

Date: _____

To: Office of Inspector General
HOTLINE
PO Box 9778
Arlington, VA 22219

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

Facility name: _____

Facility address: _____

Dear Inspector General,

The primary problem concerns prison 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 the facility's rules, and United States Law.

When we exercise use of the grievance procedure, prison 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 grievances.
- ___ 2) Refuse to give receipt for grievances.
- ___ 3) Claim to never have received grievances from inmate.
- ___ 4) Claim to return grievance to inmate (inmate never receives grievance).
- ___ 5) Use of official channels and/or bureaucratic loopholes to manipulate improper, excessive and repetitive delays.
- ___ 6) Detaching inmate's supporting documents from grievance and returning grievance to inmate with written statement refusing to process grievance because no supporting documents are attached.
- ___ 7) Dishonesty in "screening out" grievance. This unethical method is used in the "rejection criteria" to obstruct the grievance from ever being processed.
- ___ 8) Reporting deliberate false information in the course of responding to grievance.
- ___ 9) Punitive and harassing cell searches.
- ___ 10) Intra-facility, intra-housing unit inter-cell transfers; reclassification, subsequent unassignment, and disregard for reassignment, etc.
- ___ 11) 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) 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 CDCR Officials tamper with the appeals process.

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

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 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#: _____

Citations for relevant facility policies (where the rules for the grievance process at your facility can be found, i.e. "Department Operating Procedures, Section 4, Inmate Grievances") _____

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

CC: U.S. Department of Justice - Civil Rights Division, Special Litigation Section,
950 Pennsylvania Avenue, NW, PHB, Washington, DC 20530

Warden or Supervisor at your facility (name and address) : _____

Supervisor or Director of the jurisdiction governing your facility (name and address): _____

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