



# The Greg Davis Family



Missionaries to America's Colleges

September 2008



*“Be careful for nothing; but in every thing by prayer and supplication with thanksgiving let your requests be made known unto God. . . .*

Dear faithful in Christ

Thank you all for your Prayers and support.

Greetings to all,

Just a special report from the field. **Victory victory victory!** I could not have imagined a better response from the federal court than the one I received yesterday Tuesday, September 9, 2008. This is exactly 2 years and one day from when I was falsely arrested. The courts decisions was all that we had prayed for and more. Thank you Jesus! This will help all of us who are willing and obedient to take the gospel outside the doors of the church. Federal Judge Kahn saw right through all their erroneous attacks and exposed them for what they

were, unfunded and false. He is to be commended for his righteous judgment. ***If there be a controversy between men, and they come unto judgment, that [the judges] may judge them; then they shall justify the righteous, and condemn the wicked. Deut. 25:1***

In commenting about how they arrested me twice the Judge said, *“**Rather than simply giving Mr. Davis a citation or summons on the new Trespass Violation, the police rearrested him under the new charge.**”*

He clearly stated that, *“the Court finds that there was no specific rule or policy in place at SCCC that was properly applied to exclude Davis from the campus.”* He went on to say that, *“There is no evidence, however, that Plaintiff’s preaching on the quad obstructed the flow of traffic, and a review of the video **contradicts** such an allegation. Further, Plaintiff’s preaching did not rise the level of “[d]eliberately disrupt[ing] and prevent[ing] the peaceful and orderly conduct of classes, lectures and meetings.”*

When the City and County argued that I shouldn’t be allowed to video tape because I was commercially using people’s pictures and didn’t get

their permission, the judge ruled, *“there is **no** evidence that Plaintiff, in **any way**, receives financial backing through the use of the posted recordings. In fact, Plaintiff’s website, [www.biblegreg.com](http://www.biblegreg.com), does **not** solicit donations or contain any other outside advertising from which Plaintiff may garner profits.”*

Judge Kahn even pointed out that the dean of students lied to have me arrested, Plaintiff’s removal from the campus was premised upon D’Annibale’s assertion that the campus and the Quad was private property. This claim necessarily implied that Plaintiff had no right to be present, to preach, to hand out leaflets, or to videotape on the property without permission. D’Annibale also claimed, both to Plaintiff and to the police officers, that Davis was in violation of SCCC’s regulations by remaining on the privately-owned campus. **However**, Defendant D’Annibale was **aware** that SCCC was public property, Criminal Trial Transcript (1/18/07), at 74 (as renumbered); D’Annibale Dep. at 59, and **later acknowledged** that no written policy was violated by Plaintiff’s presence. Criminal Trial Transcript at 81. Accordingly, by having Plaintiff removed from the campus based on the premise that the property was private - a premise which

*D'Annibale knew to be false - D'Annibale violated a right that was "sufficiently clear that a reasonable official would understand that what he is doing violates that right." Anderson v. Creighton, 483 U.S. at 640. In addition, because D'Annibale knew the falsity of his claim that the Quad was private property, it was not objectively reasonable for him to believe that his action did not violate Plaintiff's rights. D'Annibale is thus not entitled to qualified immunity."*

The Judge used strong words such as, "irrational, unwise, overbroad" and other fitting terms.

I could not believe that the County and City argued that I was not allowed to use a video camera because they had an unwritten law against using

such. The Judge said in response, "However, without knowing the scope of this alleged unwritten "policy," the Court is unable to conduct a full analysis of whether the restriction would also be overbroad. Nonetheless, because the alleged policy is unwritten, it vests virtually complete discretion in the hands of campus administration and local police to determine whether or not a person is in violation and is thus unconstitutional. As generally stated, the void for vagueness doctrine requires that a policy or statute define the offense with sufficient definiteness that ordinary people can understand what conduct is prohibited, and in a manner that does not encourage arbitrary and discriminatory enforcement."

The Judge restrained the County and City from ever charging me with trespass again. **You will enjoy reading the full Order posted on our website at [www.BibleGreg.com/news/courtorder.pdf](http://www.BibleGreg.com/news/courtorder.pdf).**

In closing please pray for us as we are head out to tour the north east to numerous Colleges and Universities including SCCC. We are at a new school year now and with this win I am hoping for less trouble with these institutions. Also, we are now looking at returning our motor home to Gulf Stream for a lemon law refund. The motor home has been at least 294 days in service. Please pray for this situation. Thank you all for your continued support.

God bless you all,

The Davis Family

**Greg, Amy, & Josiah Davis**  
Missionaries to America's Colleges & Universities

*"How then shall they call on him in whom they have not believed? and how shall they believe in him of whom they have not heard? and how shall they hear without a preacher?" (Romans 10:14)*