

entire Plaintiff Class for specified reports and facts. The only way to do such, is via "THE ECHO", the inmate newspaper. Petitioner believes such an open investigation will not only support claims listed hereinbelow, but substantiate other violations of the Final Judgment.

II.

Statement Of Facts

Petitioner, and those who have attached declarations hereto, are confined in the Texas Department of Criminal Justice - Institutional Division (TDCJID), Beto 1 Unit. Petitioner and others believe that Said Respondents are in violation of the Final Judgment. Petitioner has listed specific facts hereinbelow in support of these claims, as well as has attached affidavits hereto.

III

Removal Of The Classification System

Petitioner has been directly informed by ranking TDCJ officials as well as classification counselors that TDCJ is eliminating classification counselors and reducing the classification system in order to save money.¹ Further, Petitioner has learned from the same sources that it is TDCJ's plan to give

1. Petitioner has known these sources for some time and it is they whom have approached the Petitioner, because they are aware that Petitioner has written this Court in the past. Such individuals would lose their jobs, if TDCJ found out who they are.

this function over to the Division of Pardons and Paroles, and that this plan has been in the works for at least two years.² Such would create a serious threat to the proper classification and security of all inmates.³

On page 8 of the Final Judgment, this Honorable Court said:

"The prisoner classification system developed by the Institutional Division of the Texas Department of Criminal Justice (TDCJ-ID) has become an important part of the operation of TDCJ-ID..."

This Court also noted then Director JAMES A. COLLINS' assurance that the system would not change but only improve. However, based on information received from said sources, the plan to no longer fund the classification system was originated in 1993. Thus intent and testimony should be questioned.

The future harm can be readily seen. The Division of Pardons and Paroles, neither has the funds or man power to adequately handle parole review and duties now. The change does not give them any more funds or help.⁴ Instead it creates a far greater burden on them, which will inable them to properly classify inmates, assure proper housing, or insure that the inmate receives needed security protections and so forth. Even if part of the system were to be turned over to security personnel, such would not be a savings or relief, because as will be further shown, security personnel are still understaffed

2. One of Petitioner's sources spoke directly to a TDCJ employee whom attended a secret meeting by the Texas Board of Criminal Justice two years ago. There are no funds allocated for classification for fiscal year 1996.

3. Without proper classification pre-Ruiz chaos will return.

4. A parole board employee supplied information to one source.

and are not properly trained or have the time to handle classification matters.⁵

The current problems that exist (Beto 1 is being used as an example) include the non-consideration of an inmate's safety versus the need to place inmates in housing. This Honorable Court expressed on page 9:

"[TDCJ-ID] has greatly improved its classification system, which at the time of trial in this case focused exclusively on age, size and the number of prior incarcerations."

Petitioner would state that such is no longer the case. In the last eleven months, Petitioner has been only housed once with anyone his age, or size and this has been only over a week now. The remaining were younger, stronger inmates who not only stole from the Petitioner but placed an inherent fear upon the Petitioner, because he is handicapped. When Petitioner reported such to security and administration, he was ignored. Further, administration created special wings for inmates without any form of disciplinary cases, and one minor case forced the violator to be moved to a violent area of the unit, without regard for security or safety of the inmate. Petitioner included. Plus again, due to lack of sufficient security

5. Petitioner and others have experienced deliberate indifference to life threatening situations by ranking security officers. Most personnel expect the inmate to fight or succumb to their assailants.

personnel, violent and non-violent inmates are equally housed.
As to where both administration and security accept as "norm"
violent inmates controlling inmates and the wings.⁶ Petitioner
has repeatedly seen inmates cut themselves and attempt suicide
in order to get moved off a wing, because security and
administration would not heed their pleas for protection, or do
anything about other inmates threatening to rape them or make
them pay protection.⁷

As far as grouping prisoners on their needs, medical conditions and physical conditions, as listed by this Honorable Court, the only medical consideration may be whether or not a prisoner is in need of bottom bunk or bottom row. Those such as the Petitioner are housed wherever cells are available, regardless of the security risks, potential harm and threat to the medically restricted inmate, and regardless of age or size. What may be written policy is not enforced policy.

TDCJID has not continued "to employ" the Final Judgment version classification system "or one equally appropriate for

6. Petitioner was told upon arriving at Beto 1, by classification, plus a warden, that Beto 1 was a violent farm and that it was okay to fight to protect oneself, because inmates clicked on weaker inmates.

7. Not only on Beto 1 is this accepted policy, but also on other units, such as Ferguson, Terrell, Coffield and etc. Further, both security and administrative personnel laugh and joke at such matters.

the operation of safe and secure prisons."

More about this later.

IV

Reduction of Recreation Time

Administrative personnel have openly declared to Petitioner and other inmates that "Close Custody" inmates will no longer benefit from the "Ruiz Final Judgment" when it comes to exercise and dayroom time. Said general populations inmates will only be given one hour a day of recreation time and one hour a day of day room time.⁸ This program will be implemented soon. Already, inmates on the Northern side of the Beto 1 Unit receive less recreation time than the inmates on the South Side of the Beto 1 Unit. This is an accepted policy excused by the lack of security. Both the present and future policy are intentional overrides of this Court's authority and position.

V.

A Major Change In Necessities

On Page 9, Section 8, this Honorable Court noted testimony from Director Collins regarding intent to continue the current program of issuing of necessities to prisoners which went beyond the Court's compliance. However, right after the final judgment

8. Officials maintain a dislike for the Ruiz Judgment and have found a way around it through cost reduction and new legislative action. However, this Court may not see it that way?!

was signed, TDCJ-ID officials began removing ID tags from clothes and issuing them by general sizes.⁹ Whether or not the clothing is the wrong size, torn, in need of repair, or heavenly stained, the clothes are issued with the demand to wear them. This has created two problems TDCJ-ID has lost control over.

The first problem, is that without name tags on clothes, inmates can freely go from one living area to another. Since officers and other inmates can no longer see an inmate's name, violent or thieving inmates can easily rob another inmate's housing area, or harm and rape another inmate. The second problem in violation of the Final Judgment, is that Necessity Personnel give orders to their inmates not to issue but one pair of clothing to an inmate regardless of condition or size. In turn, these inmates become building tenders by selectively issuing best clothes to their friends or those whom pay, plus they have the freedom to order another inmate away from the window, refuse to give him proper clothes, plus threaten and verbally abuse the inmate. In addition, necessity personnel endorse their inmate's actions and threaten the complaining inmate along with him.¹⁰

9. Only those working in necessities are guaranteed clothes that fit. ^{Soft} inmates and handicap inmates risk tripping from long pants that have to be rolled up.

10. Petitioner has worked in necessities since the change and knows first hand the practice and policies which take place.

VI.

VIOLATION OF HANDICAP AND MEDICAL SECTIONS

Administrative and security personnel have taken an adverse direction towards treatment of handicap and inmates with prescribed medical treatment. Wardens are allowed to dictate to doctors what they may and may not order, plus override any of the doctors prescribed orders. For example: In November 1994, on Beto 1, the Unit Warden ordered the Unit Health Authority to remove floor lockers passes from handicap inmates. Only eleven out of 70 or more inmates were allowed to keep their floor lockers. The rest regardless of missing limbs, or inability to climb up on a lower bunk with one foot and one hand and try reaching the upper locker, were denied further use of the floor lockers. In addition, handicap inmates with canes and crutches were allowed to walk left of the inmate pathway to avoid being knocked down by other inmates. Now both handicap and general population inmates must walk in the same space. Diabetics with written passes and orders from the doctors for treatment of low blood sugars, insulin reactions, feeling ill and insulin shots are ignored by most of security and administration. Most refuse to obey the doctors orders or allow the inmate treatment or an escort during count times, regardless of the length of counts or how ill or how much the diabetic is in need of treatment.¹¹ And

¹¹ Petitioner has type one diabetes. Letters, grievances and direct communication with medical and wardens have failed to stop such continued denials and delays.

this is being done by captains, lieutenants, sergeants and those whom have been in the system a long time and know better. Doctors are basically intimidated into submission to the will of security and administration.¹² Unless something is done to immediately correct this it will get worse.

Further, security can override sick call appointments and medical appointments. The easiest way to do this is by having an extended count. Sick calls are not re-scheduled if security interferes or count delays sick call for several hours. Inmates that have waited days to be seen for illness and problems must re-submit a sick call request and wait some more for treatment.

Security also plays doctor over the telephone to the nursing staff and diagnosis an inmate by vision and the nurse either accepts the officer's non-medical opinion or tells him to have the inmate to fill in a sick call slip. When the inmate complains of being in need of treatment he is usually told by security he shouldn't have come to prison if he wanted treatment.

Plus security has the final say as to whether an diabetic in need of food or snack to stop an insulin reaction can get it from the kitchen.¹³

¹² Dr. Carrington of Beto 1, was intimidated by Administration and internal affairs officials not to enforce her prescribed insulin times ordered for the Petitioner.

¹³. Petitioner has been refused nurse ordered snacks by security officers, even when his blood sugar was low.

VII

SECURITY UNDERSTAFFED

On page 11, of the Final Judgment this Court said:

" Section II of the proposed final judgment requires TDCJ-ID to maintain sufficient staffing, in perpetuity to meet safety and supervision requirements of its prisons..."

For the past several years, TDCJ-ID has been understaffed and running skeleton crews with security. For instance, on Beto 1, the only way any amount of staff exists is through the OJT training program with untrained officers filling in many vacant spots. Many security employees leave Beto 1 due to the abusiveness of their supervisors.¹⁴ There are seldom sufficient staff to open the doors for blocks of four wings.¹⁵ There are seldom enough staff to properly monitor the wings or walk the runs. Staff often have to work eight hour shifts without breaks and at these times, there aren't available staff to escort inmates to the infirmary during count. All of this presents

¹⁴ Many security officers have openly expressed to the Petitioner of supervisor abuse. Plus Petitioner has witnessed such verbal abuse. Once a security officer is no longer on OJT, the abuse begins, thus driving many to either quit or seek transfer to another unit.

¹⁵ The lack of security personnel to roll open cell doors has caused great delays for Petitioner and others to get out or receive needed medical treatment for insulin reactions. Further, the lack of properly trained security personnel allows safety of both staff and inmates to be put aside, in that inmates from other custody levels may enter living areas undaunted and carry out any criminal scheme they desire. Petitioner has been robbed several times because of this. Not only hundreds of dollars worth of personal property and shoes are stolen by such inmates, nothing is done by security to look for the stolen goods or the thieves.

safety hazards to inmates living areas and personal safety. As to where, inmates can freely come in and out of living areas, rob inmates cells or freely do harm to another inmate. The reason being, the new security officers don't know who lives on what wing, plus there are not enough security available to check every inmate. (Again, minus the clothing ID's, security's has no control). This is the only unit Petitioner has been on in ten years where theft is an accepted and expected "norm". Security and administration expect inmates to find and get back their own stolen property. When done, normally the result is bloodshed and violence.¹⁶ Whatever figures the Respondents may present to this Honorable Court do not present an actual figure of the number of employees working at any one given time.

A new local policy by the Beto 1 Unit Warden requires at least one law library officer to work security during lunch time. Since all indigent mail must be processed daily, including incoming and outgoing legal mail, not to mention pick up and delivery of law library books for ad seg inmates. The new policy inteferes with and prohibits the completion of all these things, especially when only one officer is left to do them. Thus indigent inmates outgoing mailed is delayed an extra

¹⁶ Petitioner has witnessed weaker inmates being forced to retaliate against those who robbed them or beat them or raped them, by having to sneak up on the predators with padlocks or some other form of weapons. This also has lead to one race joining in groups to combat and retaliate against a predator of another race. All because security and administration won't do anything, or have the staff to prevent it in the first place.

day and the incoming legal mail is delayed getting to the prospective inmates. Shear disregard for the Final Judgment prevails on Beto 1.

VIII

The New Building Tender System

The once "brutal" building tender system has been replaced by a domineering force of special inmates who are given preferential treatment. They can give orders to inmates and staff, plus their word is taken over other inmates and they can manipulate security personnel to write disciplinary cases against inmates or get inmates moved. Who are these inmates? For the most part they are Special Support Service Inmates (SSI's), the very ones this Court's mandate prohibited from conducting such activities. Many are hall porters, wing porters and infirmary porters. Hall porters: 1) provide personal service to staff (e.g. coffee, ice & etc); 2) receive gratuities from staff, such as free access to staff coffee, ice, special showers, and food bought by or brought in by staff; 3) are allowed to run the halls freely; 4) can freely go into any wing they desire; 5) can freely transport contraband from one inmate to another; 6) can openly and freely traffic and trade items from one inmate to another and one wing to another; 7) report on other inmates conduct and activities; 8) pass on orders to lower ranking staff; 9) are allowed to freely fraternize with staff; and etc.

Infirmary porters: 1) are allowed to sit in triage rooms and comment on an inmate's treatment or complaint to a nurse; 2) are allowed to obtain medication from one nurse and transport it to another; 3) are allowed to threaten and verbally abuse any inmate that comes into the infirmary; 4) are allowed to threaten an inmate who gives a nurse a bad time; 5) are allowed to eat free world food brought in by medical staff; 6) are believed by medical staff over another inmate; 7) are allowed to influence medical staff as to whether or not staff should treat an inmate; 8) are allowed to tell security personnel that the nurse doesn't want to see an inmate; 9) are allowed to tell security personnel to let their friends in without a pass; 10) are allowed to freely take ice and coffee to security personnel working outside of the infirmary (such as in the halls or other wings); 11) are allowed to know sensitive information about other inmates, and etc.

IX

UNLAWFUL USE OF FORCE CONTINUES

This Honorable Court is probably aware of the numerous lawsuits being filed by inmates against staff for unlawful use of force. Such activities still continue in spite of policy. Petitioner continually witnesses such unlawful use of force.¹⁷

¹⁷ Petitioner has witnessed for years ongoing illegal use of force against inmates. For example, an inmate may be told to "catch the wall" or fence, and then an officer will stand there and verbally abuse the inmate, taunt him, say things about him and his "momma", and others will join in, especially rank, hoping the inmate will move a hand off the wall or say something that will give them cause to brutally and forcefully put the inmate on the ground. The other common occurrence is that once an inmate is handcuffed with his hands behind his back, three or four officers will run him into a wall, pull and then yell "fight" before the video camera arrives.

Even handicap inmates suffer from illegal use of force by officers who know better.¹⁸ The trend to cover-up and deny unlawful use of force has not at all diminished over the years. Security personnel know that functionally illiterate inmates will seldom file against them, plus they know how to make things look like an accident, such as pouring water on a floor after the use of force and using a camera to take pictures of a water spill, on which the inmate supposedly slipped and fell. Further, internal affairs is back logged with complaints and investigations. Therefore, most abusers freely continue their practices. The current system and policies do not work.

X

OVERCROWDING AND CLASSIFICATION

Medically handicap inmates who stop in-transit at Ellis 2,
are now having to sleep on the day room floors without mattresses.¹⁹ Medical handicap and restricted inmates with bottom

¹⁹ See inmate Stephen Graham's affidavit attached.

¹⁸ Inmate Stinson has submitted an affidavit hereto, regarding a current event of illegal use of force. His affidavit also shows the failure and refusal to properly investigate by administration and internal affairs. Any one with common sense just looking at inmate Stinson, knows he is partially paraplegic, plus that his right arm won't go behind his back. Yet, security intentionally did all they could to force it behind his back and cause him pain and suffering.

row and bottom bunk requirements are left to sleep in day rooms when no bottom row cells exist. Ellis 2 does not have adequate space for such inmates.

The Texas Board of Criminal Justice (TBCJ) on March 24, 1995, established new policies that will keep the prison system overcrowded and releases down. Inmates returning on a technical parole violation will no longer get any good time back and will have to do longer sentences.²⁰ Inmates losing class status or going to a lower custody class will now have to wait one year before getting it back. Return to former class status will no longer back date difference in good time benefits. Everything that once existed at the time of the Final Judgment that would help ease the overcrowding is now being done away with. The TBCJ is even exceeding their constitutional and lawful authority, knowing that it will take years to challenge or change in the Courts. This Honorable Court's concern about future overcrowding was not in vain. The dare and challenge for this Court to cross the new drawn line by the TBCJ has been given. TBCJ apparently believes this Honorable Court can't or won't intervene.

²⁰ This decision will more than likely result in the Federal Courts being flooded with equal protection and equal treatment claims.

XI.

ACCESS TO COURTS

While Ms. Sherry Brown, Access To Courts Program Director has been doing an excellent job with the law libraries, the TBCJ has reduced her funds and won't provide minimum required legal assistance to certain inmates. Inmates that are non-English monolingual speaking, and functionally illiterate inmates do not have any form of legal assistance when it comes to writing grievances, challenging their convictions or filing Civil Complaints. For the most part, law library personnel are not properly trained in the law and cannot decipher what such inmates want or need in the way of law books, including those in ad seg.²¹ Staff Counsel For Inmates is very selective in its assistance and cannot help those who don't know how to write. The same goes for Texas Center For Corrections. Relying on officially untrained (i.e. non-certified paralegals) inmates to assist such inmates doesn't even come close to meeting these inmates legal needs. For the most part, truly knowledgeable inmates exist in very small numbers on each unit, and can only

²¹ Petitioner has personally worked as a law library clerk. Further, Ms. Brown recruited Petitioner to help interpret requests from ad seg inmates and inmates that couldn't read or write too well, to insure that they received most of the books they were looking for or didn't know where to look for. Only a small percentage of law library personnel know how or understand how to do this. Petitioner has never seen or known of anyone who can officially help monolingual foreign speaking inmates or functionally illiterate inmates file grievances, do research and etc. This problem exists system wide.

help a very limited number of inmates. Unfortunately there are some inmates who proclaim to be great lawyers, charge money, and then ruin the disadvantaged ~~an~~ inmate's chances of succeeding in court. Access to courts should include the ability to freely scan the law books for new or relevant theories. Those in ad seg and those who can't read are prohibited from such opportunities. Without properly trained legal assistants, members, like these, of the Plaintiff class are being denied access to courts.

XII

THE GRIEVANCE SYSTEM DOESN'T WORK

The grievance system that was certified by this Honorable Court, no longer functions properly. Most grievances against staff are not investigated, and the employee's denial is sufficient proof that the alleged wrong never occurred. Whatever answers are given at the unit one level are endorsed at the regional and deputy director level. This also includes medical grievances. The system is so overloaded and understaffed, that the Federal Courts are being flooded with complaints that should have been resolved via the grievance system.²² Without major

22 According to officials in Huntsville, which Petitioner has spoken to recently, the grievance system is back logged, and grievances are passed over or passed on from one department to another. Internal affairs is several months back logged and for the most part isn't able to function properly on use of force claims and other viable constitutional claims. If the Respondents spent more time investigating and attempting to resolve the complaints on the local level, the Courts would see a drastic reduction in lawsuits. But the way it is now, the system is simply rhetoric and being left up to the Federal Courts to handle.

revisions or enforcement, Plaintiff class's right to redress will continue to be violated.

XIII

SUMMARY

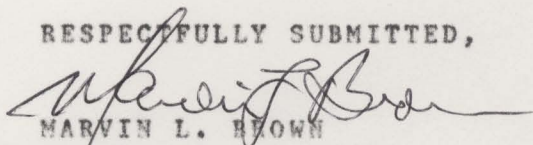
Petitioner has only highlighted what can be considered a tip of an "ice berg". Greater violations, security and safety factors lie hidden under the murky waters of deception. Most members of the Plaintiff class do not know how to file or what to file when it comes to contempt motions. Therefore, a limited but open invitation for the Plaintiff class to respond, should greatly be considered by this Honorable Court. At the rate the Respondents continue to violate the Final Judgment, Ruiz will truly be historically the longest running civil litigation. Such is unfortunate.

XIV

PRAYER

WHEREFORE, PREMISES CONSIDERED, Petitioner prays that this Honorable Court will consider Ordering a Show Cause Order why Contempt should be entered against Said Respondents.

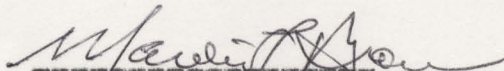
RESPECTFULLY SUBMITTED,



MARVIN L. BROWN
Petitioner, pro se
396429 Beto 1
P.O. Box 128
Tennessee Colony, Tx.
75880

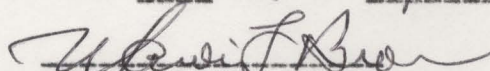
DECLARATION

I hereby declare under the penalty of perjury that the foregoing is true and correct on this the 8th day of April 1995.


MARVIN L. BROWN

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing has been submitted to MR. DAN MORALES, TEXAS ATTORNEY GENERAL, by placing a copy of the same in the U.S. Mail, pursuant to Rule 5, F.R.C.P., on the 10th day of April 1995.


MARVIN L. BROWN

DECLARATION

I, Stephen Graham, TDCJID #652660, having read the above Motion To Show Cause, do hereby declare under penalty of perjury that the majority of it I know to be fact, plus I know inmate Marvin L. Brown, to be a very truthful and honest person. Declared this the 7th day of April 1995.

Stephen M. Graham
STEPHEN GRAHAM

DECLARATION

I have had the foregoing motion for contempt read to me and and I know it to be true, I make this declaration under the penalty of perjury, on this the 8th day of April 1995.

Thomas Stinson
THOMAS STINSON
TDCJID #664874

AFFIDAVIT BY STEPHEN GRAHAM

I Stephen Graham, being over 21 years of age and of a sound mind, do hereby make this affidavit of my own free will.

I am currently incarcerated on the Beto 1 Unit of TDCJID. In February, 1995 I had surgery on my left foot. Pins were put in my toes along with a cast.

When I returned from John Sealy, I asked the doctor for a floor locker, because it was impossible for me to climb up on a bunk and reach into an upper locker. I was denied the floor locker, due to Warden H. L. SCOTT's orders and policy.

Prior to this in January, I fell off the bunk trying to reach into my locker and injured my back. At that time I was told "no" to getting a locker.

Even after getting the pins removed from my foot, and having a cane to get around on, I am still being denied a floor locker due to the Warden's overriding of medical and doctor's orders. I have to rely upon another inmate to get my property in and out of my locker.

Further, when I came back from the removal of the pins and stayed overnight on the Ellis 2, Unit, on or about March 21st, 1995, I was forced to sleep on the day room floor with only a sheet and a ~~blanket~~ ^{blanket}. There were no bottom row cells available or any mattresses.

In fact, many inmates had to sleep in the day room on a dirty floor!

FURTHER I SAYETH NOT.

Stephen M. Graham

STEPHEN GRAHAM
652660 Beto 1 Unit
P.O. Box 128
Tennessee Colony, Tx.
75880

DECLARATION

I hereby declare under the penalty of perjury that the foregoing is true and correct on this the 20 day of April 1995.

Stephen M. Graham
STEPHEN GRAHAM

AFFIDAVIT OF THOMASE STINSON

I, THOMAS STINSON, being over 21 years of age, and of a sound mind, do hereby make this affidavit of my own free will.

Since I am basically functionally illiterate I have asked inmate Marvin Brown to type this for me, and then to read it to me before signing.

I am assigned to the Beto 1 Unit TDCJID.

I am a partial paraplegic. My right arm and leg are deformed and non-functional. Plus I have two steel rods in my back.

In order to get around I must use a cane with my good left arm.

My physical disabilities are not only well known to all staff and inmates, but are physically apparent.

On Friday, September 9, 1994, I had been waiting in the Beto 1 infirmary from 5 A.M. to 11:30 A.M., to see a doctor. My left arm and leg were in much pain, and via a sick call appointment I was seeking treatment.

Around 11:30 A.M. a nurse told me that I wasn't going to be seen. I explained to the nurse that I was in pain. He said that there was nothing he could do about it.

I was forced to leave the infirmary untreated.

When I went out into the hall, I found Major Jeffrey K. Jeffcoat. I explained to him the situation. He told me to go and see the Unit Health Administrator, Ms. Rosemary Haney. However, he made no phone call.

I went back to the infirmary. The nurse came back and told me that I couldn't see Ms. Haney, except via a written request. He hadn't spoken to her and still refused to let me see her or the doctor for my pain.

When I went back to see Major Jeffcoat, Assistant Warden Larry V. Plentl was talking to him. I waited under their conversation had finished.

When I told Major Jeffcoat that they wouldn't see me, he yelled at me and told me to get out of the hall. I tried telling him again that I hadn't been seen and again he ordered me to leave.

Before I could get down the hall, he ordered Captain Richard K. Thompson, III, to get me out of the hall.

Before Captain Thompson could act, Officer Howard L. Walker, turned around in the hall and approached me from the left side. By the time Captain Thompson had arrived, Officer Walker shoved me and ordered me to "Move On". His shove was hard enough to make me fall, since I had no way of stopping the motion with my right leg.

The fall was painful. Officer Walker and Captain Thompson picked me up. Officer Walker's grip on my left arm was very painful so I jerked away because of the pain. At the same time he and Captain Thompson were pushing my head down, and officer Walker re-grabbed my left arm.

Captain Thompson then kicked my left leg out from under me and made me fall face down on the floor. The fall was excruciating.

Next either Walker or Thompspon put their knee in my back and tried forcing my deformed right arm behind by back. With the rods in my back it was impossible.

The pain was so severe I was crying and telling them they couldn't do that. They didn't listen but continued to try to hand cuff me.

Lt. Anderson came along and made them stop, plus take the handcuff off my left wrist. No video camera was called for until after this event!

Warden Plentl and Major Jeffcoat stood and watched the whole incident and did nothing to intervene.

A video camera and stretcher were called for. I was lifted and placed face down on a stretcher and taken to the infirmary.

No doctor got to see me only a nurse, whom said I was okay.

They I was wheeled back to my cell and locked in my cell. My entire body was in pain.

It took over a week to get to see the doctor. All he prescribed was motrin for the new back pain that had developed from this incident. The pain and back problems still persist.

I received a disciplinary case for disobeying an order. Case number 95007576.

On this unit an inmate is guilty no matter what. My witness statements were ignored. I was dropped to a Line 1 and given 30 days cell and commissary restriction.

My subcounsel filed a Step 1 greivance for me and said that I didn't need to file a Step two or three.

I had different people file grievances on the incident. Administration and internal affairs denied any wrong doing, and refused to investigate the matter or listen to my witnesses.

In addition to this, on April 3rd, 1995, I slipped and fell in the dining hall. Water and food are constantly on the floor which makes it slippery and dangerous for everyone, including handicapped people. The warden, security and food services know all about this, but make no effort to clean it up during chow.

FURTHER, I SAYETH NOT.

Thomas Stinson
THOMAS STINSON
#664874 Seto 1 Unit
P.O. BOX 128
Tennessee Colony, Tx.
75880

DECLARATION

I have had this read to me, and hereby declare under the penalty of perjury that the foregoing is true and correct on this the 5th day of April 1995.

Thomas Stinson
THOMAS STINSON