

Date: _____

To: Director of the Oregon Department of Corrections (ODOC)
2575 Center Street
Salem, OR 97301

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

Dear Director,

The primary problem concerns ODOC officials' conspiratorial practice to violate inmates' First Amendment Right. 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 grievances in compliance with Oregon Administrative Rule (OAR) 291-109-0100 to 291-109-0190 (Division 109).

Pursuant to 291-109-0100 (2) of Division 109 the purpose of the rules "is to establish department policy and procedures for the administration of the department's internal grievance review and appeal system for inmates confined in Department of Corrections facilities."

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

- 1) Refuse to answer formal or informal grievances.
- 2) Give general answers that purport review but that do not provide actual redress.
- 3) Refuse to give receipt form for grievance
- 4) Claim to never have received grievance from prisoner.
- 5) Claim to return formal and informal grievance forms despite prisoner not receiving them.
- 6) Detaching and discarding prisoner's supporting documents from grievances, and returning them to inmate with written statement refusing to process grievance because the grievance needs supporting documents..
- 7) Reporting deliberate false information in the course of responding to grievances
- 8) Punitive and harassing conduct, such as unnecessary cell searches and false misconduct reports.
- 9) Intra-facility, intra-housing unit, inter-cell transfers, and reclassification to dissuade prisoners from filing grievances.
- 10) Other: _____

Overview

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 grievance 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, as does some aspects of Oregon Tort law. However, this process becomes unfairly difficult when ODOC Prison Officials tamper with the appeals process.

ODOC Prison Officials should understand and respect the 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 offenders. Some offenders decline to use the grievance procedure due to fear of reprisals. Others have witnessed uncorrected problems that fellow offenders continue to experience and feel grievances lack 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. Thank you in advance.

Respectfully Submitted,

Signature: _____
Name, ID#: _____

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

CC: United States Department of Justice - Civil Rights Division, Special Litigation Section,
950 Pennsylvania Avenue, NW, PHB, Washington, D.C. 20530

(Cross out address above if you were unable to send them a copy of this complaint.)