

Date: _____

To: Director of Corrections
P.O. Box 11400
Oklahoma City, OK 73136-0400

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

Dear Director:

This letter is to address the Oklahoma Department of Corrections (ODOC) Officials' conspiratorial practice to violate inmates' First Amendment right to petition the government to redress grievances. Part of this practice consists of manifold reprisals and deliberate disregard for rules and regulations which govern their duty and professional responsibility to receive, process and answer grievances pursuant to Operations Policy (OP) 090124, Offender Grievance Process.

According to OP-090124, "[t]he offender grievance process provides a standard method by which an offender may seek formal administrative decisions or answers to issues or complaints." However, when prisoners exercise use of the grievance process, prison officials join together to harass and retaliate against us with a combination of any of the following unethical acts, but not limited to them. I have personally experienced the harassment which I have marked with an X:

- ___ 1) Refuse to answer Requests to Staff (RTS);
- ___ 2) Refuse to answer grievances;
- ___ 3) Refuse to answer grievance appeals;
- ___ 4) Claim to never have received the RTS, grievance, or grievance appeal;
- ___ 5) Rejection of grievances for minor clerical errors to manipulate improper, excessive and repetitive delays;
- ___ 6) Detaching RTS supporting grievances from the grievance and then returning the grievance because no RTS is attached;
- ___ 7) Reporting deliberate false information in the course of responding to grievances;
- ___ 8) Punitive and harassing cell searches to dissuade submittal of grievances and/or instigate other inmates against the grievance to influence or coerce the withdrawal of a grievance;
- ___ 9) Intra-facility, intra-housing unit, inter-cell transfers, reclassification, subsequent unassignment, and disregard for reassignment, etc.;
- ___ 10) Confiscation and destruction of property, including legal work.

Overview

Such unethical and unprofessional acts are only some of the behaviors used in their collusive practice of reprisals. They are concerted acts which violate both OP-090124 (III) (D) (1) to (4) and Title 42 U.S.C. §1995(3) and §1986. The acts are extremely concerning to myself, other prisoners, and our families and supporters. This is not only because it reflects a fundamental lack of regard for certain basic human rights and legal principles which one would believe a prison official would be familiar, but more importantly because it demonstrates violations of clearly established legal rights protected by the First and Fourteenth Amendments to the U.S. Constitution.

Pursuant to 42 U.S.C. §1997(e) and 57 Okl. Stat. §564, prisoners are required to exhaust administrative remedies before entering the arena of judicial review. However, this process becomes unfairly difficult when prison officials tamper with the grievance process and intentionally seek to thwart a prisoner's efforts to address grievances.

Prison 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

I have personally suffered from many of the aforementioned unethical acts. This problem permeates the prison population and adversely affects countless prisoners, their families, and supporters. 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 legitimate and meaningful corrective action.

Therefore, I request a thorough and appropriate investigation, including by the Office of Internal Affairs, to ascertain necessary facts to correct this unlawful problem.

Respectfully Submitted.

Signature: _____
Name, ID#: _____

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

CC: Facility Warden
Oklahoma State Jail Inspector, Don Garrison, 1000 NE 10th St., Oklahoma City, OK 73117
ODOC Office of Internal Affairs, Oklahoma City Office, 3400 Martin Luther King Avenue,
Oklahoma City, OK 73111-4298
United States Department of Justice - Civil Rights Division, Special Litigation Section, 950
Pennsylvania Avenue, NW, PHB, Washington, D.C. 20530
Oklahoma Citizens United for Rehabilitation of Errants (OK-CURE), P.O. Box 9741, Tulsa, OK
74157
Office of Oklahoma Attorney General, 313 NE 21st St., Oklahoma City, OK 73105

(Cross out any addresses above if you were not able to send them a copy of this petition.)