

“IF WE CANNOT RECONCILE ALL OPINIONS, LET US ENDEAVOR TO UNITE ALL HEARTS.”

NEW-HARMONY, (IND.) July 2022

BACK TO MAY 2021 - THE 16 PERSON 2021 DRUG SWEEP - PROGRESS REPORT !

**By: Dan Barton
July 2022**

“We have to face the following truths about juries: They are sometimes inefficient, expensive and inconvenient, wrong and yes, even sometimes unfair and biased.” Judge James Redwine - The New Harmony Times, June 19,1990

“Waiting on twelve average, everyday people to make sense of all this. It’s a crazy system, isn’t it? Yes it is. But it usually works. Juries are right ninety percent of the time.” John Grisham, attorney and author of ‘A Time to Kill’, 1989

It’s been well over one year now since all of the News Outlets in Southwestern Indiana announced the 2021 Drug Sweep by Law Enforcement’s Joint Task Force. Good job, officers!

At the time, Posey County Sheriff Tom Latham stated, in part, “ Today, this operation was a success. The results of the operations are successful when no one is succumbed to injury, alleged suspects or officers... the actions today (May 11, 2021) will open the eyes of the dealers and let them know we’re working diligently to stop what plagues our communities.”

Posey County Prosecutor Thomas Clowers had said, “The work is not done. Our criminal justice system must hold drug dealers accountable for their actions, and my office will aggressively prosecute those responsible for contributing to addiction and the destruction of lives and family.”

Judge for yourselves, citizens! Are they getting the message?

The Posey County Circuit Court has been punting these cases down the road of Blind Justice ever since the 2021 arrests. So far seven of those who were arrested have received substantial sentences for their crime of participating in the sale, distribution and use of the deadly and

illegal drug, Meth. Only one, Stephanie Seabeck, had a Jury Trial and received the largest sentence among the 16 arrested, 20 years; a jury of her peers finding her guilty as charged.

The following individuals have received sentences of eight years or more from Judge Craig Goedde:

Stephanie Seabeck - 20 years - Jury Trial Conviction

Miranda Richards - 12 years - Plea Bargain Agreement

Halley Bates - 10 years - Plea Bargain Agreement

Shane Wright - 10 years - Plea Bargain Agreement

Keith Debose - 10 years - Plea Bargain Agreement

Wesley Barnes - 8 years - Plea Bargain Agreement

Julie Kuberski - 8 years - Plea Bargain Agreement

The others involved in the illegal drug trade arrests who received lighter sentences were:

Cynthia Fleenor - 4 years, 180 days - Plea Bargain Agreement

Roy Debose - 1 year, 180 days - Plea Bargain Agreement

Still lighter sentences were handed out to the following illegal drug trade participants:

Linda Michele Schmidt- 1 year probation - Plea Bargain

John (Johnathan) Fleenor- 1 year probation - Plea Bargain

Others, who have yet to be sentenced, or even brought to justice are:

Jeffrey Bates - Escaped and never rearrested

Zachary Addison - Reportedly, this case was taken over by Feds and there is no record of his adjudication or his whereabouts.

Several other arrestees have cases that are still not finalized and remain sequestered in the Posey County Jail, at County Taxpayer expense, after 14 months:

**Antjuan Rollins - Still Pending
Brandon Robinson - Still Pending
Timothy Whitfield - Still Pending**

In April 2022, The Joint Drug Task Force announced the arrest of another new group of 14 illegal drug operatives.

It seems clear that there is a marked distinction in sentencing between those who Plea Bargain and those who insist on a Jury Trial. Not that anyone should cry over some drug dealer getting 20 years for ruining and taking the lives of their fellow citizens so that they can attempt to enrich themselves at some other citizen’s tragedy, no.

But, at the same time, many of those who have openly admitted in court that they too were involved in the use, distribution and sale of illegal drugs get sentences that are sometimes half or less than half of what those other felons get for insisting on being judged by a jury of their peers and no plea bargain. It only underlines a practice in the courts that seems to overly reward those admitted plea bargain felons for their “go along to get along” confessions.

I was told by someone close to the court system that these lawyers, judges, prosecutors and publicly paid defense attorneys work from a sort of blueprint

which makes this type of extra-constitutional plea-type adjudication process possible; defeating the jury process that our nation's founders established so long ago; and which worked before the 'enlightened lawyers' scrapped it for the easy road to justice. Longer sentences seems like it should be in order for the admitted drug dealers, also. That will give them more time to work on their "recovery" from dealing death.

Juries do work, and are more likely just as efficient, convenient and cost effective as the three man tribunal system now in place. Better to place these dangerous felons among their peers in prison for 20 years than to have them continually run through the court system every few years, at possibly greater cost.

**SHERIFF TOM LATHAM
DISCUSSION ON REPORTING SEX
OFFENDERS!**

*By: Dan Barton
July 2022*

"There's something rotten in the state of Denmark!" - Shakespeare's Hamlet

Following the email discussions with both Judge Craig Goedde and Posey County Prosecutor Thomas Clowers on the subject of child sex offenders, the Gazette turned its attention to Sheriff Tom Latham on the same subject, at the urging of Prosecutor Clowers. What follows is that exchange of views by email:

April 12, 2022 - To: Posey County Sheriff Tom Latham, From: Dan Barton, The New Harmony Gazette -

As you were inadvertently made aware, I have submitted a list of questions to County Prosecutor Thomas Clowers regarding the sentencing of two time (admitted) child molester Delbert McKinney. The first time McKinney was sentenced by Judge Jim Redwine, McKinney did a year in prison for molesting an eight year old girl for two years. That means he began the misdeeds when she was six. She is probably still under treatment for Post Traumatic Stress Disorder and may well be the rest of her life.

The second time McKinney molested a little girl, shortly after his release

from prison, he was arrested and kept incarcerated in your jail for a year and a half. He ended up being sentenced to five years by Goedde/Tornatta. This is a fallacy however, and a second crime, in my opinion, against this young child; for McKinney will serve in total a little more than three and a half years in jail. Out by sometime in March 2024, by the latest.

I asked Prosecutor Clowers four questions, he partly answered all four. But, the fourth question he advised me was for you to answer, since, as he states, "The Sheriff's Office handles sex offender registration and ensuring that sex offenders comply with Indiana law, including restrictions on where they live."

So, I pose the question to you, Sheriff Latham: McKinney lives next door to a house with children here in New Harmony. There are children across the street from him. There are children at the church pastor's home a half a block away from him. How is this being allowed?

Here is Sheriff Tom Latham's detailed response:

To: Dan Barton, From: Tom Latham - April 12, 2022 at 5:26 PM

Dan - Thanks for reaching out! I'm providing the Indiana Criminal Code, 35-42-4-12, so there's no miscommunication.

A person is an offender against children by operation of law if the person meets the conditions described in subdivision (1) or (2) at any time. (b) As used in this section, "reside" means to spend more than three (3) nights in:

(1) a residence; or, (2) if the person does not reside in a residence, a particular location; in a thirty (30) day period. (c) An offender against children who knowingly or intentionally: (1) resides within one thousand feet of: (A) school property, not including property of an institution providing post-secondary education; (B) a youth program center; (C) a public park; or (D) a day care center licensed under IC 12-17.2;

(2) establishes a residence within one (1) mile of the residence of the victim of the offender's sex offense; or

(3) resides in a residence where a child care provider (as defined by IC 31-33-26-1) provides child care services; The violation of this law is a Level 6 felony.

(Level 6 is the lowest level of felony provided under the Indiana Criminal

Code. DB - Publisher's note)

"McKinney is classified as an offender against children. Because he's not classified as a 'Serious Sex Offender' some of the statute does not apply to him. His violations would arise if he were inviting children under the age of 16 into his home or he would intentionally present himself in an area which is known to inhabit or maintain the presence of children. Unfortunately when children are subsequently around his residence area, without his intention, there's not a violation.

When I was in charge of registering sex offenders within Posey County from 2008-2011, I ran into issues where the violator had already established residency, which would be a violation if moved to post conviction, prior to the criminal act, and it was unenforceable. I hope this makes sense. Please let me know if you have any more questions. Have a great evening, Sheriff Tom Latham."

Well, it didn't make sense, so I re-emailed Sheriff Latham the following:

To: Tom Latham, From: Dan Barton - Some of what you say makes sense, in regard to the law herein stated, but your statement, "Because he's not classified as a 'Serious Sex Offender' then some of the statute does not apply to him"; does not make sense.

The Sentencing Order signed on March 30, 2022, says, "Pursuant to Indiana Code 35-38-1-7.5 (b) (2) the Defendant shall register as a Sexually Violent Predator." So, he is not just a simple offender as you make out, but, according to Judge Tornatta, he is a Sexually Violent Predator. Our community needs the support of law enforcement in order to protect the children who live here. I hope you're are on board with that!

To: Dan Barton, From: Tom Latham - My apologies. I thought you were referring to his prior status, not his new status, as to how the new criminal act had taken place. Yes with his new status, he must comply to the statute in it's entirety. As for being on board, absolutely I'm on board. That's why I do what I do and have dedicated the last 25 years of my life to do it.

To: Tom Latham, From Dan Barton - His prior status? No! We've been talking about his current status! As defined by

Senior Judge Robert Tornatta on March 30, 2022. Are we agreed that your office now considers Delbert McKinney a “Violent Sexual Predator?”

Are you saying that McKinney should not be living next door to a house and family with children; across the street from a house and a family with children; or a half a block away from a church with children attending a day care program? Sincerely, Dan Barton

To: Dan Barton, From: Tom Latham - Dan - What I’m stating is we must comply with the courts ruling as how a sex offender is titled. The Sheriff’s Office’s job is to insure the offender doesn’t violate the law prescribed under Indiana Statute. Parole or Probation has jurisdiction over the said violator until the said violator is completed with parole or probation. Obviously, if there’s a violation we would absolutely step in to take action. As the Sheriff, do I want sex offenders anywhere around children at any time? Absolutely not, statistically most are likely to reoffend. However, I’m limited with enforcement action if there’s not a violation of the law. ANY crime against children, and anyone for that matter, but helpless children is a disgusting and inexcusable act. It is both my personal and professional feeling, anyone who violates a child in any way should be held accountable and receive the highest penalty allowed by law. Sheriff Tom Latham

Final Communique To: Tom Latham, From: Dan Barton - I’m trying to make this as easy as I can, but your answers seem to be skirting my questions. I’m sure that you and I agree on how we feel about child sex offenders, but only your office, according to Prosecutor Clowers, has the authority to enforce the law that keeps sex predators from living next door to children.

Once again, If McKinney returns to his home within reach of children in our community, should we call you, and will you remove him from the location and charge him with a crime or should I now email the head of probation and see if she will get on board?

This is not an issue that I am willing to leave up in the air. Let me know what those in our community need to do if McKinney, or any other violent

sex offender, moves to a location where children are close by and that the law prohibits. Dan Barton

No Answer!

In the Indiana Criminal Code that Sheriff Latham sent to The New Harmony Gazette there was no distinction between what the code described as an “Offender against Children” and what Sheriff Latham calls a “Serious Sex Offender” ; so there’s no way that a citizen, parent, or neighbor would know if a registered sex offender was one or the other, nor would they know if the sex offender was an offender of children or adults. That’s just a couple of the problems here.

The other problem is that in Prosecutor Thomas Clowers’ statement to the Gazette, Clowers clearly states that, “The Sheriff’s Office handles Sex Offender registration and ensuring that sex offenders comply with Indiana law, including restrictions on where they live.”

But, Sheriff Latham doesn’t seem to be clear, or at least is not making it clear on what a citizen is supposed to do when a listed sex offender is found living within the vicinity of their home and children. He does not answer the direct question regarding what a citizen is supposed to do if they discover a sex offender living close to where children are present.

Latham, seemingly contrary to instructions from Prosecutor Clowers said, “Parole or probation has jurisdiction over said violator until the said violator is completed with parole or probation.” So, who gets notified?

Latham says that he’s ‘limited with enforcement action if there’s no violation of the law,’ even though my email to him made it clear that it was a violation of the law we were talking about.

As it stands, though, Latham’s answers were certainly less than clear, it seems to me that the best course a citizen could take if they discover that a listed sex offender is living within the vicinity of their home and children is to contact the Posey County Sheriff or 911 and let the chips fall where they may. This would comply with Posey County Prosecutor Clowers’ directions and even, somewhat, within the bounds of what Sheriff Latham has said. Someone will have to take

responsibility and there will be a record kept of the call by the county!

THE PARENTAL QUANDARY OF LETTING GO

By: *Richard Moss, M.D.*

She was my firstborn, the privileged one who received the slavish affections of a delirious father instantly smitten by the new, fragile, squirming, little creature. Her birth unleashed a whole new range of emotions and sensations: drooling euphoria, unhinged rapture, besotted reverence, incoherent adulation. There were the feedings and diaper changes and other more tedious repetitions, yet still I rushed each morning to her cradle so I could witness the inevitable warmth of her smile.

I tracked and promoted her career through childhood and adolescence. We slogged through “Hooked on Phonics” and Suzuki music lessons. I helped her with spelling bees, dioramas, book reports, and science projects. She joined the marching band, and I followed her to the recitals and competitions throughout the state, cheering and applauding her every effort.

It was around the time of her 18th birthday that I began to experience great disquiet. I realized that each school year event would not be revisited, that she would not return to lead the band or perform at football games or play in the orchestra or symphony; and so each such closing activity was endowed with poignancy, finality, and newfound urgency.

It is a routine and predictable enough event in a parent’s life, this letting go of the children we’ve raised. It brings a whole host of emotions, many of them marked by sorrow and foreboding, lamentation and weeping. Yet a parent must ultimately do this; parenting, after all, is preparing our children for their own lives. They do not belong to us. We merely have the burden— and pleasure — of raising them. Yet how we raise them plays a great role not only in our own lives, but in the lives of the entire nation.

The sadness I felt at letting go of my daughter was largely because I

could glimpse the schism that was fast approaching the boisterous and happy family unit I had carefully assembled and tended through the years with house, kids, and pet canary. And it is this happy family unit that has always been the focus of those who occupy the commanding heights of our institutions — the Marxist elites.

These elites have sought to undermine the nuclear family, to destroy the institution of marriage, to render it merely one of any number of lifestyle options and preferences, rather than to elevate and privilege it as our most critical institution.

They have assaulted the bond between parents and children. They have injected their anti-family ideology into the bloodstream of the country through our schools and colleges and government programs that encourage dependency and dysfunctional behavior. They targeted church and religion as well, directing their contempt first and foremost at Christianity, thus weakening the sinews of our moral system and the nuclear family itself.

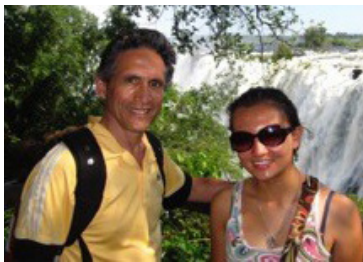
Marxists hold that your children do not belong to you; rather, they belong to the state. These elites seek control early on — in gestation, in pre-K, elementary school, and beyond — their grip on our children ever tighter and manipulative, culminating in an all-consuming dominance through our higher institutions.

The only way to combat the force of this Marxist onslaught is the autonomous, married, nuclear family that faithfully cultivates the parent-child bond. We must guard our children and instill in

them the values of our civilization and faith. We must shield them from the corruption of the regime, and the radical vanguard that commands our schools and universities. Through this parent-child bond and the elements which support and cultivate it — the church and temple, our local communities — we can preserve the West and shield our children from the moral chaos surrounding us.

When the time came for my daughter to leave for college, I took the day off to drive her to her dorm. Before hitting the road, I told her how proud she had made me. I recited a prayer and blessed her. When we arrived, I helped her to unload her luggage and then bade her farewell.

Will she stand strong against the Marxist onslaught? Only time will tell, but I think she has a strong chance, for she has been raised in that pesky institution that the Marxists hate with a passion: the nuclear, two-parent family. It is our obligation to ensure that more of today's children have a solid foundation from which to begin their adult lives.



Richard Moss, M.D. and daughter

GAZETTE RECIPE JULY 2022

By: Denise Rapp

Buttermilk Cornbread

Serves 9

A friend of mine brought this cornbread to a pot luck dinner once and I pretty much ate the whole batch by myself. I begged her for the recipe. "Oh sure, it's just something I grabbed off line."

Works for me. It's the best! I hope you enjoy it.

Ingredients:

1/2 c. butter (melted)
2/3 c. white sugar

2 eggs
1c. buttermilk
1/2 tsp baking soda
1 c. yellow corn meal
1c. all purpose flour
1/2 tsp. salt

Directions

Preheat oven to 375
In medium mixing bowl, blend eggs and sugar
Add melted butter & buttermilk, blend well
Add baking soda, salt, flour and cornmeal
Grease an 8" square pan
Bake for 30-40 minutes or until toothpick comes out clean
Enjoy



Denise Rapp

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