

A Sermon on Contemplating Activism

Sermon by Rev. Minister Angela Smith of COPE for January 31st, 2021 (and beyond)

This is a meditative and/or contemplative sermon primarily for activists or to assist those who may wish to reason with an activist but not know where to start in terms of asking the right questions. As many of you know I've been an activist for decades, primarily working to stop human trafficking, fraud, and institutionalized abuse. (I earned a 3.8 AKA 93% or an "A" grade in US Government in college.) That's the purpose of the HEAL Mission (mission of COPE).

Questions to Contemplate or Ask An Activist:

Do you know what you want and the actual limitations on your own authority over others?

Do you know your role in oversight of others is to report violations of the law to the proper law enforcement body/agency and/or sue if a direct victim who has been personally injured?

Do you know how to estimate or calculate actual damages for a personal injury suit by checking case law on similar cases (precedents)?*

Do you understand the concept of equality in the eyes of the law and the 4th Amendment which requires probable cause before you or any other emancipated citizen (corporate or not) and/or your or their property can be searched, seized, or penalized?

Do you understand your role in government oversight is to report violations of laws and regulations to the proper enforcement body within the statute of limitations to report said violations?

Do you understand that congress is not a law enforcement body but rather a law-making body?

Do you understand new regulations for any industry apply only to businesses in that industry formed after the new regulations were passed by both houses of congress and signed by the executive branch (governor or president)?

Do you know Ex Post Facto in the US Constitution allows existing businesses in an industry to be grandfathered in and only subject to regulations prior to the new regulations giving them the option to adopt the new standards or ignore them?

Did you know that law enforcement comes under the authority of the executive branch of government and not the legislative branch (congress)?

Do you understand the Bill of Rights apply to everyone and not just activists in terms of protecting the rights of individuals and private property?

Do you understand the Bill of Rights is part of the US Constitution which has the last word on whether a law is lawful when tested on constitutionality?

Do you understand that the US Constitution limits government authority while providing remedies at law through the justice system for those unlawfully, criminally, and tortiously harmed?

Do you understand the hypocrisy of claiming protection by the Bill of Rights for your first amendment activities while ignoring the 4th amendment rights of others?

If you prove incompetent in terms of understanding the US Constitution (basis and foundation of all US laws which are all tested against it), do you think any legislators will be able to seriously pass your recommendations for changes to the law where you clearly don't understand the limitations placed on government authority?

In a democracy where you are the 0.5% vegan minority, do you understand how new restrictions that impact the 99.5% majority might prove your efforts futile?

If you are a survivor of institutionalized abuse, I'd like you to contemplate the following questions:

If my program has been closed, what good will bringing media attention to the history do to help consumers or the general public making it newsworthy or an act of progress rather than a human interest story? What will be gained for the majority? What do I hope to gain and is that all I care about because it isn't about activism?

If my program is still open, will anyone wonder why I didn't report it properly to the proper authorities where I'm making allegations of crimes and torts? If it is still within the statute of limitations, should I report or sue first and then alert the media or wait for law enforcement or my attorney to do that? If I can sue or press charges still, will going to the press first inadvertently obstruct justice?

Do I eat at Jack In The Box ever? Don't I know Jack In The Box seriously injured and/or killed children via food poisoning? Why are they still open? Were they sued?
<https://apnews.com/article/cca69607c71358b1f8bd1cb5ddf27532>

Yes, Jack In The Box was sued and reported to the proper authorities. They paid out \$15.6 million in damages for the harm caused. Source: https://ecolilitigation.com/case-updates/jack_in_the_box_e_coli_outbreak_lawsuits_and_litigation And, Restoration Youth Academy and Midwest Academy were shut down after being properly reported within the statute of limitations resulting in leadership being convicted of crimes they committed.

Was legislation introduced to address the issue at Jack In The Box? Senator Richard Durbin (D-IL) introduced the Food Safety Modernization Act (FSMA) which was signed

into law in 2011 though the E. Coli outbreak at Jack In The Box was the catalyst and the bill wasn't introduced until 2006. Sources: [https://www.congress.gov/bill/111th-congress/senate-bill/510#:~:text=510%20%2D%2011th%20Congress%20\(2009%2D,Congress.gov%20%7C%20Library%20of%20Congress](https://www.congress.gov/bill/111th-congress/senate-bill/510#:~:text=510%20%2D%2011th%20Congress%20(2009%2D,Congress.gov%20%7C%20Library%20of%20Congress) and https://en.wikipedia.org/wiki/1993_Jack_in_the_Box_E._coli_outbreak

Did the Food Safety Modernization Act being signed into law reduce the number of foodborne illness or death? From 2009-2010 there were 1,527 people who required hospitalization and 23 who died of foodborne illness the year before the FSMA was signed into law. Source: <https://www.cdc.gov/mmwr/preview/mmwrhtml/mm6203a1.htm#:~:text=During%202009%E2%80%932010%2C%20a%20total,1%2C184%20hospitalizations%2C%20and%203%20deaths>. Though for 2018-present the CDC estimates that 128,000 people are hospitalized with foodborne illness each year with an annual death toll of 3,000 subsequent to passing FSMA. Source: <https://www.cdc.gov/foodborneburden/2011-foodborne-estimates.html>

What about FDA recalls? Have the number of recalls significantly changed from 2010 to the present? There were 9,361 total FDA recalls in 2010. Source: <https://www.fda.gov/media/80352/download> But, that number includes all recalls (drug/pharma) and not just food recalls. In 2019, there were 337 recalls of food. Source: <https://www.food-safety.com/articles/6487-a-look-back-at-2019-food-recalls>

How does the FDA regulate and where do recalls begin? They begin with the reporting process where a consumer, direct victim, or reliable witness (i.e. whistleblower, medical professional) reports a concern properly so they can begin their investigation and issue a recall if needed. The FDA says "you or your health care professional can report problems to the FDA's emergency line at 1-866-300-4374 or 301-796-8240. The line is open 24 hours a day, every day of the week." and you can report online too here: <https://www.fda.gov/safety/report-problem-fda/how-report-non-emergency>

Additional rules may make you feel better and like you did something when you contact legislators, but, the truth is Jack In The Box addressed the issue after losing a multi-million dollar suit which changed the standard for the industry without any legislation. And, even with the "new rules", if violations aren't properly reported, they don't get investigated nor laws/regulations enforced. The reason is because this is a free country and we are trusted to be responsible for ourselves and our own actions while understanding there are remedies at law if you report properly and/or sue within the statutes of limitation.

How can I help stop crime and torts where I know the perpetrators and am a direct victim? (See bottom of <https://www.cope.church/mission.htm> for an idea or e-mail info@heal-online.org with the name and location of the perpetrators that harmed you and we'll get you the right info to begin pursuing remedies at law.)

If it is beyond the statute of limitations and trauma caused delayed reporting, how can I warn the public and help protect consumers? Should my activist message be "Divest and Boycott" where all other options to reasonably address the issue have expired or are otherwise not feasible sometimes as a result of being unconstitutional? (see <https://www.heal-online.org> for more on the Divest and Boycott Campaign at the HEAL Mission of COPE)

What can I do for other survivors/victims that may need help? Will a report to the proper authorities help establish a pattern of misconduct even if they can't investigate my complaint due to the statute of limitations? Can I help support other victims even if it is too late for me to get remedies at law?

What if I just want to share my pain for attention and any cash from a sympathetic public where my program has been closed for over 10 years? Is that activism? Do people already know vulnerable populations such as children and the disabled are at risk of being abandoned, trafficked, and abused? Is that why those things are illegal and there are remedies at law to address them? Should my activist message be "do away with the US Constitution and individual rights so that the government monitors and controls population to the extent no one can even commit a crime or tort because everyone is supervised" because crimes and torts shouldn't happen in the first place? Or, is it better to trust the public to report crimes and other violations to the proper authorities who have an objective basis for determining responsibility and penalty for said violations? Am I the one who can't be trusted with the responsibility to report and then asking for others to take control of my life or be responsible in my stead? Does that reinforce institutionalizing me in any way in full context?

COPE (including the HEAL Mission) loves the US Constitution and does not support any lobbying efforts that threaten or seek to undermine it. Thankfully, the Constitution is the final word on legality and everyone who is sworn in is sworn to protect it. The Constitution affords victims of crimes and torts the right to remedies available through the justice system. And, when pursued properly with assistance from good advocates like myself and others, can result in restitution for victims and condemnation, conviction, and closure of offending individuals and entities.

Do you understand the difference between "We're here, we're queer, get used to it" and "Go vegan"? The former is simply identifying themselves and demanding or requesting acceptance of those of a certain sexual orientation rather than trying to convert them to another sexual orientation. So, if vegans had a similar message they'd say "We're vegan and have dietary restrictions, respect that." But, the vegans seek to convert by assuming authority to tell you to adopt their lifestyle. The queers aren't doing that, they just want to be loved and accepted. And, COPE loves and accepts them and the vegans too without becoming their personal unpaid chef and understanding they may choose not to partake at dinner parties depending on the menu.

Beware of being deimatic or seeing the world solely in terms of power struggles and competing for total control. That mindset promotes inequality which does undermine or

may undermine the US Constitution and equality in the eyes of the law. So, if you are not recognizing your equality with me or anyone else as a result of paying forward someone not recognizing your equality for an extended period resulting in your believing it is all about power rather than rightness or wrongness, you've been misinformed and should spend more time learning about the US Constitution so you can tell those who oppressed you, leading you to believe that's a leadership quality, that they committed a crime or tort where such is the case. Deception for the sake of vice (including oppression) is not a leadership quality, it is the exact opposite. And, ignorance is a defense recognized at law depending on offense. So, if you ignorantly infringe on someone else's rights in a manner that causes substantive harm, that's unlawful and there are remedies at law. And, if you intentionally infringe on someone else's rights in a manner that causes substantive harm, that's usually a crime as well as tort. God bless the USA!

If you've ever played a game that has multiple players and/or teams then you should be aware of rules, what constitutes violating a rule (and/or law), and what penalties are applied by the game for said violations. All of life is like that to some degree. But, you can't refuse to learn the game and then bother the players (who play by the rules) and call that activism, especially when some of us are nice enough to willingly teach you to play. I see you survivor.



*[Here's a tip for survivors of institutionalized abuse for calculating damages: In Taylor v. Provo Canyon School et al (available at <https://www.heal-online.org/provocases.htm>) Taylor was awarded \$30,000 total of which Provo Canyon had to pay \$7,500 and his mother who owed him the duty of due diligence in selecting caregivers/service providers \$22,500. Out of that, likely 33 and 1/3% went to Taylor's attorney leaving likely under \$20,000 for Taylor which may have been reduced as a result of any outstanding balance claimed to be yet due by Provo Canyon. In my case, Provo Canyon claimed my mother owed them a remaining \$16,735.01. So, you might need to deduct that from the remaining \$20,000 or so which would leave you (or me) with \$3,264.99 after attorney's fees and outstanding balances. It is my understanding other survivors of Provo Canyon enrolled at the same time as me were offered \$5,000 each to settle out of court and refused it as not enough to compensate for the harm done though it would have been less or the same if it went to trial in Utah at the time. If you were trafficked for labor and forced to work 8 hours a day without compensation while still a minor today and that went on every day for 1 year, in Utah it would be \$4.25/hour for the probationary period (90 days) and \$7.25/hour after that 90 days. So, at 90 days at \$4.25/hour that would be \$3,060 with an additional 275 days at \$7.25/hour which is \$15,950 giving a total for the year of unpaid labor \$19,010. And, you'd have to pay income tax on that though typically judgments in lawsuits are not taxed. Taylor did not sue for wage theft or breach of employment contract. But, if he was forced to work at a motel or hotel owned by the program or its leadership without compensation or owned by a third-party for which Provo Canyon received compensation, then he was due wages for that labor. As far as any diploma mills out there where the credits don't transfer and diplomas aren't recognized, the cost to get the GED is \$120 and you would add that. Any medical bills (including mental health bills) resulting from harm done by an entity that caused personal injury and any estimated continuing costs of such would need to be reasonably calculated and provided to the court to include in request for recovery for damages. You should consult an attorney to find out what your case in full context may actually be worth and press criminal charges where crimes have occurred such as human trafficking for sex and/or labor. And, if you file a consumer complaint with a State Attorney General and are offered \$5,000, I suggest you take it unless you were maimed, raped, or the surviving loved one of someone who died. Why? Were you gainfully employed and did you lose any actual wages as a result of your enrollment? If so, that will be primarily the fault of the legal guardian who enrolled you if a minor at the time. If not, you didn't lose any wages unless you were trafficked for labor and not compensated for it. Did you receive a fraudulent or worthless "diploma"? Compensation for that is going to be around \$120. Who pays for your health insurance and what is the deductible? Are your medical and mental health needs resulting from harm done by the entity you wish to sue covered by your health insurance? Is your insurance provider a co-plaintiff to recover their out-of-pocket expenses? If not, you may only get the deductible or what you've lost out-of-pocket. Were you adjudicated/convicted of a crime and sentenced/court-ordered to the program? Then, forced or uncompensated labor which may go towards restitution to your victims may be part of that judgment against you so you may not be able to recover for labor trafficking in such a case. And, with the \$3,264.99 after suit, that would about cover forced labor if you had less than 3 months at "hotel" level at Provo Canyon and

costs for the GED in the event you didn't earn an accredited diploma while at Provo Canyon and were guaranteed one.]

For those interested in starting #TaoFu Self-Defense Exercises, please see <https://www.cope.church/taofu.htm> and begin at any time.

There are opportunities to send messages, receive mystery bonus blessings, and more with or without donating available now on our "Pass the Basket" page at <https://www.cope.church/basket.htm> . Thank You.

"And ye shall know the truth, and the truth shall make you free." John 8:32 KJV Willful blindness is an abomination.

COPE accepts Feedback, critical and complimentary. Learn more at <https://www.cope.church/feedback.htm> . For the sake of keeping myself and others humble, a sense of humor is welcome on all sides.

For More About COPE and the HEAL Mission, see:

<https://www.cope.church> and <https://www.heal-online.org>