

Titus House Newsletter

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

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NARSOL's FL affiliate FAC leads plea for access to housing for homeless registrants says Steve Yoder



By [Steve Yoder](#) . . . On Nov. 1, Fort Lauderdale, Florida's leaders paused during a city council meeting to highlight that they'd declared November to be "Hunger and Homelessness Awareness Month."

"Homelessness was one of the main reasons I ran for office," said then-vice mayor Ben Sorensen, who led the proceedings. "If we all pitch in and support each other and support some of the least of these, we can do amazing, amazing things." The city recognized 18 organizations for their work with the unhoused and [tweeted out](#) a happy photo of the group.

But Sorensen didn't mention that the city's own rules are, in part, driving up homelessness. An ordinance forbidding most people on the state's [sexual offense registry](#) from living within 1,400 feet of schools, day-cares, parks, or playgrounds puts all but 1 percent of residences off limits to those on the offense registry and forces hundreds to live on the streets. Today, a sample of the city's unhoused people on the state registry shows that a majority camp on a commercial strip on a major highway in north Fort Lauderdale.

Sorensen also did not acknowledge that the Florida Action Committee (FAC), a nonprofit that advocates for the rights of people placed on sexual offense registries, had, for months, been asking city and county leaders for a plan to house registrants. In the days after the Nov. 1 meeting, FAC escalated its actions. On Nov. 14, the group petitioned the United Nations High Commissioner for Human Rights, alleging that the U.S. public sex offender registry contravenes provisions of the Universal Declaration of Human Rights and International Covenant on Civil and Political Rights. The declaration bans "cruel, inhuman or degrading treatment or punishment." The group asked the UN to investigate and attached a change.org petition that's been signed by almost 4,500 people.

"The act of placing human beings on a public shaming list for life and subjecting them to the crippling and dehumanizing consequences, when that list has been proven through empirical research to be ineffective at preventing recidivism or reducing sexual offending, is cruel and degrading," the group wrote to the UN.



Court: Sex offender registry not cruel and unusual

Source The Alpena News

ALPENA — An Alpena man’s lifetime appearance on the Michigan Sex Offender Registry does not constitute cruel and unusual punishment, the Michigan Court of Appeals said.

Andrew Swoffer-Sauls, 23, was in 2020 convicted by a jury of assaulting and sexually abusing a minor girl. He’s currently serving a years-long prison sentence and will appear on the state’s Sex Offender Registry for the rest of his life.

Swoffer-Sauls appealed and in March 2022 the Court of Appeals affirmed his conviction but sent the case back to Alpena County Circuit Court for resentencing because the defendant appeared at the sentencing hearing via videoconference and the lower court had no evidence Swoffer-Sauls had waived his right to be physically present at the hearing.

The appellate court did not address at that time whether the circuit judge’s order for Swoffer-Sauls to appear on the Sex Offender Registry constituted cruel and unusual punishment, saying Swoffer-Sauls could address that issue at resentencing.

Swoffer-Sauls then appealed to the Michigan Supreme Court, which in September 2022 ordered the Court of

Appeals to consider the registry question.

The Court of Appeals said earlier this month that the defendant hadn’t proven his lifetime appearance on the Sex Offender Registry constituted cruel and unusual punishment.

Swoffer-Sauls argued through his attorneys, Christine Pagac and Steven Helton, that his lifetime listing on the registry was unduly harsh because the trial court hadn’t proven he demonstrated an ongoing risk to the community and because the lower court hadn’t done an individualized assessment of his risk of reoffending.

The appellate court ruled the registry listing was not harsh because Swoffer-Sauls’ crime “involved a violent, non-consensual, and humiliating sexual assault” and because the Legislature never intended for registry orders to include an individualized risk assessment.

Swoffer-Sauls also argued the lifetime registry listing was a disproportionately harsh punishment when compared to punishments for other crimes, but the Court of Appeals said “the grave nature of sex offenses . . . justifies lifetime monitoring.”

Swoffer-Sauls told the appellate court Michigan’s lifetime registry listing was harsher than other states, but the appellate court noted at least 10 other states had lifetime registry listings.

Finally, Swoffer-Sauls argued the lifetime listing was contrary to the state’s goals of rehabilitating offenders because he will for the rest of his life have a stigma attached to him, making it harder to get a job or acquire housing.

“While it is plausible that defendant’s presence on the registry will complicate aspects of his future life circumstances, those negative effects could be attributed to defendant having engaged in conduct resulting in convictions of offenses that happen to fall under (the Sex Offenders Registration Act’s) ambit, rather than to the registry itself,” the Court of Appeals said.

“Defendant’s lifetime . . . requirement is not unjustifiably disproportionate because sex offender registration may deter defendant from recidivating in the future.”

The appellate court again affirmed Swoffer-Sauls’ conviction but again sent the case back to the Alpena County Circuit Court for resentencing over the videoconferencing issue.

Florida Lawmakers Unanimously Advance Bill Seeking Death Penalty for Pedophiles

Source NTD

A new Florida bill allowing capital punishment for those committing sexual battery on children under 12 cleared the state’s rules committee this week and is now heading to the full Senate.

Senate Bill 1342 ([pdf](#)), a bipartisan effort by Sen. Lauren Book (D-Fla.) and Sen. Jonathan Martin (R-Fla.), cleared the Florida Senate Rules Committee on Tuesday by unanimous vote, and the state House committee is scheduled on Thursday to consider its version of the measure—House Bill 1297 ([pdf](#)).

The proposal stipulates that defendants 18 or older could only be sentenced to death based on the recommendations of at least eight of 12 jurors. If fewer than eight jurors recommend the death penalty, defendants shall be sentenced to life imprisonment without the possibility of parole.

It also requires the jury to prove, “beyond a reasonable doubt,” the existence of at least two aggravating factors to the crime, which must be voted unanimously.

Aggravating factors include whether the perpetrator was a repeat offender, a designated sexual predator, used a firearm in the act, knowingly created the risk of death, or committed the capital felony on a victim “particularly vulnerable due to age or disability.”

The bill states that an individual committing sexual battery upon a young child destroys the innocence of this child and violates “all standards of decency held by civilized society.”

Book, who was sexually abused as a child, said in a speech during Tuesday’s committee hearing that she suffers daily from the trauma she faced decades ago, [FOX 4 reported](#).

“There is no statute of limitations that a victim suffers,” Book said. “This is a life sentence that is handed down to young children. We’re talking about the youngest of the young in this bill. I was one of those kids.”



Finally! A decision in the Rhode Island residency restrictions case Source NARSOL

In 2015, the ACLU of Rhode Island, on the heels of an announcement that the residency restriction distance for certain registrants would be increased from 300 to 1,000 feet, filed a suit to block the move and asked for a temporary restraining order, which was granted and has remained in place until now. NARSOL contributed to the case financially and issued [this press release](#).

That was seven and a half years ago. The wheels of justice do indeed grind slowly, and sometimes they don't grind at all, but this time they did. [The new statute was found by the court to be unconstitutional](#) due to being void for vagueness.

This is the (part of) ACLU press release:

Federal judge rules unconstitutional state's residency restriction for sex offenders

March 16, 2023 – 3p.m. A federal court today ruled unconstitutional a state law that makes it a crime for certain sex offenders to reside within 1,000 feet of a school, finding that the statute would require individuals subject to it to guess whether they were in compliance with it, and potentially face a criminal trial if

they guessed wrong.

In a 25-page opinion, Chief U.S. District Court Judge John McConnell, Jr. held that since “neither an ordinary person nor law enforcement could understand the statutory language that attempts to define the boundaries of residences and schools,” the residency prohibition is unconstitutionally void for vagueness. ACLU of RI cooperating attorneys [challenged the statute](#) when it was first enacted in 2015, and it has been subject to a preliminary injunction barring its enforcement since then.

The law provides for measuring the 1,000 foot distance “from the nearest boundary line of the real property supporting the residence of the person to the nearest boundary line of the real property *that supports* or upon which there exists a school.” ACLU of RI cooperating attorneys Lynette Labinger and John MacDonald noted the complete lack of clarity as to what property “supporting” a school was applicable in measuring the distance — what about spaces like playing fields, playgrounds, or parking lots? In fact, the court noted,

the state has given differing interpretations of what that language means over the years, and most recently argued that it applies to any real property — even if not contiguous to the school — if it is “typically used by students for school purposes,” and that those determinations needed to be made on a case-by-case basis. In pointing out the problem with this approach, the court noted:

“After all, if the State’s process involved law enforcement, school officials, and attorneys collaborating to make precise individualized determinations on these boundaries, how could an ordinary person ever be expected to faithfully follow this process, let alone come to the same conclusion about where these boundaries lie? Not to mention that these difficulties facilitate arbitrary and inconsistent enforcement.”

Both nationally and locally, correctional administrators, experts involved in the treatment of sex offenders, victims’ rights groups, and advocates for the homeless have opposed sex offender residency laws as being [ineffective, counter-productive, and potentially more, rather than less, harmful to public safety](#). The law applies to all Level 3 sex offenders, even if their crime was committed against an adult, and even though the overwhelming majority of sex offenses are committed against people the offender knows, not strangers.

Letter from Brother Gabe

Dear Brother Don,

I am humbled to have received a response from you and your wife. I can't even imagine how hectic it must be for you all. With the amount of heartbreak across this prison alone, it must be a heavy burden to bear. I pray you may take solace, “the greater the need, the greater the miracle.”

My sole intent on writing to you was to encourage you, to say you are not alone. I did not set out seeking to impress anyone by my scholastic accolades, seek pity or elevate myself in any way. I am content in being a servant to all. After seeking counsel, I trust that if you feel this portion of my testimony will inspire or help your readers, then you have my blessing to use it.

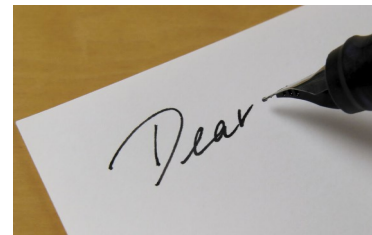
When feasible, I will send you offerings. I will also inform my small net-

work of friends and family of your ministry, in hope that they too will help. I pray this will be the beginning of a long, advantageous and blessed working of the Lord.

As God sets in motion for me, the right people, to correct the egregious injustice, I will continue to focus on attending to my calling, loving the unlovable, and speaking life to a lost and dying world.

It truly has only been through imprisonment that God has anointed me and really showered me with talents like that of King David – musicianship, shepherding and an ability to write. I at any point you feel I can help, I am at your disposal.

Right now we may have to endure our weeping but the word of God also says, “Joy comes in the morning.” The joy of



the Lord is our strength. One day I hope to get the privilege to share with you the vision God gave me so that you too can bless others and be blessed by what God is doing and going to do. Thank you for giving me the opportunity to earn your trust. May God bless and keep you always.

In His Service, Brother Gabe



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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



Morning Devotional Reading thoughts by Alice

A group of people meet each morning at 7:00 mountain time to have devotional reading and prayer. We

are an ordinary bunch of adults sharing prayer requests and thoughts. We share specific needs and the

group prays for them. Our reading is based on a daily devotional booklet published by Our Daily Bread

Ministries. My thoughts today come from Words of Wisdom published Billy Graham Evangelistic Assoc.

Call me and I will tell you how to order the little leather covered booklet. The contents are a modern

translation of Psalms and Proverbs from the Bible. Following I would like to share with you one of my

favorite selections:

A gentle answer deflects anger. But harsh words make tempers flare. The tongue of the wise makes

knowledge appealing, but the mouth of a fool belches out foolishness.

The Lord is watching everywhere, keeping his eye on both the evil and the good.

Gentle words are a tree of life; a deceitful tongue crushes the spirit.

Only a fool despises a parent's discipline; whoever learns from correction is wise.

There is a treasure in the house of the Godly, but the earnings of the wicked bring trouble.

The lips of the wise give good advice, but the heart of a fool has none to give. The Lord detests the

sacrifice of the wicked but he delights in the prayers of the upright.

The Lord detests the way of the wicked,

but He loves those who pursue godliness.

Whoever abandons the right path will be severely disciplined;

Whoever hates correction will die.



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 **May 21, 2023** at 3 pm—4 p.m. MST (Mountain Standard Time). 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 donmagicjohnston@gmail.com