

Date: \_\_\_\_\_

To: Secretary, Florida Department of Corrections  
501 S. Calhoun St.  
Tallahassee, FL 32399-2500

Subject: Retaliation & Conspiracy to Violate Inmates' First Amendment Rights

RE: \_\_\_\_\_ (facility name)

Dear Secretary,

The primary problem concerns Florida Department of Corrections (FDOC) Officials' conspiratorial practice to violate inmates' First Amendment Right. Part of this practice consists of manifold reprisals and deliberate disregard for CH33 FAC rules and regulations and procedures which govern their duty to receive, process and answer inmate grievance[s] (DC6-236 and DC1-303s) in compliance with Florida Administrative Code (F.A.C.) citation/title 33-103.001 - 018 rules.

According to the Florida Administrative Code (F.A.C.), Rule 33-103.001 (1), the purpose of the Inmate/Parolee Appeals Procedure is to:

"[P]rovide an inmate with a channel for the administrative settlement of a grievance. In addition to providing the inmate with the opportunity of having a grievance heard and considered, this procedure will assist the department by providing additional means for internal resolution of problems and improving lines of communication. This procedure will also provide a written record in the event of subsequent judicial or administrative review." The inmate grievance procedure was fully certified by the United States Department of Justice in March 1992 pursuant to the requirements of sections 944.09 and 944.331 F.S.

However, when we exercise use of the grievance procedure, FDOC Officials join together to harass and retaliate using acts of reprisal (CH 33-103.002 (9)) 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 document DC6-236 informal grievances.
- \_\_\_ 2) Refuse to respond to DC6-236 informal grievances.
- \_\_\_ 3) Claim to have never received DC6-236 informal grievance from inmate.
- \_\_\_ 4) Claim to return DC6-236 informal grievance to inmate (inmate never receives DC6-236).
- \_\_\_ 5) Use the Inmate Appeals Screening Form to manipulate improper, excessive and repetitive delays.
- \_\_\_ 6) Detaching inmate's supporting documents from 303 and returning 303 to inmate with written statement refusing to process 303 because no supporting documents accompany 303.
- \_\_\_ 7) Dishonesty in "screening out" 303 (this unethical method is used in the "rejection criteria" to obstruct the 303 from ever being processed). Rule Ch 33-103.014
- \_\_\_ 8) Reporting deliberate false information in the course of responding to 303.
- \_\_\_ 9) Punitive and harassing cell searches to dissuade submittal of DC6-236 and 303 and/or instigate other inmates against the grievance to influence or coerce the withdrawal of DC6-236 and 303.
- \_\_\_ 10) Intra-facility, intra-housing unit inter-cell transfers; reclassification, subsequent unassignment, and disregard for reassignment, etc.
- \_\_\_ 11) Issuing of false disciplinary reports in retaliation of inmates writing 303s.
- \_\_\_ 12) Placing inmates on property restriction and using other intimidation tactics to dissuade inmates from continuing the use of the grievance process.

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) and 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 FDOC Officials tamper with the appeals process.

FDOC 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 process 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.): \_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CC: Office of General Counsel, Secretary FDOC, 501 S. Calhoun St., Tallahassee, FL 32399-2500  
Inspector General, FDOC 501 S. Calhoun St., Tallahassee, FL 32399-2500  
Governor Rick Scott, The Capitol, Tallahassee, FL 32399-0001  
U.S. Department of Justice - Civil Rights Division, Special Litigation Section, 950  
Pennsylvania Avenue, NW, PHB, Washington, DC 20530

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