

OCEAN Ripple Effect Newsletter

Overcoming Corruption Encouraging All Nations

thevoicesofocean.net

[Facebook.com/endmsop](https://www.facebook.com/endmsop)

The 1st Amendment of the United States Constitution

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

Inside this issue:	Page
OCEAN HAS 3 MAJOR EVENTS COMING UP. GET INVOLVED. BE PART OF THE MOVEMENT!	2
WHY IS A MOVEMENT NECESSARY TO END MSOP?	3-5
<ul style="list-style-type: none"> ◆ What is OCEAN? ◆ Attention: We don't want <i>more</i> readers. We want the <i>right</i> readers ◆ We want your story! ◆ Thank You for Overcoming Corruption Empowering All Nations with Us! 	6
OCEAN Mission Support Us Contact Us	7

OCEAN Has 3 Major Events Coming up. Get involved. Be part of the Movement!

To have your family & friends participate in any of the following events, have them go to **thevoicesofocean.net**, or the **endmsop** Facebook page to learn more.

1st Event

Event: Exposing Minnesota's Shadow Prison: Families Speak Out

Where: Online Zoom Meeting

Date and Time: May 22, 2021 from 3:00 – 5:00 PM

2nd Event

Event: OCEAN Community Conference

Where: Capital Mall in St. Paul in front of the State Capital

Date and Time: Sunday, July 18, 2021. The first speaker will be introduced at 1:00 PM to educate the public on the terrors of preventive detention in the state of Minnesota.

3rd Event

Event: OCEAN Rally

Where: Drive/walk from Capital Mall in St. Paul to the Governor's Mansion where our supporters will demand an Executive Order from Governor Tim Walz to shutdown preventive detention in Minnesota.

Date and Time: Sunday, July 18, 2021. Drive/walk begins at 3:30 PM.

Attention!

Professor Eric Janus has agreed to be on our OCEAN Advisory Board. We are currently organizing an online education seminar where Janus will speak about the many issues pertaining to MSOP. The event is currently scheduled for June 24, 2021. The time is yet to be determined. We will keep our readers informed. Tell your friends and family to keep up with our events by going to our website at **thevoicesofocean.net**, or the **endmsop** Facebook page on a regular basis. They should also become Facebook followers so that they can stay informed. We will keep the detained men informed via the OCEAN Ripple Effect Newsletter. Spread the word of these events to others on your unit.

Why is A Movement Necessary to End MSOP?

This summer, we are demanding the shutdown of MSOP. OCEAN is organizing the first (and hopefully the last) OCEAN Community Conference and Rally to educate the public about preventive detention in Minnesota and to demand the shutdown of MSOP. It is crucial that YOU tell your friends and family to participate.

In America we value the protection granted by the Presumption of Innocence. But over 740 men and women are indefinitely detained in Minnesota's so-called, "civil commitment" system, not for crimes they have committed, but for crimes they might do in the future. The Governor of Minnesota, Tim Walz, has violated our U.S. Constitution as well as Article 5 of the European Convention on Human Rights, and the taxpayers pay over \$100 million annually to fund it. Since its creation, almost 90 people have died in this preventive detention system.

For every 1 million people that live in Minnesota, 131 of them are being held in preventive detention until they are dead. Minnesota "commits" more men and women per capita than any other state.¹ The same year that Minnesota cut its funding for sexual violence prevention programs by \$3.6 million per year, it spent \$26 million of taxpayer money to detain 235 people to preventive detention facilities,² even though preventive detention does nothing to lower crime rates.³

Taxpayers are currently paying over 800 individuals to operate a preventive detention scheme in Minnesota. The 4 highest paid individuals at these facilities are, Mustafa Kendi, Lauren Herbert, Nancy Johnston, and Jannine Hebert. Together they make over \$800,000 a year. Mustafa Kendi is the highest paid individual and makes over \$346,000 annually.

In 2012, a man named Shawn Sullivan fled from Minnesota to Britain amid criminal charges. Britain's High Court blocked Sullivan's extradition. The High Court was not protecting Sullivan from being tried and convicted. They were protecting him from what they called a "flagrant denial" of his human rights as stated in Article 5 of the European Convention on Human Rights. The Court was protecting Sullivan from, "...the risk he runs of being the subject of an order for civil commitment."⁴ Russell Hatton, who has been detained for over 15 years, has been billed over \$1.5 million by the institution. Once he is dead, the state can confiscate whatever property he owned to pay the debt, leaving nothing for his children.⁵

In 1998, the American Psychiatric Association took the position that Minnesota's application of "civil commitment" is, "...an unacceptable misuse of psychiatry."⁶

The Deputy Director of Minnesota's preventive detention scheme, James Berg, said that the "program" cannot be completed.⁷ Almost 90 men have died trying anyway.

Although civil commitment is only legal if there is a "...medical justification..."⁸ officials of the so-called, "civil commitment" system in Minnesota blatantly admit and the vast majority of the people confined are not mentally ill.⁹ Even the Clinical Director of the scheme, Jannine Hebert, confessed, "...we made a conscious decision to move away from that medical model approach..."¹⁰ This is illegal.

The people warehoused are not mentally ill and the place is not a "treatment center." It is preventive detention plain and simple and it must be abolished.

In America, we all deserve the protection granted by the Presumption of Innocence. All complicit government officials must be held accountable for their choice to indefinitely incarcerate hundreds of men and women without Due Process.

Most Americans accused of a crime are presumed innocent until proven guilty. The government has the burden of proving every element of every offense beyond a reasonable doubt before anyone is punished for an alleged crime.¹¹ However, Governor Tim Walz maintains a state government that indefinitely incarcerates men and women based on what they *might* do. This is called preventive detention

and it allows a person to be locked up, until they are dead, without first convicting them of a crime.

Millions of taxpayers have been lied to and billions of their dollars have been wasted confining hundreds of men until they are dead. This institution uses inflammatory language (Minnesota “Sex Offender” Program) to cause cognitive dissonance in the public’s collective mind. While they are preoccupied with hating “Sex Offenders,” Minnesota lawmakers and their cronies are operating a prison masquerading as a “Mental Health Facility.” This is not only a Civil Rights disaster, it is a Mental Health tragedy.

The name of the institution is intentionally misleading to the public. An “offender” is someone who has been convicted of a crime.¹² A “sex offender” is someone who has been convicted of a crime of a sexual nature. However, as judge R.A. Randall put it, “...there is no crime involved...”¹³ 12% of the population at these facilities have clean records. For those who do have criminal records, the individuals have done their time in prison and have the lowest rate of same-crime recidivism than any other category of offender.¹⁴ They are now being housed for life after they served their time in prison.

Anyone can get indefinitely detained in Minnesota without committing a crime. In Minnesota, the “clear and convincing” standard is used to “civilly commit” men and women. The tests used to determine who gets committed are “...inherently faulty... subjective and unreliable.”¹⁵ Now hundreds of men and women are being held unconstitutionally.¹⁶ A person being considered for “commitment” does not have a right to a jury trial. It is not necessary to prove that the person lacks self-control, or that they are physically violent. As little as two *allegations* of sexual harassment is enough and hearsay is admissible.¹⁷ Minnesota judges will even indefinitely detain someone based on alleged conduct displayed as a child. For example, September 2020 marked Dan Larsen’s 43rd year incarcerated. He was 15 years old when the Governor locked him up. Larsen has no criminal record. He remains confined today. There are so many others like him that must be released and returned to their families.

Sensationalized media coverage of a tragic but incredibly rare case in 1994 motivated the laws of preventive detention in Minnesota. Overwhelmed by moral panic, it took only 93 minutes for lawmakers to pass a law that completely ignores our U.S. Constitution. Similar systems previously existed in this country. Thousands of Japanese-Americans were incarcerated after the attack on Pearl Harbor. Americans were even warned by the Highest Court when Justice Antonin Scalia said, “You are kidding yourself if you think the same thing will not happen again...”¹⁸ Justice Scalia’s prediction has become a reality in the state of Minnesota. The result is a state empowered to imprison citizens prospectively for what they *might* do in the future.

In addition to the forgoing, the system is a massive waste of taxpayer money. The men and women detained are billed for their indeterminate confinement and the taxpayers pay the bill. At \$143,445 a year, housing one person in preventive detention costs taxpayers three times the cost of a prison inmate.¹⁹ There is currently 743 men and women detained in Minnesota. This amounts to more than \$106 million a year that taxpayers are responsible for.

The current conditions are ripe for mass incarceration. If you allow a *de facto* Constitution free zone for others, the same exceptional approach can be applied to anyone.

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FOOTNOTES

1. James R. Nobles, Evaluation Report, Civil Commitment of Sex Offenders, Mar. 2011, (651) 296-4708, p. 7
2. Tamara Rice Lave, "Do Sexually Violent Predator Laws Violate Double Jeopardy or Substantive Due Process? An Empirical Inquiry," University of Miami School of Law, 2013, p. 36. n. 96.
3. Daniel Montaldi, "A Study of the Efficacy of the Sexually Violent Predator Act in Florida," William Mitchell Law Review, (2015) Vol. 43:1 p. p.74.
4. Sullivan v. Government of the United States, High Court of Justice Queen's Bench Division, EWNC 1680 (2012).
5. Minn. Stat. § 246B.09 Claim Against Estate of Deceased Civilly Committed Sex Offender.
6. American Psychiatric Association, Dangerous Sex Offenders: A Task Force Report of the American Psychiatric Association (1994) p. 174.
7. Karsjens v Jesson, 0:11-cv-03659-DWF-JJK T.T., Vol. XX p.4633 v.3-8
8. Foucha v Louisiana (1992) p. 83 Justice O'Connor concurring
9. Variance Request Application for Rule 9515.3030, Subp. 2.
10. Karsjens v Jesson, Case No. 11-CV-3659 (DWF/JJK), March 4, 2015, pp. 4001, 4002, 3882 – 3884
11. *United States v. Hills*, 75 M.J. 350, 2016 CAAF LEXIS 512 (C.A.A.F. June 27, 2016)
12. An "offender" is "[a] person who has committed a crime." *Black's Law Dictionary* 1110 (9th ed. 2009). The state deems a person to have committed a crime upon conviction. Under Minnesota law, "conviction" occurs when the court accepts and records a guilty plea. See Minn. Stat. 609.02, subd. 5(1) (2008) D
13. Concurring opinion of R. A. RANDALL , In the Matter of: Gary Alan Mattson, 1995 Minn., C5-95-452, June 20, 1995
14. BJS fuels myths about sex offense recidivism, contradicting its own new data" Prison Policy Initiative, by Wendy Sawyer, June 6, 2019
15. Melisa Hamilton, "Adjudicating Sex Crimes as Mental Disease" *33 Pace L. Rev.* 536, (Spring Is. 2013) p. 63
16. *Brief of Law Professors as Amici Curiae in Support of Petition for Writ of Certiorari* pp. 12, 13
17. James R. Nobles, *Evaluation Report, Civil Commitment of Sex Offenders*, Mar. 2011, (651) 296-4708 p. 24-26
18. "Can it Happen Here?" By Cass R. Sunstein, HarperCollins Publishers, © 2018, p 321
19. "This Judge Believes Even Sex Offenders Have Rights," Rosario, Ruben. *Pioneer Press*, Ruben Rosario can be reached at 651-228-5454 or rrosario@pioneerpress.com follow him at twitter .com/nycrian

What is OCEAN?

OCEAN is an acronym for, “Overcoming Corruption Empowering All Nations.” OCEAN is not an “organization”. Corruption exists in and around all of us. Overcoming that corruption by exposing it, and then replacing it with something better, empowers all people – despite race, culture, creed or gender – to also overcome corruption. This is OCEAN. If we are forced to call OCEAN anything, we will call it a **MOVEMENT** and the qualification for “membership” is this: you either are or you are not, Overcoming Corruption Empowering All Nations.

Attention

We don't want *more* readers. We want the *right* readers.

Please understand, the OCEAN reading materials are NOT meant to be “positive.” They are not easy reading materials for your “pleasure.” In fact, they are meant to stir your heart and mind to motivate you to fight corruption in your own life, especially if you or someone you love is being held hostage in a so-called, “civil commitment” center. If you do not want to receive the OCEAN Ripple Effect Newsletter, please let us know and we will take you off of our mailing list.

We want your story!

It takes many drops to make the OCEAN. That means YOU MATTER. Send us your story about how you or someone you know has been affected by the civil commitment madness where you are. We are also interested in poetry, art and stories from your family about how knowing a civil detainee has affected you. Please adhere the following rules for submission:

1. Let us know what facility you, or your loved one is in.
2. State, in writing, that you give OCEAN permission to publish your story.
3. Let us know if you, or others in your story, would like to remain anonymous. If you do not clarify this, we will NOT use real names. Many of our publications are posted onto the internet at **thevoicesofocean.net**. If this is a concern for you, you may want to remain anonymous.

It is important that your story is heard. If you are not comfortable telling your story for any reason, please write to us and we'll address your concerns. OCEAN materials are written by men who are also civilly detained in preventive detention. We understand.

Thank You!

OCEAN co-founders Daniel A. Wilson and Russell J. Hatton would like to thank first and foremost, God for blessing us with fighting spirits! To live by the Platinum Rule, to treat others how they want to be treated. We would like to thank our OCEAN Coalition members and supporters. Additionally, we would like to thank all of our contributors, including but not limited to the mental, emotional, spiritual and financial support we have received. Like Tupac Amar Shakur said, “You are appreciated.” Thank You Hejny Rental, Event Sound and Lighting, Capital Complex Reservation, the City of St. Paul, Jeremy and Theresa with TY Video Productions, David at IWOC, Eliseo P., Duncan B., Sara B., Ruby B., Father Harry, Merry S., Tiffany M., Bill D., Jen M., Lucas D., Eldon D., Janet M., Ben O., Mark W., Smitty, Jim K., Russell N., Matthew F., Ashten N., Chris I., Terry B., Guy G., James C., Brandon B., Brad S., Dale W., John C., Patrick O., Ray I., Tony G., Josh B., Dan P., Jacob F., Mike W., Larry C., Terrance P., Josh M., Leo F., Michelle M, Pete L., Pete A., Mike B, Vicky H., Derek L., and all the others we have not mentioned here. We could not do this without you!

OCEAN Mission

Alongside likeminded groups and free world activists, OCEAN is abolishing preventive detention from the front lines of the most egregious preventive detention facility in America. To replace the current system, OCEAN is allocating funds and resources toward effective, evidence based, solutions to address mental illness and crime in Minnesota. As we accomplish these goals locally, OCEAN will gradually focus on accomplishing them nationally.

Support Us

To support OCEAN, you can donate online at thevoicesofocean.net or send a check or money order to Positive Attitude Development, a non-profit organization in Duluth Minnesota. Write "OCEAN" in the Memo section of the check so that 100% of your contribution goes to our cause. Mail your contribution to:

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