

Titus House Newsletter

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

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Why Can't We Redeem the Sex Offender?

By Rory Fleming | July 16, 2018, **THE CRIME REPORT**

When large nonprofit organizations otherwise committed to making the American justice system less draconian hire people with violent criminal records, they send a strong message that justice-involved people change, and are capable of not only reentry but success.

But these same organizations do not have anyone on the sex offender registry on staff, regardless of qualifications or demonstrated rehabilitation.

This is unsurprising, yet tragic. When most people think of "sex offenders," they imagine repulsive and heinous crimes against very young children. And in 2005, a Gallup poll suggested that Americans feared terrorists less than sex offenders.

In reality, the phrase "sex offender" describes any person convicted under a statute that requires sex offender registration, which lasts anywhere from 10 years to natural life, depending on the state and the offense.

The registry includes everyone from the mentally ill, remorseful flasher to the sexually-motivated killer, as well as the older party in a high school sweetheart relationship to a dangerous child rapist. There are almost one million Americans on sex offender registries, including people convicted for rela-

tively minor sex crimes as children.

And what might sound like a heinous crime based on the name alone, like the production of child pornography, can describe what Edward Marrero faces prosecution for in federal court. Mr. Marrero admitted in court

corrections professionals, and criminal justice reformers are also aware that it is nonsensical to irreparably stigmatize a broad swath of offenders in the same exact way.

Signs of positive change have surfaced. Los Angeles District Attorney Jackie



that he took sexual photos of his 17-year-old girlfriend when he was only 20 years old himself. Marrero now faces 15-to-30 years in federal prison for photos of a relationship that would be legal virtually everywhere in the world.

Sadly, the stigma against sex offenders means that we have created a huge population of people with skills to benefit humanity whose lives and mainstream contributions are seen as forfeit. This is despite the fact that people convicted of sex offenses are statistically unlikely to reoffend. Many prosecutors, police officers,

Lacey, who is rarely supportive of criminal justice reform, openly supported a passed bill to modify California's lifetime-for-all sex offender registry. The law, signed by Governor Jerry Brown, will permit most offenders to be removed sometime within their natural lives.

I have personally seen law professors, as well as criminal justice organizations like Brennan Center for Justice, Families Against Mandatory Minimums, and #Cut50, thoughtfully engage with people on the registry on social media. I myself have had acquaintances, col-

leagues, and co-workers who are on the registry. But there is zero evidence that these groups hire sex offenders.

It is important for directly impacted people to have a say in efforts intended to help them. For example, the American Civil Liberties Union (ACLU) has pushed against employment discrimination against those with criminal records, and has more recently hired highly qualified people who have committed serious crimes in their pasts.

But the ACLU appears to not have a single person on the registry as a part of any branch's staff.

Is a close-in-age relationship between a young adult and a teenager morally worse than murder, kidnapping, or robbery? What about teen sexting?

No, and the absolute death of otherwise-qualified sex offenders in criminal justice reform careers shows how far we have tilted the scales from reality.

Criminal justice reform organizations should be able to ask these questions and answer them realistically, without putting too much credence in the byzantine and cruel state of American sex laws. After all, we know better than anyone that the law is not always what is right.

Let us hire sex offenders when we believe in them.



Summaries of Actions Taken Against Unfair Sex Offender Laws

The following are (positive) summaries of actions taken against unfair sex offender laws in some states. Although there are still many injustices in our community, the excerpts should give us hope that heroes are standing up against the tyranny.

All of these summaries have been taken from the Alliance for Constitutional Sex Offender Laws web site.

<http://all4consolaws.org>

Second Annual ACSOL Conference, Theme: "Together We Can: Show, Stand Up, Speak Up." Los Angeles

More than 170 people required to register, their loved ones and supporters from 14 states attended the second annual ACSOL conference in Los Angeles on June 15 and June 16. The conference included four plenary speakers as well as 12 workshops. "We shared information, energy and support during the conference," stated ACSOL Executive Director Janice Bellucci. "We also provided essential tools for daily living to people required to register as well as their loved ones."

Repeal of Pico Rivera Residency Restrictions, Pico Rivera, CA

The City of Pico Rivera repealed its residency restrictions which prohibited registrants from living in most of that city, on either a temporary or a permanent basis. "The Pico Rivera lawsuit is number 30 of 31 lawsuits filed thus far challenging residency restrictions adopted by cities and counties," stated ACSOL Executive Director Janice Bellucci "The lawsuits have resulted in either the repeal or the significant revision of residency restrictions in almost every case."

Sex Offender Taken Off Registry, Georgia

A Sex offender served his time. And in 2014 the state of Georgia, saying he was rehabilitated, forgave him. The Georgia State Board of Pardons and Paroles granted him a pardon, an "order of official forgiveness" that recognized his "good reputation in (his) community following the completion of (his) sentence."

Sex Offenders Taken Off Registry, Mississippi

About 30 people will be removed from Mississippi's sex offender list after the state agreed that people convicted under a Louisiana law no longer have to register.

NOTE: There are 30 States that offer "relief" or allows SOs to get off the registry. The criteria for being taken off the registry are: Tier level, offense, previous offenses, time on registry and lack of offenses while on registry to mention a few. A later report will give more details. The information was taken from a 2017 article.

New Law Create Tier System, Missouri

Senate Bill 655 would create a three-tier system, similar to the one used at the federal level. Those guilty of the least serious convictions could ask courts to take them off the list after ten years. That option is also available for convicts on the second tier -with more serious charges - after 25 years on the registry. But those with the worst offenses would remain for life.

California Develop Tiered System For Sex Offenders, CAL

California recently migrated towards a "tiered" system that would allow some registrants (those deemed "lower" risk to re-offend) to be removed from the registry eventually. While the plan wasn't perfect, because it tiered people based on offenses rather than actual risk, California is now seeking to enact a new bill to help them introduce empirical evidence (evidenced based instead of offense based) to determine their threat.

Note: There are 21+ states with Tier systems, which gives a more comprehensive evaluation of a SOs dangerousness and rehabilitation, instead of an assessment based only on the offense.



Law Gives Another Option to Sexting, Columbus, Ohio

State Reps. Brian Hill (R-Zanesville) and Jeff Rezabek (R-Clayton) today applauded the House for passing legislation they jointly sponsored that provides another option (Not being put on sex registry) to Ohio's courts when dealing with juveniles charged with possessing sexually explicit digital material, or engaging in "sexting" with a minor.

Sex Offender Receives \$84,000, Minn.

A sex offender who sued West St. Paul over its 2016 ordinance that restricted where he could live will receive \$84,000 as part of a settlement agreement approved by a federal judge Monday.

Communicating Conditions of Probation at Sentencing, Florida

Judge Requires Oral Explanation of Probation Requirements

Justice Pariente, says, "this Court has made clear that "special conditions, which are those not specifically authorized by statute, must be orally pronounced at sentencing before they can be placed in the probation order." This requirement is a safeguard to protect the criminal defendant's right to due process. "Because a defendant is not on notice of special conditions of probation, these conditions must be pronounced orally at sentencing in order to be included in the written probation order." State v. Williams

Sex Offender Honored, Bangor, Maine

In 2006, William Elliot was sought out and shot because he was a registered sex offender. On Sunday, he will be honored by the Maine chapter of Parents of Murdered Children. Turner says she's surprised that Elliot will be honored because she hasn't gotten much support over the years but is looking forward to talking to other people that have had a child taken away from them. Because losing a loved one to murder, isn't like anything else.

Convicted Sex Offender challenged a Provision about Pornographic Material, Washington

A convicted sex offender in Washington challenged a provision of his probation that prevented him from "possessing or accessing pornographic materials" and won! The definition of "pornographic materials", he argued, is unconstitutionally vague. It could mean watching the film Titanic, or having a Victoria's Secret catalogue. The Court agreed, finding, "the statute must "give the person of ordinary intelligence a reasonable opportunity to know what [behavior] is prohibited."

Sex Offenders file lawsuit about homelessness, Florida

A Lawsuit and Emergency Motion for Temporary Injunction were filed against Miami-Dade County on behalf of registered sex offenders legislated into homelessness and directed to live at an encampment on a street corner alongside active railroad tracks in a warehouse district in unincorporated Miami-Dade County.





EDITORIAL by Alice

Congratulations to Steve N. and John G. Steve has joined the band at Foothills Church playing a good guitar and John has been hired as the church janitor. Many of our other associates now attend Foothills Church located on Tramway and Candelaria. Steve works at Mister car wash and we enjoy his smiling face every Sunday. Jack B. who often sits with us has a new very responsible job that he is excited about. We all gripe and complain about various restrictions but I believe we need to thank God for meeting our needs and making life meaningful. Don and I just talked with Dante on the phone. Although he has spent a lot of time in prison, after a short stay at La Pasada, he is eagerly waiting to be released to be married and live in Clovis. It is always so much fun to chat with Dante. In spite of various difficulties, he always has us laughing. Dante teaches me that when I have a bout of shingles there is more to life than moaning and groaning. We are learning this from many letters we receive now from 28 states. Receiving a joyful letter from someone in prison really makes my day. Let us pray for one another and realize life is short, these difficulties will soon be over and we will enjoy a wonderful life with the Lord.

Sex offender registries: A legacy of fear

By Steve Yoder

Quentin (not his real name) was convicted eight years ago of child pornography possession in Florida. He served his time and has since moved to another state. But his sentence required his photo and other personal details to appear on Florida's sex offender registry, and there they will stay for the rest of his life, even if he never sets foot in the state again.

The state's registry is padded with thousands of Quentins, people who don't live in Florida. Under a change to state law passed this spring, there will soon be more: Starting July 1, out-of-state registrants who visit for at least three days (down from five) must go to a sheriff's office to have their personal details added to Florida's list. If they don't, they face a third-degree felony.

Rules like that aren't unique—22 other states keep out-of-state visitors on their registries for life, according to a study released last November. It's one reason state lists misrepresent the actual number of people with sex-crime records living in communities. As already-bloated lists keep ballooning, they feed the impression of a growing population of dangerous people who require ever-more-extreme laws to monitor and control.

On May 30, the National Center for Missing & Exploited Children (NCMEC) released its latest nationwide count of names on state sex offender registries. For the first time ever, the total was more than 900,000. NCMEC spokesperson Staca Shehan told The



says NCMEC has no way of knowing how often an offender shows up on multiple state lists. "So that means then there's duplicated offenders in our grand total," she said. "And we have no way of knowing how often that happens."

Dobbs, an adviser to the Sex Offense Litigation and Policy Resource Center affiliated with the Mitchell Hamline School of Law in St. Paul, says the

appeal the organization doesn't share data on growth trends because changes in state laws and other anomalies can make it difficult to accurately compare the data across years. But calculations by William Dobbs of Dobbs Wire, who tracks sex-offender registry developments nationwide, show a 3 percent jump in the nationwide number in the last six months. That's slightly faster than in the past; increases have fluctuated between about 3 and 5 percent annually since 2007. Even if the growth rate returns to that historical average, by 2021 more than a million names will be on registries.

Many of those entries are duplicates like Quentin or represent people who are not actually part of a state's population for some other reason. In a 2014 study in the journal *Crime & Delinquency*, a research team found that in the 42 states and two territories studied, 19 percent of those on registries were still behind bars, 9 percent lived out of state, and 3 percent had been deported. Of Florida's 55,000 registrants at the time, more than 31,000 were in one of those three categories. "It's a concern of ours," Shehan said of problems with the count. She

inaccuracies are symptoms of a malignant logic at the heart of registries: that people who have served their time should be put on public lists because of the ineffable risk of what they might do in the future. Problems with registries can't be fixed, he says, because the concept itself is a "broken" one. "It turns people into suspects forever—or at least as long as they're on it," he said. "The politicians have created this giant naming-and-shaming train and are fueling it with fear."

One of Quentin's cousins is getting married in October and invited him to be in the wedding in Florida, says Quentin's mother. But to participate in the various events, he would need to stay more than three days—meaning a trip to the local sheriff's office to get a new photo taken and have the address where he's staying and the license plates of any cars he will drive added to Florida's public registry. So Quentin is skipping the wedding.



CDCR ordered to rewrite regulations for Prop. 57

By: San Quintin News

March 20, 2018 By Forrest Lee Jones
Sacramento County Superior Court judge Allen Sumner preliminarily ordered prison officials to rewrite the early parole regulations consistent with Proposition 57's language.

Sumner ruled the state of California erred when writing regulations that didn't specifically exclude some non-violent sex offenders from early parole consideration, reports The Associated Press. The voter-approved Proposition 57 allows many California prisoners to be considered for early release.

However, during the 2016 general election, Gov. Jerry Brown told voters that all sex offenders would be excluded from consideration under the proposition, according to the article.

In his Feb. 9, 2018 decision, Sumner said CDCR does not have broad authority to exclude certain inmates from parole consideration. Specifically, the judge said the exclusion exceeded CDCR's authority, which had to be consistent with the language in Proposition 57.

"If the voters had intended to exclude all registered sex offenders from early parole consideration under Proposition 57, they presumably would have said so," said the judge.

Janice Bellucci, attorney and president of Alliance for Constitutional Sex Of-

fense Laws, who filed a lawsuit on behalf of non-violent sex offenders, said the ruling could allow early parole for half of the 20,000 sex offenders incarcerated in state prisons.

Bellucci argued in her suit that the regulations written by CDCR conflicted with the proposition's language and the voters' intent. She further argued that only those crimes defined under the penal code as violent offenses, such as murder, kidnapping and forcible rape, are excluded.

According to the AP report, that could potentially allow early parole for those convicted for crimes not defined as violent under the penal code, such as raping an unconscious person, inappropriately touching someone who is unlawfully restrained, incest, pimping a minor, indecent exposure and possessing child pornography.

Sumner said corrections officials may make the case for excluding these offenders as they rewrite the regulations, even though they are not on the violent felony list (Penal Code 667.5(c)). Bellucci said she will sue again if the rewritten regulations go too far.

"Until they figure something else out, they have to consider anybody convicted of a nonviolent offense even if it was a sex offense," said Bellucci. "We believe we've won a battle, but the war continues."

Mark Zahner, chief executive of the

California District Attorneys Association who opposed the Prop. 57 initiative, told the AP, "There's a great danger of truly violent people being released early and people who commit, in this case, sex offenses that involve violence being released early."

Karen Pank of the Chief Probation Officers of California countered that she still believes the measure does exclude sex offenders.

"We hope the issue will be more fully vetted on appeal," said Pank.

Currently the California Public Safety Partnership is sponsoring a 2018 ballot initiative (entitled: "Reducing Crime and Keeping California Safe Act of 2018").

Asked how this new initiative might affect Sumner's recent ruling, Attorney Milena Blake of the Stanford Three-Strike Project told the San Quintin News that it would reduce the number of crimes that would qualify for the Proposition 57 early parole consideration.

"If the November initiative qualifies for the November ballot and passes, it will supersede any future court ruling in favor of nonviolent offenders and eliminate the number of people who qualify," Blake said.

Submitted by Johnny J. in California

For your information

200,000 men, women and children are sexually abused behind bars every year in the U.S. One-half of all sexual abuse is committed by staff. One in ten youths in juvenile facilities report being sexually abused during a single year. Most survivors are sexually abused again and again. Jus Detention International is the health and human rights organization that seeks to end sexual abuse in all forms of detention. Write them using legal mail. Address letter to Cynthia Totten, Esq. CA Attorney Reg. #1999266, 3325 Wilshire Blvd., Suite 340, Los Angeles, CA 90010 or call 213-384-1400.

SCAM By Sandy . . . Scams offering to get someone off the registry for a fee have been around for a while. A new scam has appeared within the past few months, and as of this writing has targeted registrants in some form in at least four states: Texas, Oklahoma, Ohio, and New Mexico, with New Mexico being the most recent. All involve telephone calls to registrants claiming to be from someone at the registry office or police department and claiming the registrant is somehow out of compliance. From there the verbiage goes in one of several directions. Some are told to bring cash to the registry office. Some have details about the registrant and his past and his family and use threats. Some claim to have planted evidence of a new crime and threaten imminent arrest if instructions aren't obeyed. Some haven't asked for cash but told the registrant to go to the registry office immediately.

Local law enforcement in Arlington, TX opened a case as a terroristic threat, impersonating a police officer, and extortion. Officials in New Mexico said neither the police or registry officials would make such a telephone call.

So be aware. If you get any calls from anyone claiming to be officials and saying that you are in trouble in some way and need to go somewhere, don't do it. Capture the phone number if you can and call your local law enforcement and registry office.



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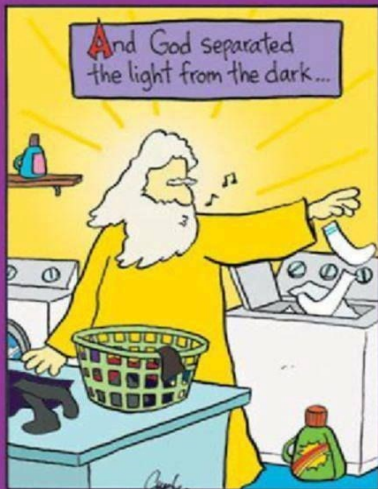
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Hebrew 13:3 - Continue to remember those in prison as if you were together with them in prison, and those who are mistreated as if you yourselves were suffering.

Remember if you change your address you need to let us know if you want to continue to receive this newsletter



Prescribed by the Great Physician

The next time you feel like GOD can't use you, just remember...

Noah was a drunk. Abraham was too old. Isaac was a daydreamer. Jacob was a liar. Leah was ugly. Joseph was abused. Moses had a stuttering problem. Gideon was afraid. Samson had long hair and was a womanizer. Rahab was a prostitute. Jeremiah and Timothy were too young. David had an affair and was a murderer. Elijah was suicidal. Isaiah preached naked. Jonah ran away from God. Naomi was a widow. Job went bankrupt. Peter denied Christ (3 times). The disciples

fell asleep while praying. Martha worried about everything. Mary Magdalene was promiscuous. The Samaritan woman was divorced, more than once... Zaccheus was too small. Paul was too religious. Timothy had an ulcer...

God can use you to your full potential.

Besides, you aren't the message, you are just the messenger.

And one more thing...God is waiting to use your full potential.

Questions from Stephen J. in Colorado

Why is it that doctors call what they do "practice"?

Why is the man who invests your money called a broker?

Why isn't there mouse-flavored cat food?

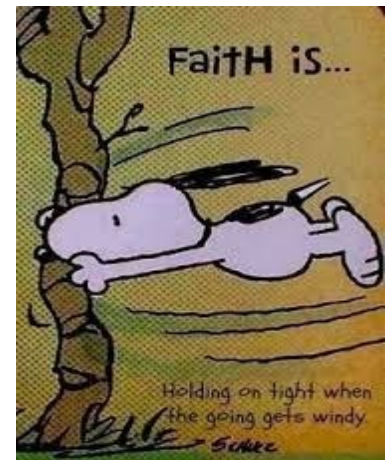
Why do they sterilize the needle for lethal injection?

Only in America do drugstores make the sick walk all the way to the back of the store to get their prescriptions while people can buy cigarettes at the front?

Only in America do people order double cheeseburgers, large fries and a diet coke.

Only in America do we leave cars worth thousands in the driveway and put our useless junk in the garage.

Only in America do we buy hotdogs in packages of ten and buns in packages of eight.



Circle of Concern

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 offenders, family and friends that meet together on the 3rd Sunday of each month. We are meeting this month on August 19, 2018 at 4 pm—6 pm. We will be having a potluck. We meet at Foothills Fel-



lowship Church, corner of Tramway and Candelaria on the far east side of Albuquerque. 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.