

# Titus House Newsletter

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

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## A travesty in New York—is help on the way?

By Sandy from NARSOL

By Sandy . . . When Johnny Brown was 18, he committed a felony which resulted in a sentence of five years' imprisonment and five years' parole.

Johnny served out his full sentence of incarceration, and his release date was January 30, 2015. Three months prior, he was told that he needed to submit the address to which he would be paroled. The state of New York places restrictions on parole housing for some convictions. Johnny wanted to go home, and his parents were eager to have him home. Unfortunately, home was not approved; it ticked the box for one of New York's "no-nos." It was 989 feet from a school, and New York's exclusion zone around schools is 1,000 feet. Johnny's conviction fell into the exclusion category.

Johnny had a cousin and several friends who offered Johnny housing, and one by one they were shot down. January 30 came, and Johnny was out of options. Since the family could not afford separate housing for Johnny, even if anything acceptable could be found, he would be released to homelessness.

Except. For Johnny's category of crime, homelessness on parole is not allowed. It needs to be a specific, approved address.

Not to worry, said the New York prison system; we've got it covered. We have residential treatment facilities for this very purpose. Envisioning a half-way house, Johnny and his family were relieved.

Johnny was not moved to a residential treatment facility. He was moved to a different prison. He still lived in a cell, this one in general population. He was still locked up, with virtually every move dictated 24 hours a day. The requirements for a "residential treatment facility," such as education, treatment, and work, were barely discernible. "Work" was inside the prison, not out.

He was still behind bars against his will, and there he would remain until the end of his parole period – which has been extended twice because of disciplinary action due to his violating certain prison rules, which in turn, at the whim of officials, violated the terms of his parole conditions and added time. His release date is now January 30, 2024.

Since he will then be required to register on the sex offender registry, his housing once more will need to be approved. The homes of family members and friends are still off limit. Any other affordable housing is virtually non-existent. At this point, the chances are he will become homeless.

In the first section of a lengthy piece written by journalist [Chris Gelardi](#), Johnny Brown, with some variance in details, is Jory Smith, whose story Gelardi posted October 17, 2023, at *New York in Focus* as part of a piece titled, "[They Were Supposed to Be Free. Why Are They Locked up?](#)"

In the same piece, he—Johnny—is Chris Gordon, another man with a sex crime conviction who has become so ill and incapacitated in prison that, with the absence of appropriate care and medical attention, he may not live to see the end of his time as a "parolee" and his actual release from prison, a release that will provide him nowhere to go but the streets. With conservative-driven policies becoming more prevalent, even shelters and care-homes are frequently off-limits.

Johnny Brown is the thousands of men who, for the past two-plus decades, have been kept in New York prisons past their latest official release date and up to the expiration of their end-of-parole date.

Mr. Gelardi concludes the first section of his excellent piece with these words from Jory:

" 'I'm under the impression that your readers won't care,' he wrote in a message to *New York Focus* and *The Nation*. 'The general public and the courts want sex offenders off the streets at all costs, including violating the law and Constitution.' "

To this, the journalist adds only, "It's common for people to end up homeless after prison, and the legal authority that officials cite to keep him incarcerated is broad—'opening the doors' for the state to indefinitely detain more and more people."

Mr. Gerladi does leave us with a small gleam of hope. Traditionally extremely conservative, the New York Court system has historically given the DOC and equally conservative "tough-on-crime" lawmakers its full support and those expressing concern over the disregard for constitutional issues none. A sea-change is in the making, with criticism of these decisions coming from liberal Judge Rowan Wilson and from Supreme Court Justice Sonia Sotomayor at the [refusal of the Court](#) to hear a case dealing with the issue. She predicted that a similar case will come before the Court fairly soon, and hopefully it will at least receive a fair hearing.

Judge Rowan Wilson has recently been sworn in as Chief Justice of New York's Court of Appeals.

The sun is a long way from bright and shining, but a glimmer of light is discernable through the clouds.



## Missouri good news! 8th Circuit Court of Appeals Upholds TRO, Denies AG's Motion

October 30, 2023 R H Source ACSOL

In a terse two-sentence decision issued today, the 8th Circuit Court of Appeals upheld a Temporary Restraining Order (TRO) issued by the federal district court on Friday. As a result, registrants in Missouri are not required to post a sign on the front door of their home on Halloween this year.

**“We are grateful that the 8th Circuit Court of Appeals decided to protect registrants as well as their families and homes,” stated ACSOL Executive Director Janice Bellucci. “It was a difficult battle and we won!”**

The specific ruling today by the 8th Circuit Court of Appeals was the denial of an emergency motion filed by the Attorney General on Friday evening. That 47-page motion was supplemented by a 12-page reply brief filed earlier today. Both of those documents argued that the Halloween signs did not constitute compelled speech and therefore registrants were not protected by the First Amendment.

In the plaintiffs' response filed earlier today, the main argument was that the Attorney General filed his motion in the wrong court. That is, the motion should have been filed in federal district court and not the court of appeals. The response also argued that the First Amendment protected registrants from the Halloween sign requirement.

The TRO issued by the federal district court will expire 14 days after it was issued. During that time, however, **the state of Missouri cannot enforce the Halloween sign requirement.** The federal district court has scheduled a hearing on November 9 in St. Louis during which the parties will have an opportunity to discuss whether a Preliminary Injunction, would could last up to one year, should be issued.

## NC: Child psychiatrist in Charlotte used AI to create child pornography images of minors, DOJ says

Source: wyff4.com

CHARLOTTE, N.C. —A child psychiatrist in Charlotte is headed to prison for using artificial intelligence to create child pornography images of minors, Dena J. King, U.S. attorney for the Western District of North Carolina, announced this week.

David Tatum, 41, was sentenced to 40 years in prison followed by 30 years of supervised release for sexual exploitation of a minor. Tatum was also ordered to pay restitution in an amount to be determined within 90 days, a \$100 special assessment per count of conviction, and a special assessment totaling \$99,000

under the Amy, Vicky, and Andy Child Pornography Victim Assistance Act.

According to filed court documents, evidence presented at Tatum's trial and witness testimony, between 2016 and 2021, Tatum possessed images and videos of child pornography. As trial evidence established, in or about July 2016, Tatum secretly recorded a minor while the minor was undressing and showering. A forensic analysis of electronic devices revealed that Tatum produced the video of the minor and possessed it, along with other images and videos of child pornography. According to trial evidence, Tatum

made similar surreptitious recordings of others, including of his patient during an outpatient visit who had just turned 18 years old five days before the recording.





## Guilty by association: When parole and probation rules disrupt support systems

Source: prisonpolicy.org 11/8/23

Requiring people on supervision to avoid others with criminal legal system contact can actually hinder their success in the community. We found that it's common for probation and parole agencies to impose these "association" restrictions, tearing apart critical social networks and threatening to lock people up for harmless — and even helpful — interactions.

For the 3.7 million people on parole or probation in the United States, the very people who can best support their success are often unable to help because of supervision conditions that prohibit them from being in contact. Individuals reentering their communities on probation or parole often rely on support networks

of family and peers who have been through similar reentry experiences.

Though research supports the unique benefits of these social connections, many states actually prohibit people on supervision from this contact, under the false assumption that it will lead people into criminalized behaviors. These "association" restrictions — sometimes called "no-association conditions" — are isolating and costly to those on supervision. And the stakes are high: Failure to follow association restrictions can result in incarceration.

In prior work on probation and parole, we've referred to more widely known, difficult-to-

satisfy supervision conditions — like securing employment and paying relentless fees — as examples of why supervision doesn't "work" for so many people and too often results in incarceration for "technical" violations. In this briefing, we add to this work by compiling the most thorough research and data on association restrictions to date. We show that, despite their illogical foundations and documented harms, they are imposed on hundreds of thousands of people (and impact many others) at any given time. If states and local jurisdictions truly want people on supervision to succeed, they should acknowledge and ultimately abandon association restrictions.

## The truth behind "460,000 kids go missing each year"

Source NARSOL

By [Lenore Skenazy](#) . .

. Stunned joy is what most of us felt when we learned that Charlotte Sena, the 9-year-old abducted while riding her bike in upstate New York, has been found and returned to her family — alive.

The alleged perp has been seized, bringing the number of active Amber Alerts in the entire USA to... one: Keshawn Williams, a 15-year-old from Cleveland, not seen since June. One is one too many, obviously. But it is a far cry from the hundreds of

thousands that the media mentioned in the coverage of Charlotte's disappearance.

The Washington Post reported that "(a)bout 460,000 children in the United States



are reported missing each

year, according to the Justice Department's Office of Juvenile Justice and Delinquency Prevention."

The reporter added that "most are found and returned to safety." But that phrasing made it seem to me, at least, as if "most" had been taken by someone, because "returned to safety" sounds as if the cops or someone else found the child and returned them to their parents. (And by the way, "most" seems to imply that at least a sizable chunk never made it home.)



## 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](mailto:donmagicjohnston@gmail.com)

We're on the Web  
[titushouseministries.org](http://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



## A Christmas Message From Don

As I write this, it is November. I know that most will be getting this in December. As we celebrate Christ birth, I think about my own birth and what it took my mother to take care of me. When I think of Mary the mother of our Savior Jesus I think of the love and care that it took her to look after my Lord. It is not easy to take care of a baby. They need a lot attention. We as children of God also need love, care and attention. He uses each of us to fill this position to help our brothers in Christ. Whenever we pray for each other, we are showing God's love and dependence on Him to answer our prayers.

As I sit by my fireplace, I think of all my brothers and sisters and I pray for those who are not in the family of God but need to accept Him.

We received in the past hundreds of letters from inmates. We appreciate you short letters of encouragement and we try our best to respond to your requests.

I know it is hard to spend Christmas in prison (I did 14 years myself) away from family and friends but we have a brother and friend in Jesus that sticks closer then family. He love you and me very much that He gave His life over on a cross so that we can become a child of God. If you believe this and ask Him into your life, He will come and never leave you. He will forgive you of all your past, present and future sins. He is a loving God and wants fellowship with you and me. It is my prayer that you do this and make this the best Christmas you will ever have.



**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 **December 17, 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](mailto:donmagicjohnston@gmail.com)