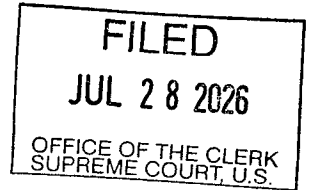


26-5463 ORIGINAL

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IN THE  
SUPREME COURT OF THE UNITED STATES

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Justin A Jefferson — PETITIONER

vs.

MOSES ANDRE STANCIL et la. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO  
THE 10<sup>TH</sup> CIRCUIT COURT OF APPEALS

---

PETITION FOR WRIT OF CERTIORARI

Justin Jefferson

(Your Name)

P.O.Box 999

(Address)

Canon City, Co. 81215

(City, State, Zip Code)

(Phone Number)

## **QUESTIONS PRESENTED**

### **Question 1**

Whether the Government's threat and consequence of Life Incarceration Without the Eligibility to be Granted Parole for refusal to not self-incriminate, create a compulsion in a prison setting, that constitute atypical and significant hardships in relation to the ordinary incidents of prison life, in violation of the Fifth Amendment and precedent set by this United States Supreme Court.

### **Question 2**

Whether the Decision and Application of the Turner Analysis, that is used to override the Protections of the Fourteenth Amendment and validate violations of Constitutional Rights, is an adequate Analysis to fairly and properly evaluate the validation of violations of Constitutional Rights, and is not in itself, a violation of the Constitution's Protection of Substantive Due Process of the Fourteenth Amendment

## LIST OF PARTIES

[ ] All parties appear in the caption of the case on the cover page.

[x] All parties do not appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

**MOSES ANDRE STANCIL**, Director of the State of Colorado Department of Corrections;

**CHRIS LOBANOV-ROSTOVSKY**, Head of the Sex Offender Management Board, in his official capacity;

**AMANDA RETTING**, Head of the Sex Offender Management Board, in his official capacity;

**SLOBHAN BARTLOW**, Warden of the Fremont Correctional Facility, in his official capacity;

**SHANNON FOLZ**, Therapist at Fremont Correctional Facility, in her official and personal capacity;

**JAMES BAILEY**, Therapist at Fremont Correctional Facility, in his official and personal capacity;

**J.R. HALL**, Head of the Parole Board, in their official capacity

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IN THE  
SUPREME COURT OF THE UNITED STATES  
  
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

**OPINIONS BELOW**

☒ For cases from federal courts:

The opinion of the United States court of appeals appears at Appendix A to the petition and is

☒ reported at *Jefferson v. Stancil*, 2026 U.S. App. LEXIS 18106; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

The opinion of the United States district court appears at Appendix B to the petition and is

☒ reported at *Jefferson v. Stancil*, 2025 U.S. Dist. Lexis 51764; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

☐ For cases from state courts:

The opinion of the highest state court to review the merits appears at Appendix \_\_\_\_\_ to the petition and is

☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

The opinion of the \_\_\_\_\_ court appears at Appendix \_\_\_\_\_ to the petition and is

☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

## JURISDICTION

☒ For cases from federal courts:

The date on which the United States Court of Appeals decided my case was June 23, 2026.

☒ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. \_\_\_\_ A \_\_\_\_.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☐ For cases from state courts:

The date on which the highest state court decided my case was \_\_\_\_\_.  
A copy of that decision appears at Appendix \_\_\_\_\_.

☐ A timely petition for rehearing was thereafter denied on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. \_\_\_\_ A \_\_\_\_.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

**USCS Const. Amend. V** - No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

**USCS Const. Amend. XIV(1)** - All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

### **C.R.S. 18-1.3-1004** -

**(1)(a)** - Except as otherwise provided in this subsection (1) and in subsection (2) of this section, the district court having jurisdiction shall sentence a sex offender to the custody of the department for an indeterminate term of at least the minimum of the presumptive range specified in section 18-1.3-401 for the level of offense committed and a maximum of the sex offender's natural life.

**(3)** - Each sex offender sentenced pursuant to this section shall be required as a part of the sentence to undergo treatment to the extent appropriate pursuant to section 16-11.7-105, C.R.S.

**C.R.S. 18-1.3-1006(1)(a)** - On completion of the minimum period of incarceration specified in a sex offender's indeterminate sentence, less any earned time credited to the sex offender pursuant to section 17-22.5-405, C.R.S., **the parole board shall schedule a hearing to determine whether the sex offender may be released on parole. In determining whether to release the sex offender on parole, the parole board shall determine whether the sex offender has successfully progressed in treatment** and would not pose an undue threat to the community if released under appropriate treatment and monitoring requirements and whether there is a strong and reasonable probability that the person will not thereafter violate the law. The department shall make recommendations to the parole board concerning whether the sex offender should be released on parole and the level of treatment and monitoring that should be imposed as a condition of parole. **The recommendation shall be based on the criteria established by the management board pursuant to section 18-1.3-1009.**

**C.R.S. 18-1.3-1009 -**

(1)(a) - The criteria by and the manner in which a sex offender may demonstrate that he or she would not pose an undue threat to the community if released on parole or to a lower level of supervision while on parole or probation or if discharged from parole or probation. The court and the parole board may use the criteria to assist in making decisions concerning release of a sex offender, reduction of the level of supervision for a sex offender, and discharge of a sex offender.

(1)(b) - The methods of determining whether a sex offender has successfully progressed in treatment; and

(1)(c) - Standards for community entities that provide supervision and treatment specifically designed for sex offenders who have developmental disabilities. At a minimum, the standards shall determine whether an entity would provide adequate support and supervision to minimize any threat that the sex offender may pose to the community.

**C.R.E 404(b)(2)** - Permitted uses. This evidence may be admissible for another purpose, **such as proving motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake, or lack of accident.**

**Fed 413(a)** - Permitted Uses. In a criminal case in which a defendant is accused of a sexual assault, the court may admit evidence that the defendant committed any other sexual assault. The evidence may be considered on any matter to which it is relevant.

**F.R.E 414(a)** - Permitted Uses. In a criminal case in which a defendant is accused of child molestation, the court may admit evidence that the defendant committed any other child molestation. The evidence may be considered on any matter to which it is relevant.

**Colo. Admin Reg 700-19 -**

(IV)(I) – STOMP Recommendation for Progression to COMMUNITY: Sex Offender Treatment in the prison setting is preliminary and is continued in the community after release from prison. Since offenders cannot complete treatment in a facility, **the SOTMP has developed criteria for offenders to receive a recommendation for release to parole.** In accordance with the Risk, Need, Responsive Model, the SOTMP has developed risk-based criteria formats. Offenders with a sex offense participating in the SOTMP **must meet all the following criteria to receive a recommendation for release to parole from the SOTMP team,** SOTMP, as a result of team staffing, will provide documentation regarding progression to community based on the offender's behavior, successful progress in treatment, and SOMB standards.

(IV)(K)(1) – Offenders may be placed on a treatment probation **contract if they**

**are not adequately progressing in treatment or are not meeting program expectations.** The intent of treatment probation is to provide the offender with opportunities, time frames, and requirements to meet program expectations. **Offenders who do not successfully meet the conditions of the treatment probation contract may be suspended from group and recommended for termination.**

#### **SOTMP Contract -**

**(I)(2)(C)** – I understand that **in order to meet criteria for successful progress in treatment** I will be required complete a disclosure of my offense related sexual history relevant to identified risk areas as verified through either the sexual history polygraph process or other clinical indicators.

**(I)(2)(D)** – I understand that while I have the right to refuse to answer polygraph questions that could result in self-incrimination, the SOMB Standards explain that **sex offense specific treatment for sex offenders shall; Require offenders to disclose all current sex offending behaviors and complete a full sex history disclosure.** If it is verified that I have engaged in purposeful acts of non-cooperation or using “counter measures” to manipulate the results of a polygraph examination it **may result in a recommendation for suspension and termination from treatment.**

**(III)(A)** – Treatment information will be given to the correctional/support system. This includes; case managers, parole officers, Parole Board, Community Correction Centers and Boards, and other Professionals who become responsible for providing for your mental health treatment and management. Information may also be released to probation and parole officers, the court or other judicial entities when requested. The information may include; parole board summaries, risk level, treatment attendance, level of participation, motivation, relapse, prevention information, **information reported during polygraph examinations**, PSL or Risk Management Plan, offense specific evaluation, risk factors, problem areas, treatment plan and summary, or general progress, **and will not require additional written consent. Even after program completion, withdrawal or termination this information may be released without additional written consent.**

**(III)(I)** – The goal of this program is “No more victims”. In an effort to prevent further victimization, **information regarding criminal patterns of behaviors may be released to law enforcement.** If you are suspected of committing a crime, treatment information may be shared with law enforcement officials for the purpose of providing public safe

## **STATEMENT OF THE CASE**

### **Facts Material to the Consideration of Question 1**

In order for Mr. Jefferson to be admitted into the Sex Offender Treatment and Monitoring Program, in March 2023, Jefferson was first required to submit a re-entry form that distinctively required the admission of guilt. Though Jefferson has confessed that he is innocent of his conviction, he has ever refused participation in treatment, and insisted on telling the truth as required of him. Thus he stated on his entry form that "I can't remember ever [committing the offense], but if [the alleged victim] said I did, then it would have been wrong for me to have done so." The Plaintiff was later called into an interview by Defendant Shannon Folz who consistently pressed that she did not believe the Plaintiff, and then insinuated and stated to the Plaintiff that she did not believe that he was "Ready for treatment at this time" because to her, the Plaintiff was in "denial" for not admitting guilt.

The following week or so, Jefferson was then interviewed by Defendant James Bailey. Bailey presented Jefferson an opportunity to resubmit a new re-entry form, instructing him that he needed to state and clarify an admission of guilt. Jefferson was made aware of the threat and was compelled that if he refused, then he would be deemed in "denial" and/or non-cooperative with the Fifth Amendment violation requirements of treatment to successfully progress in treatment (this includes; admitting, documenting, and sharing Fifth Amendment information of charged, uncharged, and alleged illegal acts) where if Jefferson refused, his eligibility to be granted parole will be revoked and he would remain in prison for up to the remainder of his natural life.

## **Facts Material to the Consideration of Question 2**

When Jefferson's Constitutional Rights were violated as an inmate, he learned then that the Turner Analysis governing his circumstances created a substandard that abridged his fundamental rights, and Rights of all inmates. Thus when filing his claims, Jefferson sought to re-invoke his guaranteed Protections of the Fourteenth Amendment of the Constitution to evaluate the violations of his fundamental rights. However, because Turner was created by this Court and superseded the protections of the Fourteenth Amendment, the lower courts had no authority to make a ruling on this issue, only this Court has the authority to evaluate the Decision and Application of Turner.

## **REASONS FOR GRANTING THE PETITION**

### **1. Argument for the Allowance of the Petition For Writ of Certiorari For Question 1**

#### **1.1. The 10th Cir Court of Appeals' decision is in conflict with the ruling of itself on the same important matter from States v. Von Behren.**

In United States v. Von Behren, 822 F.3d, 1139, the 10<sup>th</sup> Cir Court of Appeals concluded that that Colorado Government's threat to revoke Von Behren's supervised release on parole for his failure to answer potentially incriminating polygraph questions through the SOTMP, rose to the level of unconstitutional compulsion.

*"The government argues that [...], there is no constitutional violation until a judge actually revokes Mr. Von Behren's supervised release. The government cites no authority for this bifurcated approach. A witness is compelled under the Fifth Amendment as soon as the government threatens him with a substantial penalty—it makes no difference whether he proceeds with answering or stands on his right. See Turley, 414 U.S. at 75-76"... "In sum, we hold that the government compelled Mr. Von Behren to be a witness against himself. For the reasons set forth above, we REVERSE." Von Behren*

However, here in Jefferson v. Stancil, 2026 U.S. App. LEXIS 18106, the same 10<sup>th</sup> Cir Court of Appeals decided that the same Colorado Government's threat to keep Jefferson Incarcerated Without the Eligibility to be Granted Parole for the rest of his life if he were to fail to give incriminating admission of guilt statements, with additional details to charged acts, uncharged acts, and charged alleged acts that can be used against him under F.R.E 413, 413, and C.R.E 404(b) to supplement insufficient evidence of a crime charged against him; and where his actual words do not need to be used in court for his statements to be shared and "furnish a link in the chain of evidence" to lead to a prosecution (see Hoffman v. United States, 341 U.S. 479, 486, 95 L. Ed. 1118, 71 S. Ct. 814 (1951)); through the same SOTMP, does not rise to the level of unconstitutional compulsion.

Instead, the Jefferson court equated the consequences of Life Incarceration Without the Eligibility to be Granted Parole due to his eligibility to be granted parole being systematically revoked, see Appendix E, to be on the same level as a loss of a prison privilege and housing accommodation. The court further cited "Any impact on Jefferson's parole eligibility is "simply not the result of his refusal to incriminate himself, but [rather is] a consequence of his inability to complete rehabilitation" Jefferson

Note: The same court in the decision in Von Behren, recognized and rejected this as an errant argument, stating that;

*"The government counters that there was no unconstitutional compulsion because [] the government would be seeking a remand to prison for Mr. Von Behren's failure to complete treatment, not for his refusal to incriminate himself. We are not persuaded by this argument. Mr. Von Behren was not permitted to complete treatment solely and directly as a result of invoking his Fifth Amendment privilege and refusing to answer incriminating questions. The government's argument is a distinction without a difference." Von Behren*

Thus as seen in Von Behren, Jefferson was too compelled by the Government against his Fifth Amendment Right by the threat of a substantial consequence that constituted atypical and significant hardships in relation to the ordinary incidents of prison life.

**1.2. The 10<sup>th</sup> Cir Court of Appeals decided on an important question in a way that conflicts with relevant decisions of this court in Mckune v. Lile.**

The 10<sup>th</sup> Cir Court of Appeals' decision in Jefferson conflicts with the precedent set by this Court in Mckune v. Lile, 536 U.S. 24. Where Mckune too, challenged the constitutionality of a sex offender treatment program requiring Fifth Amendment violations. The decision in Mckune ultimately, shed light on what would constitute unconstitutional compulsions in a prison setting.

*"So the central question becomes whether the State's program, and the consequences for nonparticipation in it, combine to create a compulsion that encumbers the constitutional right. If there is compulsion, the State cannot continue the program in its present form; and the alternatives, as will be discussed, defeat the program's objectives." Mckune, Paragraph 18 Opinion.*

*"A prison clinical rehabilitation program, which is acknowledged to bear a rational relation to a legitimate penological objective, does not violate the privilege against self-incrimination if the adverse consequences an inmate faces for not participating are related to the program objectives and do not constitute atypical and significant hardships in relation to the ordinary incidents of prison life." Mckune, Paragraph 23 Opinion*

*i.e "In the present case, respondent's decision not to participate in the Kansas SATP did not extend his term of incarceration. Nor did his decision affect his eligibility for good-time credits or parole. 224 F.3d at 1182." Mckune, Paragraph 25 Opinion.*

The threat and consequence of Life Incarceration Without the Eligibility to be Granted Parole to compel Jefferson to self-incriminate himself, meets the threshold standard of "longer incrimination" and "affecting his eligibility for parole" that this Court

would consider to be unconstitutional compulsion, however, this precedent was not recognized and contradicted by the 10<sup>th</sup> Cir. Court of Appeals in Jefferson.

## 2. Argument for the Allowance of the Petition For Writ of Certiorari For Question 2

### 2.1. Through the decision of Turner v. Safley, this Court has entered a decision in conflict with itself

This Court's decision on the Constitution's Substantive component to Due Process, does not allow for the validation of fundamental rights to be violated by the Government when it is not proven to be necessary, or proven to actually serve the interest sought by the violation, no matter what process is provided.

*"The Fifth and Fourteenth Amendments' guarantee of 'due process of law' to include a substantive component, which forbids the government to infringe certain 'fundamental' liberty interests at all, no matter what process is provided, unless the infringement is narrowly tailored to serve a compelling state interest." Reno v. Flores, 507 U.S. 292, 301-02, 113 S. Ct. 1439, 123 L. Ed. 2d 1 (1993)*

This Court further, has more than once contradicted the constitutionality of the application of Turner's 'reasonable relation' standard within prisons;

*"The unnecessary and wanton infliction of pain ... constitutes cruel and unusual punishment forbidden by the Eighth Amendment." Whitley v. Albers, 475 U.S. 312, 319, 89 L. Ed. 2d 251, 106 S. Ct. 1078 (1986) (some internal quotation marks omitted). We have said that "among 'unnecessary and wanton' inflictions of pain are those that are 'totally without penological justification.'" Rhodes v. Chapman, 452 U.S. 337, 346, 69 L. Ed. 2d 59, 101 S. Ct. 2392 (1981). In making this determination in the **context of prison conditions**, we must ascertain whether the officials involved acted with "**deliberate indifference**" to the inmates' health or safety." Hope v. Pelzer, 536 U.S. 730, 738, 153 L. Ed. 2d 666, 122 S. Ct. 2508 (2002).*

*"The [Fourteenth Amendment] right not to be discriminated against based on one's race **is not susceptible to the logic of Turner**. It is not a right that need necessarily be compromised for the sake of proper prison administration." Johnson v. California, 543 U.S. at 510.*

*"Although the Magistrate Judge dismissed the possibility that contraband could be hidden in a short beard, the Magistrate Judge, the District Court, and the Court of Appeals all thought that they were bound to defer to the Department's assertion that allowing petitioner to grow such a beard would undermine its interest in suppressing contraband. [The **RLUIPA Analysis**], however, does not permit such unquestioning deference [...] and without a degree of deference that is tantamount to unquestioning acceptance, it is hard to swallow the argument that denying petitioner a 1/2-inch beard actually furthers the Department's interest in rooting out contraband."... "Even if the Department could make that showing, its contraband argument would still fail because the Department cannot show that forbidding very short beards is the **least restrictive means** of preventing the concealment of contraband." Holt v. Hobbs, 135 S. Ct. 853*

*"[The **Sandin Analysis**] provides a reasonable means of assessing whether the response of prison administrators to correctional and rehabilitative necessities are so out of the ordinary that one could sensibly say they rise to the level of unconstitutional compulsion." McKune v. Lile, 536 U.S. at 41.*

Moreover and altogether, these contradictions to the decision of *Turner* show, and is best summarized from *Johnson*, that, though "rightful incarceration brings about the necessary withdrawal or limitations of many privileges and rights, a retraction justified by the considerations of our penal system" *O'Lone v. Estate of Shabazz*, 482 U.S. 342, when it comes to the protections of constitutional rights, strict scrutiny is not strict in theory, but fatal in fact. Even if all the Government's prison constitution violations were to be subjected to strict scrutiny, or at least some substantial form of it, not all would be invalidated by it. Strict Scrutiny would not preclude the ability of prison officials to address the compelling interests of a prison. Instead, however, prison officials would be required to demonstrate that any policy violating a constitutional right, be necessary to that end to which their interest is sought, as intended by the protections of the constitution but contradicted by the decision of *Turner v. Safley*, 482 U.S. 78.

**2.2. Through the decision of Turner, this Court has entered a decision in conflict with the Constitution**

The Constitution does not grant an exception, nor does it give the Supreme Court the authority to amend an exception to the State or Government, to allow State Government Prison Officials, as they are one and the same, to abridge protected rights.

“No State shall make or enforce any law which abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law.” USCS Const. Amend. XIV

“In constitutional cases, the court’s duty is to construe, not to rewrite or amend, the Constitution” Bell v. Maryland, 378 U.S. 226, 288, 84 S. Ct. 1814, 12 L. Ed. 2d 822 (1964)

In contradiction, the decision of *Turner* amended the power of the Government to supersede the protections of the Fourteenth Amendment. Where, instead of the standard of the Fourteenth Amendment requiring that when the Government violates constitutional rights, the violation is valid if it is proven necessary to achieve the Government’s compelling interest; the guaranteed constitutional protection was abridged by *Turner* and reduced to;

“When a prison regulation impinges on inmates’ constitutional rights, the regulation is valid if it is reasonably related to legitimate penological interests.” Turner v. Safley, 482 U.S. 78, 89, 107 S. Ct. 2254, 96 L. Ed. 2d 64 (1987)

As a result, *Turner* has led to a precedent of lower courts deferring to the Government in the evaluation to validate the Government’s violation of fundamental rights, a substandard that is less than that guaranteed under the Fourteenth Amendment’s protections.

In most cases, *Turner* is an impregnable test for inmates to ever surmount the first stage;

"In ruling on a Motion to Dismiss, a court need only assess, as a general matter, whether a prison regulation is reasonably related to a legitimate penological interest." Al-Owhali v. Holder, 687 F.3d at 1240 (10<sup>th</sup> Cir.)

"The inquiry under Turner is not whether the policy actually serves a penological interest, but rather whether it was rational for jail officials to believe that it would." Mauro v. Arpaio, 188 F.3d 1054, 1060 (9<sup>th</sup> Cir.)

Turner does not require "actual proof that a legitimate interest will be furthered by the challenged policy. The connection between the two need only be objectively rational." Herlein v. Higgins, 172 F.3d 1089, 1091 (8<sup>th</sup> Cir.)

It is recognized by this Court, that if Turner were to be the Supreme analysis of constitutional right within prisons, then;

"Turner's standard would allow prison officials to use race-based policies even when there are race-neutral means to accomplish the same goal, and even when the race-based policy does not in practice advance that goal, it is too lenient a standard to ferret out invidious uses of race. Contrary to the CDC's protest, strict scrutiny will not render prison administrators unable to address legitimate problems of race-based violence in prisons." Johnson v. California, 543 U.S. 499.

However, Turner's "too lenient" flaw is not unique to just race-base policies, but applies to constitutional right violations in practice. Thus it is evident, that a policy merely reasonably related to a legitimate interest, is not in itself, justification that the policy is necessary to violate constitutional rights to achieve that interest, in contradiction to the guaranteed protections of the Constitution.

### **2.3. The 10<sup>th</sup> Cir Court of Appeals decided on an important question of federal law that has not been, but should be, settled by this Court**

The Opinions by both the 10<sup>th</sup> Cir. Court of Appeals and Dist. Court in this case believed that they had to defer to the Government and solely rely upon the unquestioning deference of Turner to validate the infringement of Mr. Jefferson's Fifth Amendment Right. Thus, it is asked of this Court to clarify, is Turner's "reasonably

related” “unquestionable deference” standard the proper analysis for the lower courts to have solely relied upon to validate whether a Government’s compulsion against Fifth Amendment Rights is Constitutional?

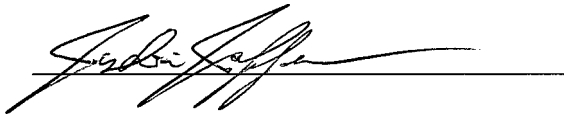
And further, whether Turner constitutionally can, discretionally should, and fairly be applied as an amended exception for the Government to supersede the standard protections for all fundamental rights guaranteed by the Fifth and Fourteenth Amendment under the Constitution.

## CONCLUSION

There are many complex facets of this great nation arising constitutional challenges that this court in not an expert in. Still, the Constitution entrusted the courts to protect constitutional rights from the Government when they are unnecessarily infringed upon, for that discretion, power, and responsibility lies within the Court. When it becomes true that this Court is incapable and/or unwilling to uphold the protections of constitutional rights of inmates, and defers judgment to the **Government defending their own self** and their **own belief** that their **own policy** is **merely reasonably related** to their **own interest**, then that is the day the Court has lost sight of what it stands to protect, for all citizens, even when it is unpopular to do so.

Humbly and respectfully, the petition for a writ of certiorari should be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jodi Jaffe", is written over a horizontal line.

Date: June 26, 2026