

NEW-HARMONY, (IND.) June 2022



**NEW HARMONY GAZETTE
- PROSECUTOR THOMAS
CLOWERS DISCUSSION!**

By: Dan Barton

June 2022

The words, 'A Concerted Effort...' kept banging around in my head the night of Friday, May 6th, after receiving what amounted to, what seemed like a non-answer from Prosecutor Thomas Clowers on an important and reasonable question that I repeatedly presented to him about the Delbert McKinney Child Molestation sentencing. It seemed like Clowers was truly making a 'Concerted Effort' to avoid directly answering the questions posed to him about this case.

It started because I was especially concerned about why Clowers dropped the Repeat Sexual Offender Enhancement in the sentencing phase of the McKinney case. The Enhancement could have added up to ten (10) years in McKinney's sentence. Sleep, for me, was hard in coming that night!

On May 5th, at 12:51 P.M. I had emailed Clowers the following questions: "Why did you throw

out the Repeat Sexual Offender Enhancement? McKinney will serve just under four years for his second (Child) Molestation (out in March 2024) if he does the max time you agreed to; does that seem like a fair sentence to you?"

Clowers' Answer: "There is no prison time that is enough in cases like this that involve sex crimes against children. After much discussion with the young survivor and her family, and in accordance with their wishes, we did reach a plea agreement in Mr. McKinney's case. The agreement spared the victim from facing her perpetrator in court and being forced to re-experience a traumatic moment in her life. As prosecutor, I certainly wanted to consider the wishes and overall well-being of the child victim and her family."

The Prosecutor's answer bothered me. So, I re-emailed Clowers with a follow-up:

"Are you saying in your answer that you specifically advised the victim and her parents that the child victim of McKinney's Molestation would unequivocally have to face her perpetrator in court?"

"Were they further advised that the young child would have the option of giving her testimony on CCTV (CLOSED CIRCUIT TV) or was this advice left out of your discussion with them?"

"If you did not make it clear to them that this CCTV option has been used in past cases, why did you leave it out?"

Clowers came back to me the

following afternoon with this brief answer:

"Mr. Barton: I sat down with the victim and her family multiple times and we discussed all available options to trial. Have a great weekend. Thanks Thomas"

Still, I felt that Prosecutor Clowers was not fully responding to the essence of the question.

It was a very simple question, "Were they (Parents and Child Victim) further advised that the young child would have the option of giving her testimony on CCTV, or was that left out of the discussion?" A Yes or No answer would have sufficed, or an elaboration on any restrictions on CCTV testimony in an open court trial or hearing.

So, I once again sent Mr. Clowers another question, as follows:

"Thanks for your response, Mr. Clowers. Was one of those options that the child could possibly be video taped and her testimony presented in court via CCTV?"

No answer that Friday afternoon; or ever! If Clowers can't answer the specifics of a reasonable question, then he cuts himself off from the Press and the Public. Silence!

Why does this simple question seem so hard for Prosecutor Thomas Clowers to answer?

If he did not advise them of a CCTV option, then did he do a disservice to the victim; to her parents; and the public and the community at large? This is a serious question and should have gotten a more serious answer from Clowers. For, If future child

victims, and there will be future victims in Posey County, are not aware of whether or not they may not have to testify in court in front of their monster molester, or might be able to do so on CCTV, then it means that all future victims are doomed to accept low sentence, plea bargain arrangements, such as what Delbert McKinney got from Prosecutor Thomas Clowers.

There is precedent regarding Child Testimony via CCTV when it comes to face to face testimony. That was established in McKinney's 'first and previous Child Molestation trial' back in 2016. As far as whether a similar option would exist for this court trial testimony was not clearly revealed in Prosecutor Thomas Clowers' answers to the Gazette's emails. The Pre-Trial CCTV option was allowed in McKinney's prior adjudication by The Indiana Court of Appeals, as follows:

On February 8, 2016, Former Prosecutor Travis Clowers (Thomas' brother) charged the Defendant, Delbert McKinney, in his first arrest for Child Molestation, with Class A felony child molestation, Class C felony child molestation, Level 1 felony child molestation, and Level 4 felony child molestation.

On September 6, 2016, Former Prosecutor Travis Clowers filed a motion with the Judge Redwine Circuit Court that the child victim's 'deposition testimony' should occur in the absence of the Defendant, McKinney; and a further motion to allow the victim to testify instead of in front of the molester, but by closed circuit television (CCTV).

The Trial Court Judge at that time, James Redwine, held a hearing on these motions on September 19, 2016. Former Prosecutor Travis Clowers, presented testimony from a board

certified psychiatrist who was the head of the children's psychiatric facility where the Child Victim had been living for the past 6 months and from a psychiatric social worker employed by the facility who was working with the Child Victim regarding the harm that the Child Victim would suffer if required to testify in the Defendant McKinney's presence, as well as the likelihood that she would be unable to communicate in that setting.

It was revealed in the Appellate Hearing that the Child Victim had been molested for about two years - from January 1, 2014 to December 31, 2015 - from about Five and a half years of age.

At the end of the above hearing, Judge James Redwine denied both of Prosecutor Travis Clowers' motions, (1) for the child to testify via CCTV and (2) in the absence of Child Molester McKinney, with only the proviso that the Defendant, McKinney, should sit at the opposite end of a ten foot table from the Child Victim during her deposition 'testimony' and that there should be an officer present sitting with the Defendant McKinney to ensure he makes no untoward actions or statements.

The then Prosecutor Travis Clowers filed a motion to appeal Redwine's order with the Appellate Court in order to challenge and deny Redwine's insistence that the child testify in front of McKinney in a closed room separated by a ten foot table.

In summary, at the end of this Appellate Court Appeal by Prosecutor Travis Clowers, here is what the Court of Appeals of Indiana decided in the 2016 case:

"...We Conclude that the trial court (Former Judge James Redwine) abused its discretion in denying the State's (Former Prosecutor

Travis Clowers) motion to exclude McKinney from (The Child Victim's) deposition (testimony). In addition, under the facts and circumstances of the case, we hold that the trial court (Redwine) abused its discretion in denying the State's (Travis Clowers) request for (The Child Victim) to testify via Closed Circuit Television (CCTV).

Reversed and Remanded - Court of Appeals of Indiana"

It seems clear to me, from the above Court of Appeals decision on the first Delbert McKinney Child Molestation Case, that there must have been some grounds to challenge the current thinking about child testimony in this Posey County Circuit Court. There is some precedent here in regard to pre-trial deposition testimony, and Indiana Statutes give guidance for CCTV use on protected defendants in court trial, such as in this case. But Clowers did not take up that challenge!

Prosecutor, Thomas Clowers did not elaborate for the Gazette or for the Public his reason for not making such a challenge.

In my estimation, these questions have clearly not been answered by Posey County Prosecutor Thomas Clowers! Why not? There is so much at stake for future child victims who will be caught in similar Posey County Courtroom dilemmas!

I'm waiting for Prosecutor Thomas Clowers to give an answer to these questions?



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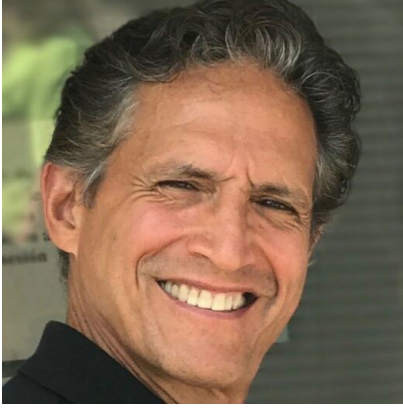
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AGAINST MODERN - DAY PHARAOHS

By: Richard Moss, M.D.
June 2022

At Passover Jews celebrate their release from the harmful edicts of Pharaoh. Today's Pharaohs are the ruling elites who impose misguided decrees upon the rest of us.

With spring on its way and the world apparently moving on from COVID, I was looking forward to attending Passover Seder at the temple my family and I have attended for some 30 years. We have been less involved as the children have gotten older, but I wanted to reunite with old friends and celebrate our Festival of Freedom together.

Before committing, however, I inquired whether the temple required masks. Happily, it did not. Alas, there was another catch: all Seder attendees needed proof of vaccination, meaning that the celebration was off-limits for my family.

Passover is one of the central holidays of the Jewish calendar. At Passover we celebrate the Exodus, the event in which our greatest prophet, Moses, was called by God to deliver His people, the children of Israel, from Egyptian bondage

after 400 years of slavery. We recall the 10 plagues God imposed on Egypt in order to force its ruler, Pharaoh, to let the Israelites go. Yet in the midst of our celebrating release from the harmful edicts of Pharaoh, the temple was imposing its own misguided decrees upon those who wanted to celebrate the holiday with fellow Jews. They were simply joining with our modern-day Pharaohs, the ruling elites.

Today's Pharaohs shut down our economy, destroyed businesses and jobs, locked our children out of school, and forced us to social distance, quarantine, test, and mask. They censored and canceled those who disagreed; they stole our medical freedom and suppressed therapeutics that could have saved lives. And as my experience with the temple demonstrates, they have also pressured us to take a risky vaccine against our will.

Much has been written about the vaccines, their experimental nature, their emergency use authorization, and their questionable efficacy, especially as the virus continues to mutate. The adverse events associated with the vaccine—including serious life-threatening conditions and even death—concern many of us. Since the vaccine was released in December of 2020, the Vaccine Adverse Event Reporting System (VAERS) credits, as of April 1, nearly 27,000 deaths, more than 217,000 serious injuries, and some 1.2 million adverse events as a result of the vaccines. Even with these disastrous outcomes, we are still accounting for only a fraction of vaccine-related injuries, because of underreporting.

Despite these vaccinations and their subsequent boosters, many are still infected by the virus, spread it, require hospitalization and ICU admission, and die of COVID. International numbers paint a particularly dismal picture. In the U.K., 77 percent of COVID deaths in those over 70 are triple-vaccinated, while 80 percent of severe cases in Israel are among the fully vaccinated.

By contrast, the continent of Africa has a low vaccination rate (11 percent) but far lower rates of COVID deaths than the U.S. and other advanced nations, all of which are heavily vaccinated. Nigeria, for example, has vaccinated roughly 8 percent of its 200 million population. It has a COVID death rate of 15 per million, while the U.S. has a death rate of more than 3,000 per million, one of the worst in the world.

Then there is the matter of natural immunity, which is far more durable and robust than the weak, transient immunity obtained from the vaccines. More than 40 percent of Americans—including my family—have already had the virus. Given this information, one wonders why the temple would require previously infected individuals to have the vaccine before attending.

Another important point to consider is that the vaccine is still experimental, rushed through the approval process in the midst of a pandemic and without the benefit of long-term studies. It generally takes four to six years to bring a vaccine to market. What safeguards were bypassed in the rush to produce a vaccine for COVID? Early release of the data from clinical trials by

FDA (initially to be hidden for 75 years until reversed by a court order) showed that there were more than 1,200 deaths in the first 90 days of the Pfizer vaccine rollout, among other significant issues. That alone should have prevented the vaccine from ever being released to the public.

We know that the original COVID viral strain likely emerged from the Wuhan Institute of Virology in China—with funding from our own National Institutes of Health—and that it has mutated multiple times. The current COVID strain is several generations removed from the original, making the vaccines outdated and ineffective against Omicron. Indeed, they may even have negative efficacy.

But even if the ineffectiveness and harm of the vaccines wasn't an issue, there is still the critical matter of medical freedom, bodily autonomy, and the right of individuals to choose which medicine or treatment they wish to take. This is particularly important under the circumstances of an experimental vaccine. Does not the temple agree that individuals, made in the image of God and blessed with powers of reason, should have ultimate

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authority over which medicines or gene therapies they introduce into their bodies? One would think that, given our knowledge of the medical experimentation carried out on fellow Jews in Nazi death camps by Josef Mengele, it would be considered immoral to mandate any medicine, vaccine, or gene therapy as a condition for attending a religious service.

I asked my temple what Moses would say to the Pharaohs of today. How would Moses respond to those that mandated a vaccine as a condition for attending a Seder?

I think he would say, "Let my people go," as he said to the Pharaoh. "Let my people go to our Festival of Freedom, our feast of unleavened bread, to celebrate our redemption, our liberation from slavery and tyrants, free of mandates, lockdowns, closures, and wicked decrees." Let my people go were the words of Moses and have been the words of the Jewish people since.

We should embrace those words.

GAZETTE RECIPE JUNE 2022

By: Denise Rapp

Crazy Good Beef & Broccoli

(serves 4)

This easy beef and broccoli dish is perfect for those "I'm too tired to cook nights." Just a few simple steps and your on your way.

(serves 4)

Ingredients

1 lb flank steak
3 c. Broccoli florets
1/2 c. Beef stock

3 cloves of crushed garlic
2 tbs. Corn starch
1 tbs canola oil
Optional: Cook some white rice on the side

For the sauce:

1/2 c. Low sodium soy sauce
1/4 c. brown Sugar
2 tsp. corn starch

Directions:

Slice beef into 1/4" thick strips
Heat canola oil in skillet over medium heat for a few minutes
Toss beef in corn starch and cook until brown, set aside
Add broccoli and garlic to skillet.
Add beef broth. Simmer until broccoli is tender
While waiting, mix together soy sauce, brown sugar & corn starch
Now add the sauce & beef to the skillet and cook for 5 minutes.

Enjoy!

