

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

To: Commissioner of Corrections  
MDOC Central Office  
633 North State Street  
Jackson, MS 39202-3097

Subject: Retaliation; Conspiracy to Violate Inmate First Amendment Rights

Re: \_\_\_\_\_ (facility name)

Dear Commissioner:

The primary purpose of this communication is to address the Mississippi Department of Corrections' (MDOC) conspiratorial practice of violating the First Amendment rights of inmates. This practice includes, but is not limited to, manifold reprisal and retaliation for constitutionally protected acts such as filing grievances, in addition to deliberate disregard for rules and regulations which govern the agency's duty to receive, process, and respond to grievances (i.e. ARPs) in compliance with MDOC Policy 20-08, MDOC SOP 20-08-01, and applicable state statutes.

Pursuant to MDOC SOP 20-08-01, the Administrative Remedy Program is intended to serve as "a program by which an offender may request administrative remedy for situations arising from policies, conditions, or events within the MDOC that affect them personally." This includes grievances, disciplinary appeals, medical grievances, emergency grievances, and sensitive issue grievances. State and federal law require inmates to "exhaust" all available administrative remedies prior to seeking judicial review or other relief in a court of law.

However, when the ARP system is utilized the following unethical acts occur. I have personally experienced the acts marked with an "X":

- \_\_\_ 1) Refuse to answer ARP
- \_\_\_ 2) Claim to never have received ARP
- \_\_\_ 3) Refuse to process ARP for non-legitimate reasons/dishonest use of rejection criteria
- \_\_\_ 4) Extreme delay in processing/answering ARPs
- \_\_\_ 5) Non-receipt of response by inmate
- \_\_\_ 6) Use of false information in response to warrant denial of claim
- \_\_\_ 7) Retaliation
  - a) Punitive/harassing cell searches \_\_\_\_\_
  - b) Internal transfer/movement/change in conditions \_\_\_\_\_
  - c) Physical Assault \_\_\_\_\_
  - d) Verbal assault/threats \_\_\_\_\_
  - e) Retaliatory RVRs \_\_\_\_\_
- \_\_\_ 8) Grievances or appeals being sent to and heard by parties involved in complaint

Such acts of moral turpitude are used in a collusive practice of reprisal, retaliation, and/or silencing inmate grievances. These concerted acts are intentional attempts to frustrate use of the ARP system

and they render the ARP system ineffective. Additionally, such acts grossly violate the civil rights of those who attempt to utilize the ARP system in good faith.

MDOC should understand that use of the ARP system is a constitutionally protected practice; deliberate indifference to the above noted violations may result in civil or prosecutorial penalty.

I request a thorough investigation to correct this unlawful problem.

Respectfully Submitted: \_\_\_\_\_

MDOC#: \_\_\_\_\_

Additional Info:

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cc: Southern Poverty Law Center (MS Office) \* 111 E. Capitol St, Suite 280 \* Jackson, MS 39201  
ACLU of Mississippi \* PO Box 2242 \* Jackson, MS 39225-2242  
Corrections Investigation Division \* 633 N. State st \* Jackson, MS 39202  
USDOJ \* Civil Rights Division \* 950 Pennsylvania Ave, NW \* Washington, DC 20530