to fail.

If you doubt whether we should care about the stress and suffering of someone who committed a sex crime, consider the consequences for society when the ex-offender fails. When nothing works out — job, home, family—individuals are more likely to give up and reoffend.

Rather than banishing people convicted of a sex offense and asking them to succeed in a hostile environment, we should focus resources on programs and policies that will actually reduce the likelihood of sex offenses occurring in the first place. We need to develop and fund public education programs that teach about the effects of sex abuse and the importance of reporting abuse so that it can be stopped.

We need to improve our systems for handling reports of abuse, looking to models like Wynona's House in Essex County, which brings different agencies together to ease the burden on victims reporting abuse. And we need to provide mental health treatment for victims and people who commit offenses, in prison and out.

There is no simple fix to the devastating problem of sex abuse. Instead of politically popular measures that make no difference or in fact make us less safe, we need to turn our attention and resources to ways of addressing the epidemic of sex abuse that, while perhaps not as politically popular, will actually work so that more potential victims can be spared.

The issue is not whether our children should be protected from people who might sexually offend, but how to accomplish that in an effective and meaningful way. Our children deserve nothing less.

Deborah Jacobs is the Executive Director of the American Civil Liberties Union of New Jersey.



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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



"I looked, and the Ten Commandments don't say anything about running with scissors!"

From Alice

Hi – I have been away from my desk for a little time while the world continues to rock and roll along. Spending much of the last 24 hours listening to unbelievable accounts of Americans desperately trying to get out of Afghanistan I realized I was hearing about a large number of American missionaries who have been assigned to that country to spread the gospel. One couple had recently gone from my little church here in New Mexico. We all saw a mother on TV handing her infant child over a fence to a stranger to care for. What horrible fear would cause one to do that?

As I searched my world maps I discovered that Afghanistan was bigger than England and way bigger than many other countries. Isn't it amazing that our president took it upon himself to give all residents who wanted to leave the country just a few days to do so? Afghanistan is not on the ocean. (I thought it was a little tiny coastal country. It actu-

ally is rather large and in the middle of Asia.

Don and I attempt to write over 700 people now through the newsletters and another 350 in email. Yes, it is very true that the average person can hardly stand thinking of "sex offenders". But God has called us to this ministry.

As a Christian, I realize that the world is quickly changing. My Bible speaks of "end times." I know, most of us have gone to church at some time or other and heard a sermon about Jesus coming for His Church someday. Why is it that "someday" is never today and probably won't happen for another chunk of time? So, not to worry, go shopping, get a new outfit for church and let the rest of the world take care of itself! After all what do I know? Can't we just let those in high places of leadership take care of all that stuff? That is why we elected them, right?

Next time you ask me to write a letter please remind me to write something more pleasant and uplifting!



Circle of Concern on 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 **September 19, 2021** at 3 pm—5 p.m. 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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