

Date: _____

To: To: Director of Corrections
PO Box 8707
Pine Bluff, AR 71611-8707

Subject: Retaliation & Conspiracy to Violate Inmates' First Amendment Rights
RE: _____ (facility name)

Dear Director,

The primary problem addressed in this letter concerns Arkansas Department of Correction (ADC) official's conspiratorial practice to violate inmates' First Amendment Rights. Part of this practice consists of manifold reprisals and deliberate disregard for rules and regulations which govern their duty to receive process and answer inmate grievance[s] in compliance with Arkansas Administrative Regulations (AR), Section number: DOC 835.

According to the Administrative Regulations (AR), Section number 835, the purpose of the grievance procedure is to: "Provide an opportunity to submit grievances regarding policy, conditions, incidents or actions related to incarceration/confinement," and to provide "offender notice of the grievance process: timely, effective and impartial processing of grievances; on appeal process; appropriate documentation of grievance activity; and speedy disposition of emergency situations, with security and safety the paramount concern."

However, when we exercise use of the grievance procedure, ADC officials join together to harass and retaliate against us with a combination of any of the following unethical acts. I have personally experienced the harassment which I have marked with an X:

- 1) Refuse to answer grievance.
- 2) Refuse to give receipt for grievance.
- 3) Claim to never have received grievance from inmate.
- 4) Claim to return grievance to inmate (inmate never receives grievance).
- 5) Use the Appeals Form to manipulate improper, excessive and repetitive delays.
- 6) Dishonesty in "screening out" (this unethical method is used in the "rejection criteria" to obstruct the grievance from ever being processed).
- 7) Reporting deliberate false information in the course of responding to grievance.
- 8) Punitive and harassing cell searches to dissuade submittal of grievance and/or instigate other inmates against the grievance to influence or coerce the withdrawal of grievance.
- 9) Intra-facility, intra-housing unity inter-cell transfers, reclassification, subsequent unassignment, and disregard for reassignment, etc.
- 10) Appeals being sent and heard by parties directly involved in the original complaint.

Such acts of moral turpitude are some of the dirty tricks used in their collusive practice of reprisals. They are concerted acts which violate the conspiracy laws of Title 42 U.S.C. 1995(3) 2nd 1986. They are underhanded attempts to assail our efforts to be heard - to frustrate our use of the grievance procedure - and render the "vehicle for review" ineffective. Thus, we become disturbed with a mental anguish that compels us

to grab and adopt other means and channels through which to seek and obtain resolution.

The United States Supreme Court requires inmates to exhaust administrative review before entering the arena of judicial review. However, this process becomes unfairly difficult when ADC officials tamper with the appeals process.

ADC officials should understand and respect the reality (law) that grievances filed through an official grievance procedure are constitutionally protected and deliberate interference with its procedure may result in civil or prosecutorial penalty.

Conclusion

This problem permeates the prison population and adversely affects numerous inmates. Some inmates decline to use the grievance procedure due to fear of reprisals. Others have witnessed uncorrected problems that fellow inmates continue to experience and feel the use of the grievance procedure lacks corrective action. Nevertheless, I persist in spite of the onslaught of reprisals. I suffer from many of the aforementioned unethical acts. I also have unanswered grievances in desperate need of location and resolution.

Therefore I request a thorough and appropriate investigation to ascertain necessary facts to correct this unlawful problem.

Respectfully submitted,

Signature: _____
Name, ID#: _____

Additional Information (Log #, comments, description of event, etc.): _____

CC: Director Wendy Kelly, AR DOC, PO Box 8707, Pine Bluff, AR 71611-8707

U.S. Department of Justice - Civil Rights Division, Special Litigation Section, 950 Pennsylvania Avenue, NW, PHB, Washington, DC 20530
Arkansas Ombudsman Lacie Kirchner - 323 Center St., ste 200, Little Rock, AR 72206

(Cross out the name above if you were not able to send them a copy of your signed petition.)