

# Titus House Newsletter

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

MARCH  
2024



## Delayed, Deficient or Denied: Medical Care in the Civil Commitment Gulag

by Barbara Koeppel—The Washington Spectator

### Moose Lake and St. Peter, Minnesota

As in Texas and California, the men in Minnesota's sex offender program (MSOP) at its two facilities in Moose Lake and St. Peter wait months for medical care; nine months is the norm to see an outside doctor. This happens because Moose Lake doesn't have a full-time in-house doctor. Daniel Wilson, who has a para-legal certificate and has been an inmate for six years, says "besides the long wait, clinic staff don't tell us the truth about our diagnoses. We can submit something like a FOIA request to see our test results and doctors' notes, but you have to know how to do it and most of the men don't."

Wilson says "one man had abdominal pain and was examined at Essentia (a nearby hospital) in July 2022. The hospital sent his medical records to Moose Lake where the nurse who read them told the inmate 'nothing was wrong.' As his pain worsened, he asked Essentia to send him the records directly: they showed he had Stage 5 kidney disease (end-stage renal failure)."

Another inmate hurt his ankle and asked for an x-ray. The clinic finally arranged one four months later. The Moose Lake nurse who read the results told him his ankle was sprained and gave him a brace. But as this made his pain worse, he sent a formal request to obtain his results—which showed his ankle was broken in three places. Surgery wasn't approved, the bones healed badly, he's in constant pain, and he walks with a limp.

The MSOP is also required to provide sex offender counseling, which theoretically leads to an inmate's release into the community—if he can prove he reached the program's top level. According to Ruby Brewer, a behavioral therapist who worked in Moose Lake from 2016 until 2019, they get no useful therapy; and the way the program is designed, they can't progress.

In fact, most inmates will be in the MSOP until they die. As Minnesota Federal Judge Donovan Frank observed "the program is clearly broken." Judge Frank compared it to the children's game, Chutes and Ladders: whenever an inmate reaches the program's top tier, the staff find a bogus reason to knock him to a lower level.

Thus, since 1994 when the law passed, 946 men have been committed to MSOP but only 21 have been fully discharged. Another 92 were "provisionally" discharged—and then only because the court intervened. Of these, only 52 live in the community; the rest still live at Moose Lake.

Brewer, who has a master's degree in mental health counseling, says the MSOP's goal is to keep the men forever. Because she fought this, she was put on "paid administrative leave"; she was guilty of "employee misconduct" because she blew the whistle on MSOP abuses. "Two supervisors told me to lower the men's progress scores. If I didn't, they said 'their scores would look too good, we'd have to move them to the next level, and ultimately release them.' I was warned that if I didn't comply I'd be fired or put on leave." She says most of the therapists did as they were asked "because they didn't want to lose their jobs." Also, she says "many have the mind-set to keep the men locked up indefinitely."

Moose Lake's executive director, Nancy Johnston, was interviewed on a local television news show this past November 1. She insisted that "any claim that MSOP supervisors would direct therapists to lower assessment scores so clients could not progress through treatment is false." But Dr. Nicole Elsen, a clinical supervisor at St Peter admitted in sworn testimony in a 2015 court case (*Karsjens v. Jesson*) that she *did* direct the clinicians to lower the men's scores.

Brewer says "so many men are old and disabled and in wheelchairs, on walkers or on oxygen. Some are amputees, some have Alzheimer's, and lots are on dialysis. Since 1994, 101 men have died there."

Because so few inmates are ever released, at least 300 are over 65 and one is even 89. At Moose Lake, 138 men have been held for over 20 years, and 62 men for over 26 years. Wilson says "there's one death every 60 days. And life expectancy in the MSOP is 20 years less than in the general population."

Brewer says that if Minnesota legislators cared about costs, the MSOP would close today: each inmate costs taxpayers \$171,000 a year, while prison inmates cost \$41,366 (in 2015); nursing home patients cost \$90,000, assisted living patients cost \$48,000 and those getting 44 hours a week of home health care cost \$60,000.

A 2019 Bureau of Justice Statistics (BJS) report found that sex offenders are much less likely than people convicted of other offenses to be re-arrested: BJS data show that people who served time for sex offenses had much lower recidivism rates than almost any other group.

Brewer insists "it's beyond insane to keep them so long. Maybe 10 or 15 of the younger men are dangerous and need to be in a secure facility, but the elderly should be released or placed in geriatric facilities."



## Due Process: Another one bites the dust

By Kyle . . . We are witnessing a disturbing trend in America of punishing people after they have completed their official court-imposed sentence for an offense or even before any criminal charges have been filed and a person has been convicted of a crime.

In the arena of sex offenses, this manifests in several ways. Indefinite civil commitment-habeas corpus anyone? Registration beyond the term of the sentence. Registration results in numerous harms which clearly constitute "punishment": serious housing restrictions; movement restrictions; domestic travel restrictions, making travel for business and pleasure a nightmare; employment challenges; and now, passport markings (A Scarlet Letter) because of the International Megan's Law in conjunction with Angel Watch. This is not only "compelled speech" (as it is for registration in general) but restricts one's ability to travel freely internationally for business or pleasure.

All of this is based upon a perceived, theoretical (and very inaccurate, skewed) risk of POTENTIAL

FUTURE sexual criminal offending, a la the pre-crime of the movie *Minority Report*.

Additionally, the U.S. Federal Government refuses to issue a passport to anyone with an outstanding federal tax debt of at least \$50,000.00, this before any criminal charges have been filed or a person has been convicted of a tax crime. Again, potential future crimes. Of course, they fear the person may flee the country and never return to settle the tax debt. Fair enough, but if that is the case, then charge them, arrest them, and try them; else, leave them alone.

Innocent until proven guilty? Not any longer in America apparently.

What this really comes down to are understandings of just what constitutes unconstitutional, compelled speech and whether domestic and international travel restrictions, housing restrictions, movement restrictions, etc., aren't actually criminal punishment rather than just civil administrative, public safety policies.

You could even throw in the restrictions of a former felon with no violent weapon offense being forever banned from owning guns for personal protection, in violation of the Second Amendment. We know from 35 years of data that the argument of public safety holds no water. Given that, these can be seen as nothing less than intentional, vindictive criminal punishment (restrictions of constitutional rights) beyond the terms of the sentence without due process?

Does placing these types of restrictions on people past the terms of their original sentence or without any legal proceedings or due process constitute "punishment" rather than just "inconvenience"? I believe it clearly does. These types of extra-legal punishments need to be litigated out of existence or legislatively abolished. Failing that, it is a sad joke to call America a free country where all citizens enjoy protected, constitutional rights.

*Kyle is a person required to register on the sex offender registry in Colorado*

### EASTER GET TOGETHER

Come and join us in an Easter Celebration of fellowship and food. We will be meeting on the day before Easter on March 30, 2024 at Golden Corral Restaurant. The time will be 11:30 am to 2:00 pm.

Come and join us for some fun and praising the Lord. Golden Corral is located at 2701 Coors Blvd. NW. Take the North Coors exit from the highway and turn on Quail Rd. Do not take the Frontage Road. Hope to see you. Please let Don know if you are coming at 505-315-7940. Titus House will pay for your meal.

This is a fundraiser for the ministry



## Janice's Journal: Glimmers of Hope

From: The Alliance for Constitutional Sex Offense Laws (ACSOL) Janice Bellucci

There are glimmers of hope on the horizon for registrants and their families. Most of that hope is based upon recent court decisions. However, one piece of hope comes in the form of a recently published newspaper article. Both will be discussed below.

One form of hope comes from a recently published newspaper article about a person charged with shooting and killing another person. The headline of that article identified the suspect in that killing as a parolee. It was only upon reading the full article that the suspect was also identified as a person required to register.

I take hope from this article because I have read many articles in the past identifying the suspect in a case as a "sex offender" even when the crime in question did not involve a sex offense. The most egregious example of that was an article about a person who burned trash in his backyard in violation of a city ordinance.

The headline for that article identified the person who burned the trash as a "sex offender." What difference did it make that this person had previously been convicted of a sex offense? If a person convicted of murder had burned trash in his back yard, would the headline have been written to read "murderer burns trash in back yard?" Of course not.

The fact that the recent article did not identify the suspect in a shooting as a "sex offender" is a huge step in the right direction. That is because the newspaper realized that use of the term "sex offender" was not appropriate. Perhaps they also realized that use of the term "sex offender" would not help them sell more newspapers.

I also take hope from recent court decisions that have ruled in favor of registrants. For example, in a series of cases involving petitions for removal from the California registry appellate courts have ruled unanimously that District Attorneys must prove that a registrant is likely to re-offend, not that the registrant must prove that he is unlikely to re-offend. The shifting of this burden is significant as so far no District Attorney has been able to meet it.

Two additional court decisions that offer hope are decisions issued a few months ago by a federal district court in Missouri as well as the 8th Circuit Court of Appeals. In those decisions, both courts upheld the First Amendment rights of registrants who were required to place themselves and their families at significant risk by placing a sign on their home on Halloween which identified them as persons required to register.

Are all challenges facing registrants and their families overcome? The answer is no. However, we now have momentum in the courts and in the media. And it is this momentum that could eventually overcome those challenges.

Join us for a morning devotional of *"Our Daily Bread"*. We meet each morning at 7:00am Mountain Standard Time. The call in number is (605) 475-4092. The access code is 278954 #. Call Don if you have any trouble at (505)315-7940



## 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

We're on the Web  
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



## Update from Don

Life up in the mountains has been fun but comes with it challenges. I guess life in general is like that... ups and downs. What is the secret to staying on a level path. It says in the Bible that "Thy word is a lamp unto my feet, and a light unto my path". This is found in Psalms 105:119.

I know that if it was not for God and His Word daily that I would not have made it this long out of prison. As you know I was in there for 14 years. God has been good to me and faithful.

I lead the morning devotional of Our Daily Bread. This and other things helps me stay in God protective shield by focusing on my Lord and Savior. I hope you will consider joining us for this time of refreshment.

I hope that you who are in prison or wherever you are that you make some plans and goals to what you want to do or learn. Reading the Bible all the way through, it takes time to do this but God can and will bless you. We suggest you use a modern version of the Bible. If you have not finished high school take the time to graduate. Perhaps you got a talent to paint. Use your God given talents for His glory.

A good question for us is found in Psalms 119:9-11 "9 How can a young person stay on the path of purity? By living according to your word. 10 I seek you with all my heart; do not let me stray

from your commands. 11 I have hidden your word in my heart that I might not sin against you

Therefore my brothers and sister let us not stray from God's commands. Seek Him with all your heart and hid His Word there too.

Below is a drawing that someone did for us. Thank you T. Lopez!



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 17, 2024** 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