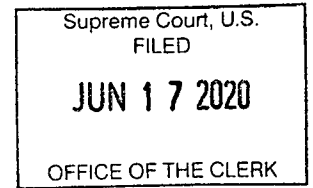


No. 20-78



In The
Supreme Court of the United States

In re SCOTT LOUIS YOUNGBEAR, *Petitioner*

PETITION FOR WRIT OF HABEAS CORPUS

Pro Se Petitioner

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QUESTION[S] PRESENTED

This Court has said that prior convictions formed the basis of a sex offender registry. *Smith v. Doe*, 538 U.S. 84, 105 (2003). This Court has said an expired sentence may entail civil rights violations at a later date. *United States v. Morgan*, 346 U.S. 502, 512-513 (1953). This Court has said an expired sentence resurrected via a civil rights violation may raise a subject matter for a court. *Fiswick v. United States*, 329 U.S. 211, 220-221 (1946).

So, the Iowa Sex Offender Registry (SOR) may entail civil rights violations in the improper use of expired sentences.

QUESTIONS

1. Whether the SOR violation of civil rights via an expired sentence provides a subject matter for a habeas court.

2. Whether petitioner can be released from Tier III (which is for life) and altogether from SOR via the habeas corpus writ.

PARTIES TO THE PROCEEDINGS BELOW

The Attorney General of the State of Iowa is the party below.

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PETITION FOR A WRIT OF HABEAS CORPUS

Petitioner Scott Louis YoungBear respectfully petitions this Court for a writ of habeas corpus.

DECISIONS BELOW

State v. Scott Louis YoungBear, No. CR 4753 (February 17, 1994), Appendix C; *State v. Scott Louis YoungBear*, No. CR 2308 (October 23, 1986), Appendix D.

STATEMENT OF JURISDICTION

This Court's jurisdiction is invoked pursuant to 28 U.S.C. §§ 2254, 2241, 1651(a) and Article III of the United States Constitution.

CONSTITUTIONAL AND STATUTORY PROVISIONS

First Amendment

Fourteenth Amendment

28 U.S.C. § 2254

28 U.S.C. § 2241

28 U.S.C. § 1651(a)

STATEMENT OF THE CASE

Smith v. Doe, 538 U.S. 84, 105 (2003), has plainly stated, "The [Alaska Sex Offender Registration Act] applies only to past conduct, which was, and is, a crime." So Iowa Code § 692A (2019) Sex Offender Registry, is based on my expired sentences: *State v. Scott Louis YoungBear*, No. CR 4753 (Feb. 17, 1994)(App. C), and *State v. Scott Louis YoungBear*, No. CR 2308 (Oct. 23, 1986)(App. D).

United States v. Morgan, 346 U.S. 502 (1953), and *Fiswick v. United States*, 329 U.S. 211 (1946), have stated a civil rights violation may arise from an expired sentence and if it does subject matter may provide jurisdiction for a court.

REASONS FOR GRANTING THE WRIT

I. The Writ Will Be In Aid Of The Court's Appellate Jurisdiction

This case presents the issue of an expired sentence which is being used to bolster Iowa's sex offender registry, Iowa Code § 692A (2019); *Smith v. Doe*, 538 U.S. 84, 105 (2003) ("The regulatory scheme [Alaska Sex Offender Registration Act] applies only to past conduct which was, and is, a crime."). An expired sentence can present civil rights violations a legislature may not have foreseen. *United States v. Morgan*, 346 U.S. 502, 512-513 (1953), "Although the term has been served, the results of the conviction may persist. *** civil rights may be affected." The Court has noted that due process may be available in such a situation,

"[S]ince the sentence had been served, *** there was no longer a subject matter on which the judgment of this Court could operate. *** the petitioner had not *shown* that under either state or federal law *further penalties or disabilities* can be imposed on him as a result of the judgment which has now been satisfied."

Fiswick v. United States, 329 U.S. 211, 220-221 (1946)(emphasis added). *St. Pierre v. United States*, 319 U.S. 41, 43 (1943), “[T]he moral stigma of a judgment which no longer affects legal rights does not present a case or controversy for appellate review.”

II. Exceptional Circumstances Warrant The Exercise Of The Court’s Discretionary Powers

Here, I am a Native American petitioner and an enrolled member of federally-recognized Indian tribe, the Sac & Fox Tribe of the Mississippi in Iowa.¹ Indian Entities Recognized and Eligible To Receive Services from the United States Bureau of Indian Affairs, 84 FR 1200, 1203 (February 1, 2019).² In *Worcester v. Georgia*, the Court emphasized the legal connection of the tribes and its members with the Federal government, which persists to this day, “The whole intercourse between the United States and this nation, is, by our constitution and laws, vested in the government of the United States.” 31 U.S. (6 Pet.) 515, 561 (1832). *Cf. United States v. Nice*, 241 U.S. 591, 598 (1916), “Citizenship is not incompatible with tribal existence or continued guardianship, and so may be conferred without completely emancipating the Indians or placing them beyond the reach of congress-

1 The tribal self-designation is the *Meskwaki* tribe, or the *Red Earth People*. <https://meskwaki.org/>.

2 <https://www.federalregister.gov/documents/2019/02/01/2019-00897/indian-entities-recognized-by-and-eligible-to-receive-services-from-the-united-states-bureau-of>.

sional regulations adopted for their protection.” These facts I believe the Court must consider, especially the quasi-citizenship aspect. I am a citizen of Iowa and the United States; but I am also a member of a tribe which has not given up all of its sovereignty to the chagrin of the white government officials.

Certain realities intrude into Native American religion, such as: “The separation of church and state guarantee does not apply to tribal governments.” *American Indian Civil Rights Handbook*, United States Commission on Civil Rights (Clearinghouse Publications No. 33, March 1972), p. 13. There is no separation of church and state doctrine this Court would recognize and enforce in Federal and State governments.

And also, Gregory Ablavsky, Assistant Professor of Law, Stanford Law School, said that Native Americans for the most part did not participate in the United States political process,

“Native voices rarely appear in Indian law, based on the presumption that they did not craft the law that applied to them. [T]he grudging acknowledgment of Native autonomy in early American law stemmed from tribes’ refusal to concede the subordinate status that Anglo-Americans assigned to them. [] Ultimately, Natives were subject to a history and a doctrine not of their

choosing, yet they were, and remain, constitutional actors in their own right.”

Beyond the Indian Commerce Clause, 124 Yale L. J. 1012, 1090 (2015). For better or worse, federal Indian law will likely remain in effect for a good long time.

Even though the tribal sovereignty has been whittled down to fit into the constitutional toolbox, religion was never wholly in the province of the white government.

Christianity, my religion of choice, is also beyond the reach of the Constitution, where I make reliance upon the first century time line of the New Testament. In *Reynolds v. United States*, 98 U.S. 145, 164 (1879), the Court relies upon “the northern and western nations of Europe”³ of the 18th century as part of its legal definition. “The word ‘religion’ is not de-

³ Did the Court establish its own beliefs over Reynolds or polygamy? David Little, *Thomas Jefferson's Religious Views and Their Influence on the Supreme Court's Interpretation of the First Amendment*, 26 Cath. U. L. Rev. 57, 67 (1976), “In believing intensely as a Mormon that he had a duty to practice polygamy, Reynolds’ belief was that polygamy ought to be performed. Therefore, to prohibit Reynolds from acting on his belief was necessarily to stand in judgment not only on the action, but also on the correctness of the belief. [T]he Court necessarily substituted its own beliefs about action for Reynolds’ beliefs. The issue was not the restriction of actions rather than beliefs. It was the restriction of one set of beliefs about action, namely Reynolds’, in favor of another set, namely the Court’s.”

<http://scholarship.law.edu/lawreview/vol26/iss1/6>.

fined in the Constitution. We must go elsewhere, therefore, to ascertain its meaning, and nowhere more appropriately, we think, *than to the history of the times in the midst of which the provision was adopted.*” Id., at 162 (emphasis added). As such, I make no reliance upon the Court’s definition of religion.

“As a number of courts have observed, the Supreme Court’s forays into the metaphysical realm ‘religion’ have not resulted in any sort of comprehensive definition of the term.” *United States v. Meyers*, 906 F. Supp. 1494, 1499 (D. Wyo. 1995); *aff’d*, 95 F.3d 1475 (10th Cir. 1996).

Even experts cannot agree on the term. Troy L. Booher, *Finding Religion for the First Amendment*, 38 John Marshall L. Rev. 469, 471 (2004);⁴ Barbara Barnett, *Twentieth Century Approaches to Defining Religion: Clifford Geertz and the First Amendment*, 7 U. Md. L. J. Race, Religion, Gender & Class 93, 94 (2007);⁵ Charles Francis Aiken, “Religion,” 12 *The Catholic Encyclopedia* (New York: Robert Appleton Co., 1911);⁶ William James, *The Varieties of Religious Experience* (New York: The Modern Library, 1902), p. 26.

“As far as the law, justice system, and government are concerned, the Supreme Court is

4 <https://repository.jmls.edu/cgi/viewcontent.cgi?referer=https://scholar.google.com/&httpsredir=1&article=1353&context=lawreview>.

5 <http://digitalcommons.law.umaryland.edu/cgi/viewcontent.cgi?article=1121&context=rrgc>.

6 <http://www.newadvent.org/cathen/12738a.htm>.

the ultimate arbiter over what does and does not count as 'real' religion in America, and which religious expressions receive special protections or not." Jamie Michael Sutton, *In God We Trust: Defining "American" Religion*, Ph.D. Diss., University of Georgia (2014), 71.⁷ Mr. Sutton is right. Since *Reynolds v. United States*, the Court has become the arbiter of what religion is under the United States Constitution. Necessarily so because of Article III, § 1, "The judicial Power of the United States, shall be vested in one supreme Court."

Judicial caution is warranted in this particular field. So what the 2nd Circuit Court said regarding the examination of a case involving religion is I think appropriate here, "Courts temporal are not ideally suited to resolve problems that originate in the spiritual realm. But, in determining whether a governmental enactment unreasonably interferes with the free exercise of religion, a threshold inquiry into the 'religious' aspect of particular beliefs and practices cannot be avoided." *Intern. Soc. For Krishna, Etc. v. Barber*, 650 F.2d 430, 432-433 (2nd Cir. 1981).

There is one quote that identifies the form of religion I would believe in and that is from Allan Menzies (1845-1916). I find his definition better than what I have read over the years,⁸

7 https://getd.libs.uga.edu/pdfs/sutton_jamie_m_201405_ma.pdf.

“It must not be forgotten that an adequate definition of a thing which is growing can only be reached when the growth is complete. During its growth it is showing what it is, and its higher as well as its lower manifestations are part of its nature. The world has not yet found out completely, but is still in the course of finding out, what religion is. Any definition propounded at this stage must, therefore, be of an elementary and provisional character.”

History of Religion: A Sketch of Primitive Religious Beliefs and Practices, and of the Origin and Character of the Great Systems (New York: C. Scribner’s Sons, 1895), p. 7 (emphasis added).⁹ This definition encompasses the preexistence, birth, mortal life, death and the afterlife, which are subjects of Christianity.

III. Adequate Relief Cannot Be Obtained In Any Other Form Or From Any Other Court

Exceptional circumstances arise here such as important questions of federal law and federalism, which can only be answered by the Court. Also, the two exceptions of the Antiterrorism and Effective Death Penalty Act of 1996, Pub. L. No. 104-132, 110 Stat. 1214

8 The definition given by Merriam-Webster is second: “religion: 2 : a personal set or institutionalized system of religious attitudes, beliefs, and practices.” (accessed April 19, 2019), <https://www.merriam-webster.com/dictionary/religion>.

9 HathiTrust Digital Library online edition, link to page 7, <https://hdl.handle.net/2027/coo1.ark:/13960/t2j681d25?urlappend=%3Bseq=27>.

(AEDPA), do not cover such facts and law presented in this petition.

IV. Reasons For Not Making Application To The District Court Of The District In Which The Applicant Is Held

A habeas corpus petition has been filed previously. *In Re Youngbear*, 531 U. S. 1068 (2001)(petition for writ of habeas corpus dismissed)(App. B). A district court has no choice but to dismiss an application not presented first to a circuit court. 28 U.S.C. § 2244(b)(3) (A); *Bradford v. McKinney*, No. C15-3115-LRR (N.D. Iowa Aug. 18, 2015).

V. The Type Of Relief Being Sought

Whether habeas corpus can release a person on a sex offender registry turns on the facts presented: The expired sentence has been legally resurrected due to Iowa's civil rights violations. The Court has "acknowledged the obvious fact of life that most criminal convictions do in fact entail adverse collateral legal consequences. The mere 'possibility' that this will be the case is enough to preserve a criminal case from ending ignominiously in the limbo of mootness." *Sibron v. New York*, 392 U.S. 40, 55 (1967); *Lane v. Williams*, 455 U.S. 624, 635-36 (1982)(Marshall, J., dissenting), "[T]he doctrine of *Sibron* and *Carafas* *** avoids placing a federal court in the awkward position of determining questions of state law not directly before it. By presuming the existence of collateral consequences, federal courts are not required to predict the manner

in which a State may use convictions *** in future proceedings.”

EQUITABLE NATURE OF THE WRIT

The Court has emphasized the importance of the writ in rendering justice. *Price v. Johnston*, 334 U.S. 266, 269 (1948), “The writ of habeas corpus *** has been the judicial method of lifting undue restraints upon personal liberty.”; *McQuiggin v. Perkins*, 569 U.S. 383, 397 (2013)(quoting *Holland v. Florida*, 560 U. S. 631, 646 (2010)), “[E]quitable principles have traditionally governed the substantive law of habeas corpus.” These two points may govern this case.

STANDARD OF REVIEW

Smith v. Doe, 538 U.S. 84, 92 (2003), plainly states,

“If the intention of the legislature was to impose punishment, that ends the inquiry. If, however, the intention was to enact a regulatory scheme that is civil and non-punitive, we must further examine whether the statutory scheme is so punitive either in purpose or effect as to negate [the State’s] intention’ to deem it civil.”

Whether the Iowa law is hostile to the asserted civil rights and Christianity is in question here.

IOWA CODE § 692A (2019)

The Code sustains a treatment program for sex offenders on the registry, where successful completion may allow a district court

judge to amend registry status. § 692A.128. That the program is secular is likely a given. But where treatment is concerned, Christianity has appeared in the field of Iowa's efforts to rehabilitate its offenders.

Once, Iowa and Prison Fellowship Ministries, Inc., had a faith-based treatment program, InnerChange Freedom Initiative (IFI), at the Newton Correctional Facility. But Americans United for Separation of Church and State (AU) filed suit under 42 U.S.C. § 1983 and the arrangement was invalidated as unconstitutional. *Americans United for Separation of Church & State v. Prison Fellowship Ministries*, 432 F. Supp. 862, 934 (S.D. Iowa 2006), *aff'd in part and rev'd in part on other grounds*, 509 F.3d 406 (8th Cir. 2007).

A problem lies within this arrangement and the Eighth Circuit remarked on it. "If inmates join, no one from the DOC or InnerChange promises a *reduced sentence* or *earlier parole*. When joining, an inmate confirms in writing that participation is voluntary and will not affect *eligibility for parole*." 509 F.3d, at 414 (emphasis added). What incentive an inmate may have here is dubious. Generally, an inmate will not join a program unless there is a light at the end of the tunnel: Release into society.

Having a treatment alternative is I believe a constitutional right. *Griffin v. Coughlin*, 88 N.Y.2d 674, 677, 673 N.E.2d 98 (1996), *cert. denied*, 519 U.S. 1054 (1997),

“[W]e hold that, under the Establishment Clause of the United States Constitution’s First Amendment, an atheist or agnostic inmate may not be deprived of eligibility for expanded family visitation privileges for refusing to participate in the sole alcohol and drug addiction program at his State correctional facility when the program necessarily entails mandatory attendance at and participation in a curriculum which adopts in major part the religious-oriented practices and precepts of Alcoholics Anonymous.”

What’s sauce for the goose is sauce for the gander.

When Iowa established a treatment program for the registry, a public right was created and indiscriminate distribution of benefits cannot be imposed. *Trinity Lutheran Church of Columbia, Inc. v. Comer*, 137 S. Ct. 2012, 2022, 582 U.S. __ (2017)(quoting *McDaniel v. Paty*, 435 U. S. 618, 626 (1978)), “To condition the availability of benefits . . . upon [a recipient’s] willingness to . . . surrender[] his religiously impelled [status] effectively penalizes the free exercise of his constitutional liberties.” *Cf. Frost & Frost Trucking Co. v. Railroad Comm’n of Cal.*, 271 U.S. 583, 593-594 (1926),

“[T]he state, having power to deny a privilege altogether, may grant it upon such conditions as it sees fit to impose. But the power of the state in that respect is not un-

limited; and one of the limitations is that it may not impose conditions which require the relinquishment of constitutional rights.”

Negating religion’s function as a balm for emotional and spiritual injuries is to determine its validity as ineffective. “[T]he government, if it is to respect the Constitution’s guarantee of free exercise, cannot impose regulations that are hostile to the religious beliefs of affected citizens and cannot act in a manner that *passes judgment upon or presupposes the illegitimacy of religious beliefs and practices.*” *Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Commission*, 138 S. Ct. 1719, 1731, 584 U.S. — (2018)(emphasis added).

And also, *Yick Wo v. Hopkins*, 118 U.S. 356, 373-74 (1886)(emphasis added), states plainly, “Though the law itself be fair on its face and impartial in appearance, yet, if it is applied and administered by public authority with an evil eye and an unequal hand, *so as practically to make unjust and illegal discriminations between persons in similar circumstances, material to their rights*, the denial of equal justice is still within the prohibition of the Constitution.”

Currently there are no faith-based treatment programs. Although, I have divided my time between my religious studies and familial duties since July 4, 2005, when I was re-

leased from prison upon discharging my 25-year sentence. App. A.

During my first incarceration (App. A) I was placed in the sex offender treatment program. The State utilized Patrick Carnes, *Out of the Shadows: Understanding Sexual Addiction* (Minneapolis, MN: CompCare Publications, 1983). The book's narrative about the sexual addiction model (which I learned about after discharging my second sentence on July 4, 2005, when I finally had access to the Internet) was not accepted by the Diagnostic and Statistical Manual of Mental Disorders (DSM), as the following article excerpts will verify:

“[T]he DSM-IV, the most current revision of this book, makes absolutely no mention of the concept of sexual compulsions or addiction, not even under categories for further study. Given that the DSM-IV was published in 1994, a full decade after the concept of ‘sexual addiction’ made it onto the research scene, it does suggest that this is a category that was never seriously considered a full-blown disorder unto itself.”

J. Grohol, *Is Sexual Addiction Real?* Psych Central (2008).¹⁰

“The recent revision of the Diagnostic and Statistical Manual (DSM) [May 18, 2013] similarly did not include sex addiction, citing “To include this as an addiction would

¹⁰ <http://psychcentral.com/blog/archives/2008/09/30/is-sexual-addiction-real/>.

require published scientific research that does not exist at this time' (Charles O'Brien, personal communication, September 19, 2013)."

D. Ley, et al., *The Emperor Has No Clothes: A Review of the 'Pornography Addiction' Model*, *Current Sexual Health Reports* 1 (1) (2014).¹¹

During my second incarceration I had no confidence in their program, so I refused treatment (2001). As a result I was denied general population status. Instead, I spent all my time studying Christianity, the Bible and other valid material available in the prison library.

THE WRIT AND CHRISTIANITY

Professor Paul Halliday wrote that Protestant and Catholic religionists were granted the writ during the 16th and 17th centuries. *Habeas Corpus: From England to Empire* (Harvard University Press, 2010), p. 345, Note 63,

"From 1500 to 1660, 66 prisoners jailed for religious wrongs used habeas corpus in the survey years. Of the 56 for whom results are known, 29 (52%) were released. Between 1660 and 1689, as numerous statutes were passed that permitted imprisonment of Protestant dissenters, release rates rose. Of those jailed for reli-

11 https://www.researchgate.net/publication/258565076_The_Emperor_Has_No_Clothes_A_Review_of_the_'Pornography_Addiction'_Model.

gious wrongs, 17 used habeas corpus in the survey years in this period, and for the 16 of these for whom results are known, 10 (63%) were released. For the period after the so-called Toleration Act of 1689 (1 William and Mary, c. 18), 15 imprisoned for religious wrongs used habeas corpus in the survey years, the last in 1734. Of the 14 for whom results are known, 13 (93%) were released. This included a number of alleged Catholic priests or Jesuits imprisoned during the invasion scares of 1690.”¹²

Christianity is no stranger to the writ. Cf. Dallin H. Oaks, *Habeas Corpus in the States: 1776-1865*, 32.2 *The University of Chicago Law Review*, 243-288, 245 (1965), “Although

12 Professor Halliday’s findings are not subject to discussion or debate if he finds evidence in court documents of that period. “More than 11,000 prisoners used the writ of habeas corpus in the three centuries before the framing of the United States Constitution. The archives for studying these habeas cases survive. From them one can work not only with anecdote—individual case reports, often containing little more than judicial dicta—but with the patterns of usage that only thousands of cases can reveal. Court archives—not reports, nor printed treatises, nor case abridgments and law dictionaries—constituted the official record of judicial process. These sources will form the basis of our inquiry.” Paul D. Halliday and G. Edward White, *The Suspension Clause: English Text, Imperial Contexts, and American Implications*, *Virginia Law Review* (2008): 575-714, 591-593 (footnotes omitted), <http://www.virginialawreview.org/sites/virginialawreview.org/files/575.pdf>.

the federal constitution and statutes contain detailed provisions on habeas corpus, the leading federal decisions have relied heavily on history and on the common law.”

NATIONAL SEX OFFENDER POLICY

The current political climate is decidedly negative towards sex offenders and that has tainted any legislative actions pursued in the name of public safety.

“The legislative atmosphere around sex offender management regimes has rarely been deliberative. The political pressure to avoid looking soft on sex offenders has created a legislative rush to enact ever more stringent sex registration laws. For the most part, the dysfunctional process has rebounded to the disadvantage of the offenders themselves. Since they are perhaps the least sympathetic figures in the entire criminal justice system, the public is not overly concerned if the laws have a harsh edge.”

Virginia Davis & Kevin K. Washburn, *Sex Offender Registration in Indian Country*, 6 Ohio St. J. Crim. L. 3, 22 (2008).¹³ Poco Kernsmith, et al., *Fear and Misinformation as Predictors of Support for Sex Offender Management Policies*, 43 J. Soc. & Soc. Welfare No. 2 (June 2016) 39-66, 48,¹⁴ “Insomuch as research indi-

13 https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1242382.

14 <https://scholarworks.wmich.edu/cgi/viewcontent.cgi?referer=https://scholar.google.com/>

cates that these policies are not only ineffective, but also have significant negative consequences for families and financial costs for states, reconsideration of these policies is needed. However, politicians are unlikely to support policy change that is widely supported by constituents.”

Paul Heroux, a Massachusetts state representative on the Joint Committee on Public Safety and Homeland Security, has stated a weakness in American policy over sex offenders in his article, *The Failure of Sex Offender Policy* (June 3, 2015, updated Jun 03, 2016), *The Huffington Post*,¹⁵

“Preventing sex offender crimes is an important aspect of public safety that I believe every politician takes seriously. Unfortunately, not every politician is a criminologist and as such does not have an evidence-based frame of reference from which to approach this issue. Some even think that ‘evidence-based’ means if someone else does it, that is evidence we should do it, too. Evidence-based typically means that an intervention has been measured against a control group to make sure that the intervention is responsible for a statistically significant decrease in a specific crime. We are not going to get safer doing more of the same, getting tougher or using fear. We

<https://www.huffingtonpost.com/paul-heroux/post-9500-b-7484564.html>

15 <http://www.huffingtonpost.com/paul-heroux/post-9500-b-7484564.html>.

need to be very calculated in how we approach the science of criminal behavior modification.”

Jean-Jacques Rousseau (1712-1778) has observed, “Usurpers always bring about or select troublous times to get passed, under cover of the public terror, destructive laws, which the people would never adopt in cold blood.” Jean-Jacques Rousseau, *The Social Contract and Discourses by Jean-Jacques Rousseau*, trans. G.D.H. Cole (London and Toronto: J.M. Dent and Sons, 1923), p. 44.

This public policy has been indiscriminately slanted since its inception in the 1990s:

“Indeed, recent harsh US sexual offender laws were created based on outrage that followed from highly publicized though rare cases, which Surette (2007) has referred to as ‘memorial crime control.’ In such cases, harsh new legislation occurs as a reaction to public outrage from these highly visible cases, where victims are children from White, upper-middle class families. Griffin and Stitt (2010) have argued that instead of rushing to create harsh new legislation based on the most horrific cases (typically including murder of the victim), policymakers should recognize that such rare and tragic cases are statistically inevitable. Indeed, harsh and costly policies based on few cases but applied to all sexual offenders are likely to produce additional problems.”

D.J. Williams, et al., *Moving Full-Speed Ahead in the Wrong Direction? A Critical Examination of US Sex-Offender Policy from a Positive Sexuality Model*, *Critical Criminology* (2015): 1-18.¹⁶

Others who are not offenders are going to suffer in the wake of these non-deliberative legislative actions. The Court has recognized government impingement in prison policies. *Turner v. Safley*, 482 U.S. 78, 97 (1987)(prison regulations “may entail a consequential restriction on the [constitutional] rights of those who are not prisoners.”) That recognition may carry over into this public policy.

The Court should not be under any illusion about the facts regarding sex offenders and the populace’s visceral reaction through their political representatives. Laurent B. Frantz in 1961 said the lowly regarded can be abused by the political system, even in the United States,

“[E]conomic interests are typically represented in legislative bodies--or able to obtain a hearing from them. Despised ideological minorities typically are not. In extreme situations such as those which give rise to first amendment test cases, their political influence may be less than zero, for it may be *better politics for a legislator to*

16 https://www.researchgate.net/publication/272508096_Moving_Full_Speed_Ahead_in_the_Wrong_Direction_A_Critical_Examination_of_US_Sex_Offender_Policy_from_a_Positive_Sexuality_Model.

abuse them than to listen to their grievances.”

The First Amendment in the Balance, 71 Yale L. J. 1424, 1447 (1961) (emphasis added).¹⁷

Government advocates are few and far between, but there are legal remedies for the lowly esteemed. Martin Shapiro in 1962 said there is,

“The Court’s proceedings are judicial, that is, they involve adversary proceedings between two parties viewed as equal individuals. Therefore, marginal groups can expect a much more favorable hearing from the Court than from bodies which, quite correctly, look beyond the individual to the political strength he can bring into the arena. The Court’s powers are essentially political. Therefore, marginal groups can expect of the Court the political support which they cannot find elsewhere. Thus, through a judicial-political court, the potential interest group, via the marginal group, can achieve the political representation which makes a practical reality out of the value it espouses.”

Judicial Modesty, Political Reality and Preferred Position, 47 Cornell L. Rev. 175, 197 (1962).¹⁸

Even in 1789 the federal judiciary was given the role of advocate by James Madison,

¹⁷ <https://digitalcommons.law.yale.edu/ylj/vol71/iss8/2>.

¹⁸ <http://scholarship.law.cornell.edu/clr/vol47/iss2/2>.

“If they are incorporated into the Constitution, independent tribunals of justice will consider themselves in a peculiar manner the guardians of those rights; they will be an impenetrable bulwark against every assumption of power in the Legislative or Executive; they will be naturally led to resist every encroachment upon rights expressly stipulated for in the Constitution by the declaration of rights.”

James Madison, Speech before the U.S. House of Representatives, 1 Annals of Cong. 457 (June 8, 1789).¹⁹ *Commodity Futures Trading Comm’n v. Schor*, 478 U.S. 833, 848 (1986), “Article III, § 1, serves both to protect ‘the role of the independent judiciary within the constitutional scheme of tripartite government,’ and to safeguard litigants’ ‘right to have claims decided before judges who are free from potential domination by other branches of government.’”

CHRISTIANITY

The Light Of Christ

The reading of scripture is not like the reading of any other book. Books from the public library require nothing more than an adequate education for reading, dissection and consumption. Concepts such as “revelation,” “inspiration,” “faith” or “belief” permeate

¹⁹ <https://memory.loc.gov/cgi-bin/ampage?collId=llac&fileName=001/llac001.db&recNum=230>.

scripture. So another step has to be taken to make the process of rehabilitation/repentance efficacious and that is the “light of Christ.” My reference is to the verse contained in John 1:9 of the King James Version (emphasis added), “That was the true Light, which *lighteth* every man that *cometh* into the world.” This passage assumes that a gift is given to every soul departing the spiritual realm into the womb, for their subsequent entry into the present existence.

This is the base upon which I have operated in examining scripture. Ps. 18:28, “For thou wilt light my candle: the Lord my God will enlighten my darkness.” Cf. Luke 11:33. Notice the level of lumen the “light” is measured in: 1 candlepower. Discernment is required to detect this low power lumen, not mental acuity or scientific knowledge. Discernment is a level of acuity or sensitivity acquired after labor and not before.²⁰ “But his delight is in the law

20 “Discernment” is not used in KJV, only “discern” is utilized. “Insight,” a synonym for “discernment,” is helpful in describing this spiritual ability, “2 : the act or result of apprehending the inner nature of things or of *seeing intuitively*.” *Merriam-Webster*, <https://www.merriam-webster.com/dictionary/insight> (emphasis added).

The Church of Jesus Christ of Latter-day Saints describe “discernment” as, “The gift of discernment consists of the spiritual quality or skill of being able to see or understand, especially that which is hidden or obscure. This ability is shared in a general way by all of God’s children, but ‘discerning of spirits’ is one of the gifts of the spirit that comes, under

of the Lord; and in his law doth he *meditate day and night*." Ps. 1:2 (emphasis added). The palpability of this light may be considered in the words of Jesus: A feeling of peace unlike any other. "Peace I leave with you, my peace I give unto you: not as the world giveth, give I unto you. Let not your heart be troubled, neither let it be afraid." John 14:27. One of its many functions is to help illumine the fertile mind in its journey into spiritual knowledge, where the inner mind is illumined to discern the truth that is about us on a daily basis.

"For when for the time ye ought to be teachers [Paul admonishes certain disciples], ye have need that one teach you again which be the first principles of the oracles of God; and are become such as have need of milk, and not of strong meat. *For every one that useth milk is unskilful in the word of righteousness* [scripture]: for he is a babe. But *strong meat belongeth to them that are of full age*, even those who by *reason of use* have their [spiritual] senses exercised to *discern* both good and evil."

Heb. 5:12-14 (emphasis added); Isa. 28:9. Paul was a good teacher, but some just will not reach conversion. Luke 22:32, "But I [Jesus to Peter] have prayed for thee, that thy faith fail

certain circumstances, specially from God." "Discernment, Gift of," *The Encyclopedia of Mormonism* (New York: Macmillan Publishing Co., 1992), p. 384, <https://contentdm.lib.byu.edu/digital/collection/EoM/id/5677>.

not: and when thou art converted, strengthen thy brethren.”

George Fox (1624–1691), a Quaker, made it his mission to preach about this “light.” Matthew Tindal, hostile to Quakers, wrote of the Quaker belief in the inner light: “The Quakers are very positive, that there is in all Mankind, a Principle of Action distinct from Reason, (and which is not Inspiration) by which all are to be govern'd in Matters of Religion, as they are by Reason in other Matters; and which they commonly call the Light within.” *Christianity as Old as the Creation; or, the Gospel a Republication of the Religion of Nature*, Vol. 1 (London, 1730), p. 183; Samuel M. Janney, *History Of The Religious Society Of Friends, From Its Rise To The Year 1828*, Vol. 1 (Philadelphia, Hayes & Zell, 1859), p. 72. Alexander Russell gives I think a good solid reference: “If Christ is indeed the Word of God in every soul, the true Light which lighteth every man, then to His constant witness in the very inward constitution of man we may trace all surviving perceptions of truth, all instincts of justice, generosity, and tenderness, all recognition of moral goodness in any form.” *The Light That Lighteth Every Man* (London, New York: Macmillan and Co., 1889), p. 144.

Paul considered people as having a portion of divinity within themselves, where if the gospel is preached this inner light will advocate for the preachers--provided they are

teaching the “truth.” Of course, truth is also contained in the sciences as well as philosophical thought²¹. Rom. 2:14-15.

And lastly, “Light of Christ,” *Encyclopedia of Mormonism* (New York: Macmillan, 1992) p. 835,²²

“The Light of Christ refers to the spiritual power that emanates from God to fill the immensity of space and enlightens every man, woman, and child. Other terms sometimes used to denote this same phenomenon are Holy Spirit, ‘Spirit of the Lord,’ and ‘Spirit of Truth,’ but it is different from the Holy Ghost. The scriptures are not always precise in the use of such terminology, and several attempts have been made to describe the various aspects of this important manifestation of God’s goodness and being.”

REPENTANCE

Christianity is considered a vehicle for change or repentance. The Greek term, “repent,” is defined, μετανοέω, metanoéo, “to *think differently or afterwards*, i.e. *reconsider* (mor. *feel compunction*)”, James Strong, *The Exhaustive Concordance of the Bible* (Peabody,

21 Paul did not mix philosophy with his preaching, considering it a worldly endeavor: “Beware lest any man spoil you through philosophy and vain deceit, after the tradition of men, after the rudiments of the world, and not after Christ.” Col. 2:8.

22 <https://contentdm.lib.byu.edu/digital/collection/EoM/id/3884>.

MA: Hendrickson Publishers, 1980), s.v. "repent" (emphasis in original). This idea is conveyed by Paul, "And be not conformed to this world: but *be ye transformed by the renewing of your mind*, that ye may prove what is that good, and acceptable, and perfect, will of God." Rom. 12:2 (emphasis added). The mind is the vehicle for change (the body will rot in the grave eventually). "And ye shall know the truth, and the truth shall make you free." John 8:32.

While I was incarcerated during my second sentence, I came upon a book that contained a corollary I had found in the New Testament, Stanton E. Samenow, *Inside the Criminal Mind* (New York: Times Books, 1984). It is a work of Dr. Samenow, an American clinical research psychologist. He had worked with Dr. Samuel Yochelson (1906-1976) at the Program for the Investigation of Criminal Behavior, St. Elizabeth's Hospital, Washington, D.C.

Dr. Samenow recited the behavior of Dr. Yochelson with one of the patients named only Leroy. The doctor examined Leroy in such a manner that would not give rise to passion. "Yochelson had remained calm and polite, even when he expressed his total opposition to Leroy's way of life. He did not ridicule Leroy, browbeat him, berate him, or treat him with anything less than respect." *Id.*, p. 215. Dr. Yochelson gave his clinical view to Leroy and his way of life, where Leroy

would deliberately embellish himself in his own eyes so as to not give recognition to the events he instigated as cruel or evil. Dr. Yochelson “contended that by a *twist of mind*, Leroy considered himself *decent* despite having committed crime after crime and having neglected and then abandoned his wife and children, whom he still professed to love.” Id (emphasis added).

The public is stymied in understanding the criminal mind, asking how they could live with themselves. Denial is a tool of the mind, according to the Mayo Clinic, “If you’re in denial, you’re trying to protect yourself by refusing to accept the truth about something that’s happening in your life. *** initial short-term denial can be a good thing, giving you time to adjust to a painful or stressful issue. *** But denial has a dark side.” Mayo Clinic, Denial: When It Helps, When It Hurts (April 14, 2017).²³

This leads me to the corollary I found in scripture, John 3:18-21 (emphasis added),

“He that believeth on him is not condemned: but he that believeth not is condemned already, because he hath not believed in the name of the only begotten Son of God. And this is the condemnation, that light is come into the world, and men *loved darkness* rather than light, because their *deeds were evil*. For every one that doeth

²³ <https://www.mayoclinic.org/healthy-lifestyle/adult-health/in-depth/denial/art-20047926>.

evil *hateth the light*, neither cometh to the light, *lest his deeds should be reprov'd*. But he that doeth truth cometh to the light, that his deeds may be made manifest, that they are wrought in God.”

These are archaic words written in the 17th century, written in the Early Modern English,²⁴ which does not ring well in modern ears. The emphasis is on the ability of people to whitewash their deeds so as to be acceptable. “Self-esteem is essential for psychological survival. It is an emotional *sine qua non*—without some measure of *self-worth*, life can be enormously painful.” Matthew McKay & Patrick Fanning, *Self-Esteem*, 2nd Ed. (Oakland: New Harbinger Publications, Inc., 1992), p. 1 (emphasis added). Criminals compensate for the missing healthy *sine qua non*.

Benjamin Franklin and Samuel Johnson would have understood the import of *denial*. Benjamin Franklin: “So convenient a thing it is to be a reasonable creature, since it enables one to find or make a reason for every thing one has a mind to do.”²⁵ Samuel Johnson: “No

24 Edmund Weiner, deputy chief editor, “Early modern English – an overview,” *Oxford English Dictionary* (OED)(August 16, 2012), <https://public.oed.com/blog/early-modern-english-an-overview/>.

25 *Autobiography of Benjamin Franklin*. Ed. From His Manuscript, With Notes And An Introduction, John Bigelow (Philadelphia: J.B. Lippincott & Co., 1868), pp. 128-129, <https://babel.hathitrust.org/cgi/pt?id=hvd.32044025029661&view=1up&seq=136>.

weakness of the human mind has more frequently incurred animadversion than the negligence with which men overlook their own faults, however flagrant, and the easiness with which they pardon them, however frequently repeated.”²⁶ *Cf. Johnson & Graham’s Lessee v. McIntosh*, 21 U.S. 543, 573 (1823).

The Mayo Clinic has said therapy exists to dissipate the unsound views of individuals, enabling them to become more useful, productive citizens. Cognitive Behavioral Therapy: Overview (accessed July 5, 2019).²⁷

Hence, Jesus said in Matt. 7:3-5,

“And why beholdest thou the mote that is in thy brother’s eye, but considerest not the beam that is in thine own eye?

“Or how wilt thou say to thy brother, Let me pull out the mote out of thine eye; and, behold, a beam is in thine own eye?

“Thou hypocrite, first cast out the beam out of thine own eye; and then shalt thou see clearly to cast out the mote out of thy brother’s eye.”

People generally *rush to judgment*.²⁸ This is

26 Samuel Johnson, *The Rambler*, No. 155 (Tuesday, September 10, 1751), <http://quod.lib.umich.edu/e/ecco/004772607.0001.005/1:8.2?rgn=div2;view=fulltext>.

27 <https://www.mayoclinic.org/tests-procedures/cognitive-behavioral-therapy/about/pac-20384610>.

28 “An attack upon the king is considered to be paricide against the state, and the jury and the witnesses, and even the judges, are the children. It is

why Jesus said the following as a preamble to the foregoing verse, "Judge not, that ye be not judged. For with what judgment ye judge, ye shall be judged: and *with what measure ye mete, it shall be measured to you again.*" Matt. 7:1-2 (emphasis added). Cf. Matt. 7:12, "Therefore all things whatsoever ye would that men should do to you, do ye even so to them: for this is the law and the prophets."

JESUS AND THE LAW

The law is the focal point with which we are to do or are acted upon. The law in its basic function is a command with its appellation punishment if the command is not obeyed. "*Law*, The system of rules which a particular country or community recognizes as regulating the actions of its members and which it may enforce by the imposition of penalties." "law," *oxforddictionaries.com*, Oxford University Press (2019).²⁹ Divine law is no different. "Whosoever committeth sin transgresseth also the law: for sin is the transgression of the law." 1 John 3:4. The law, then, is our enemy in a manner of speaking.

If divine Law demands redress, from whom are we going to find comfort? Someone must bail us out of our troubles if we are bound by

fit, on that account, that there should be a solemn pause before we rush to judgment." Trial of James Hadfield (June 26, 1800), 27 *Howell's State Trials*, 1281, 1309 (London: T.C. Hansard, 1820), <https://hdl.handle.net/2027/hvd.hxj2fy?urlappend=%3Bseq=671>.

29 <https://en.oxforddictionaries.com/definition/law>.

the Law. Jesus is presented by the Apostles as being that Comforter. Paul stated, "Christ hath redeemed us from the curse of the law, being made a curse for us: for it is written, Cursed is every one that hangeth on a tree." Gal. 3:13. The Law will be met with mercy from the reconciliation of Jesus.

If Jesus is not accepted as the Mediator, you may pay the penalty yourself, since there is no other buffer or protection from the Law. "Neither is there salvation in any other: for there is none other name under heaven given among men, whereby we must be saved." Acts 4:12; "For there is one God, and one mediator between God and men, the man Christ Jesus." 1 Tim. 2:5.

The Law cannot demand more if a mediator has presented himself. "But when the fulness of the time was come, God sent forth his Son, made of a woman, made under the law, To redeem them that were under the law, that we might receive the adoption of sons." Gal. 4:4-5.

DOCTRINES OF JESUS

Jesus said, "Remember the word that I said unto you, The servant is not greater than his lord. If they have persecuted me, they will also persecute you; if they have kept my saying, they will keep yours also." John 15:20. Jesus said the doctrines he will teach would bring division between family members as well as members of the earthly societies, hence the brutal treatment of the saints.

“Think not that I am come to send peace on earth: I came not to send peace, but a sword. For I am come to set a man at variance against his father, and the daughter against her mother, and the daughter in law against her mother in law. And a man’s foes shall be they of his own household.”

Matt. 10:34-36.

The doctrines will set at variance anyone who labors to follow them. These doctrines will be contrary to worldly objects of worship or revered public and private policies or views.³⁰ Hence we have Jesus saying we

30 Snell Putney and Gail J. Putney, *The Adjusted American: Normal Neuroses in the Individual and Society* (New York: Harper & Row, Publishers, Inc., 1966) p. 8,

“Political, economic, educational, religious, and other social institutions reflect the demands people make of them, even when these demands are dis-functional. Social institutions are systems through which collective action is taken, and collective action reflects the motivations of the individual participants. If the members of a society are caught up in misdirection and customarily pursue bogus satisfactions, they will shape the institutions of their society to serve these pursuits.

“Conversely, social institutions exert a formative influence on the people who participate in them. An individual learns most of his modes of thought and action from his family, his school, his occupation; he is unlikely to question or to avoid misdirections which they encourage. The relation between individual problems and social problems is one of mutual causation: inadequate social institutions shape a neurotic people, and neurotic people erect and de-

should consider the cost of taking on his name and his cause,

“And there went great multitudes with him: and he turned, and said unto them, If any man come to me, and hate not his father, and mother, and wife, and children, and brethren, and sisters, yea, and his own life also, he cannot be my disciple. And whosoever doth not bear his cross, and come after me, cannot be my disciple. For which of you, intending to build a tower, sitteth not down first, and counteth the cost, whether he have sufficient to finish it? Lest haply, after he hath laid the foundation, and is not able to finish it, all that behold it begin to mock him, Saying, This man began to build, and was not able to finish.”

Luke 14:25-33. In essence, don't begin if you cannot finish.

The word “hate” needs to be clarified and we find that in Matt. 10:37, “He that loveth father or mother more than me is not worthy of me: and he that loveth son or daughter more than me is not worthy of me.” Dedication has to be great, due to the fact that death comes to all and any familial connections and material interests are likely to be ephemeral. “For evildoers shall be cut off: but those that wait upon the Lord, they shall inherit the earth.” Ps. 37:9.

fend inadequate social institutions.”

DIVINE LAW HELD IN ABEYANCE

People complain of God when it appears that He is not doing anything whenever disasters or heinous actions come upon humanity. They cannot comprehend a loving God acting as such.

In explaining this phenomena, we understand law as having jurisdiction over a geographical area. This idea or concept also applies in spiritual matters. If God had total jurisdiction over the earth, we would see a theocratic government possessing all the public keys and a peace not achieved by earthly dominations, countries or governments. Since we don't see planetary dominion of theocracy or global peace, we see an indulgence in sin or salacious activities. *We see today the suspension of divine law upon the earth.*

If the Law was in full operation, sin would be imputed unto us immediately and without any protection, where Jesus would have no position to save us. The following verses show the suspension: "[T]he law worketh wrath: for where no law is, there is no transgression." Rom. 4:15; "[S]in is not imputed when there is no law." Rom. 5:13; "For without the law sin was dead. For I was alive without the law once: but when the commandment came, sin revived, and I died." Rom. 7:8-9; "[T]he strength of sin is the law." 1 Cor. 15:56; "And the times of this ignorance God winked at; but now commandeth all men every where to repent." Acts 17:30. Mormon doctrine concedes

such a state, where this life is a probationary condition,

“And the days of the children of men were prolonged, according to the will of God, that they might repent while in the flesh; wherefore, their state became a state of probation, and their time was lengthened, according to the commandments which the Lord God gave unto the children of men.”

Book of Mormon, 2 Nephi 2:21.³¹ The common law recognizes *nulla poena sine lege*. *Beharry v. Reno*, 183 F. Supp. 2d 584, 590 (E.D.N.Y. 2002)(“the principle of *nulla poena sine lege* (there can be no punishment without law) is central to our legal system.”).

Trials and tribulations seem to be a norm in certain people’s lives, although not everyone is tried in this fire. Paul taught that “we must through much tribulation enter into the kingdom of God.” Acts 14:22; Job 23:10. These tempering events do serve a purpose; so if life seems hard, you may be one of the few who may be elected for better things in the next world. *Cf.* Luke 16:19-31.

ON SIN

Others would oppose by saying they have never committed any sins or committed grievous acts or they do not believe in sin. The condition we are in is considered a fallen state brought about in the garden of Eden. People who do not conform to the idea of sin, have to

31 <https://www.lds.org/scriptures/bofm/2-ne/2?lang=eng>.

consider if they are in a fallen condition, where sin prevails because of the propensity of this fallen body to all manner of concupiscence and error. "But the *natural man*³² receiveth not the things of the Spirit of God: for they are *foolishness* unto him: neither can he know them, because they are spiritually discerned." 1 Cor. 2:12-14 (emphasis added). The natural man and woman occupy a human body (with a human brain³³) that is weak in

32 The Romans did not see the Kingdom Jesus had established. The Jews themselves as a body did not fit the role Romans saw as religion, "[T]heir monotheistic faith was a puzzle to the polytheistic Romans." Floyd V. Filson, *A New Testament History: The Story of the Emerging Church* (Phila. PA: The Westminster Press, 1954), p. 154. The Christians were no less: Tacitus, *Annales*, xv. 44, "Christus, from whom the name had its origin, suffered the extreme penalty during the reign of Tiberius at the hands of one of our procurators, Pontius Pilatus, and a most mischievous superstition, thus checked for the moment, again broke out not only in Judæa, the first source of the evil, but even in Rome, where all things hideous and shameful from every part of the world find their centre and become popular." Tacitus, *Complete Works of Tacitus*, Alfred John Church, William Jackson Brodribb, Sara Bryant. edited for Perseus (New York: Random House, Inc., 1873. reprinted 1942), <http://www.perseus.tufts.edu/hopper/text?doc=urn:cts:latinLit:phi1351.phi005.perseus-eng1:15.44>.

33 See Frederick L. Coolidge, "Why People See Faces When There Are None: Pareidolia," *psychologytoday.com*, Psychology Today (Aug 09, 2016), <https://www.psychologytoday.com/us/blog/how-think-neandertal/201608/why-people-see-faces->

that it is subject to all manner of appetites or foibles, which no one would or *should* deny. With this fallen body all manner of troubles have come to fruition, e.g., gluttony, sensual pleasures, greed, etc.

Sin is a subject I am familiar with, which no one would deny knowing my background. Sin is grievous to me because of the pain and suffering it has brought to myself and others. So this remorse is the beginning of redemption.

Others saying they have not committed grievous sins may feel entitled to righteousness. This is not the correct attitude to take in this matter. Not all have sinned grievously, so the propitiation of sins carries different weights or importance to people, which is in accordance with their self-assessment.

Jesus said to Simon, a Pharisee,

“There was a certain creditor which had two debtors: the one owed five hundred pence, and the other fifty. And when they had nothing to pay, he frankly forgave them both. Tell me therefore, which of them will love him most? Simon answered and said, I suppose that he, to whom he forgave most. And he said unto him, Thou hast rightly judged.”

Luke 7:41-43. Jesus then turned to a woman who had anointed Jesus' feet, washed them with her tears, wiping them with her hair. Simon, on the other hand, did none alike.

when-there-are-none-pareidolia.

“Wherefore I say unto thee, *Her sins, which are many, are forgiven; for she loved much: but to whom little is forgiven, the same loveth little.* And he said unto her, Thy sins are forgiven.” Luke 7:47-48 (emphasis added). This sounds harsh, but it is fair. Jesus said alike in Matt. 21:28-32:³⁴

“But what think ye [the chief priests and the elders of the people]? A certain man had two sons; and he came to the first, and said, Son, go work to day in my vineyard.

“He answered and said, I will not: but afterward he repented, and went.

“And he came to the second, and said likewise. And he answered and said, I go, sir: and went not.

“Whether of them twain did the will of his father? They say unto him, The first. Jesus saith unto them, Verily I say unto you, That the publicans and the harlots go into the kingdom of God before you.

“For John came unto you in the way of righteousness, and ye believed him not: but the publicans and the harlots believed him:

³⁴ Feelings of righteousness here is misplaced righteousness, called *self-righteousness*. “And when the scribes and Pharisees saw him eat with publicans and sinners, they said unto his disciples, How is it that he eateth and drinketh with publicans and sinners? When Jesus heard it, he saith unto them, They that are whole have no need of the physician, but they that are sick: I came not to call the righteous, but sinners to repentance.” Mark 2:16-17.

and ye, when ye had seen it, repented not afterward, that ye might believe him.”

And also in Matt. 25:40, “Verily I say unto you, Inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me.”

And, lastly, Paul says,

“For ye see your calling, brethren, how that not many wise men after the flesh, not many mighty, not many noble, are called: But God hath chosen the foolish things of the world to confound the wise; and God hath chosen the weak things of the world to confound the things which are mighty; And base things of the world, and things which are despised, hath God chosen, yea, and things which are not, to bring to nought things that are: That no flesh should glory in his presence.”

1 Cor. 1:26-27.

These are prime reasons for treating others nicely, even your enemies—lest you become a malefactor despite your standing in your particular community. “Ye have heard that it hath been said, Thou shalt love thy neighbour, and hate thine enemy. But I say unto you, Love your enemies, bless them that curse you, do good to them that hate you, and pray for them which despitefully use you, and persecute you.” Matt. 5:43-44. In America, you actually have the right to hate your neighbor and that is fine with some. But if you want more because of your uneasiness of a possible

divine judgment, the other higher standard must be met.

“Then Peter opened his mouth, and said, Of a truth I perceive that God is no respecter of persons.” Acts 10:34. Social standing plays no part in the matter. Merit and faith matters. Paul said, “But without faith it is impossible to please him: for he that cometh to God must believe that he is, and that he is a rewarder of them that diligently seek him.” Heb. 11:6.

CONCLUSION

The petition for a writ of habeas corpus should be granted.



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