



Prisoner Narratives

Running in Circles for Justice

The grievance procedure in Missouri State prisons appears to be straightforward—not quite easy to follow, but fair. You have a concern? File an IRR (an ‘Informal Resolution Request’). That’ll get you justice – or so you’d think, reading the letter that Jay Boresi, Missouri Department of Corrections Legal Counsel, sent to Missouri CURE on 8/20/2016. Quote:

*"The Missouri Department of Corrections has instituted a grievance procedure and grievance appeal procedure. This process allows for multiple department staff members at incrementally higher levels of authority to address offender concerns. I would encourage ... to follow the Department's grievance procedure as it is generally the **most efficient** method of resolving issues."*

Many prisoners have reported to Missouri CURE an environment where staff deliberately obstruct the grievance procedure in a variety of ways. This is especially true if the prisoner is housed in administrative segregation.

Rasheem, a 42-year-old African American Muslim, has spent an incredible seven torturous years in solitary confinement and has had a lot of experience when it comes to the department's grievance procedure. He first contacted Missouri CURE in 2015 from Southeast Correctional Center (SECC) in Charleston, MO. Rasheem was seeking redress for the inadequate treatment of his health condition by Corizon Health, and he had numerous complaints about abusive, racist, and inhumane treatment by prison staff.

Rasheem is by no means the only prisoner to raise these concerns, but his case, in particular, as it is tied to his neglected medical needs, represents a perfect example of the tactics prison staff use in order to circumvent standing operating procedures, avoid accountability, and retaliate against prisoners who dare to stand up for themselves and the rights of their fellow prisoners, something Rasheem is well known for.

Below are examples reported by Rasheem that correspond with other prisoners' experiences of the **delay tactics** commonly used by staff. The purpose: to prevent and hinder prisoners from filing complaint reports.

*"The classification staff CCM Seabaugh, CCM Cossey and FUM (functional manager in charge of a housing unit) Merideth still have my legal material in their office and is creating all kinds of unreasonable (delays). **His tactic is this.** If he gives me an IRR (Institutional Resolution Request form) let's say – Monday – he's not going to make another round until the next Monday (**which violates the ad/seg policy IS 21-1.2 which states rounds are to be made daily**). So if I was to write another one that same week he will not bring me one or send it in the mail. He's not going to give me another one until he discusses the one before. Policy doesn't support this erroneous practice. So I'll only get one twice a month. **Also his delay tactics thwarts our ability to file on time. We only have 15 days to file a complaint or it will be dismissed. So it's hard to utilize the grievance system.** The grievance officer Young supports it. So does F.U.M. Meredith."*

Rasheem has reported that staff also routinely uses his mail as a form of harassment and retaliation by withholding delivery and/or stalling incoming time-sensitive legal mail. "They are using my mail as a form of punishment. I've written to everyone and Gov. Jay Nixon, all to no avail. They never write back."

*"This is not Disneyland. These corrupt pigs sincerely hate me. They are so underdisciplined, poorly trained, and unsupervised that they feel that they can get away with anything. **This is why they do stuff like tamper with our food, tamper with our mail—legal and otherwise—and deny us showers and medical care. 95% of the staff across this state don't know policy; therefore they don't follow or adhere to policy. Actually they hate policy because it's an inconvenience for them.***

What is even more despicable is that 90% of these inmates don't know policy, so whenever someone like myself comes along and challenges their authority it becomes a serious issue. By my knowing more than the staff, they don't like that. Even their supervisors hate it and this is why I have issues everywhere I go.

*On 9/23/16 CCM [Correctional Case Manager] Noel Obi Manduka, the case manger in HU 8, who **I've been having serious issues with since***

I've been here, brought me several pieces of legal mail. All of it was over ten days (past) the postmark. On 10/4/16 he brought me some more legal mail postmarked 8/24/16. The mail was from Cynthia Jotter. The CCM Obi (as he is called) holds malicious feeling towards me and he continues to violate my constitutional rights.

1.) He has thrown away IRR'S that I filed on him and the grievance officer Joseph Saint for mishandling the grievances I was trying to file on SECC when I first arrived here in June 2016.

2.) He also destroyed/thrown away an IRR I tried to file on Lt. Johnson and Lt. Graham for cruel and unusual punishment for denying me a mattress for five days.

3.) From 8/21/16 to 8/26/16 he deprived me of my legal material and hygiene products. He is trying to protect these corrupt supervisors. They are abusing the whole property restriction procedure. Col. Sherry Pope, it seems like every time I give this rogue some mail she don't deliver it to the mail room. Col. Angie Kurgas (also) took some legal mail out of my cell on 9/23/16 and she continues to mishandle my mail.

Rasheem has been an insulin-dependent diabetic since the age of 15 when his pancreas was shredded by gunshot. Rasheem reported having been repeatedly denied adequate access to his insulin," causing incidents of diabetic coma and also reported physical and racist abuse by prison staff. Rasheem's documented attempts to receive adequate medical care and the way his medical condition is used as a form of retaliation by prison staff has resulted in the filing of numerous civil suits against the MODOC and individual staff—staff members that he reports are openly racist and retaliate against him in both passive and aggressive ways.

On three occasions, Missouri CURE submitted Rasheem's complaint forms to the Missouri Board of Nursing as he was hindered from doing so due to limited writing material while in adseg. It came to light that the Missouri Board of Nursing **does not accept** prisoner complaints against Corizon Health nursing staff, who are therefore immune from any prisoner complaints concerning their care. The Missouri Board of Nursing confirmed the following policy:

"The Missouri Board of Nursing is in receipt of your complaint. You will need to file your complaint through the Department of

Corrections' grievance procedures. Contact your caseworker if you have questions about these procedures. If the Department of Corrections investigation reveals that there is a potential violation of the Nursing Practice, an investigation and/or report will then be forwarded to the Missouri State Board of Nursing for further action, if warranted.

*Sincerely,
Lori Scheidt
Executive Director”*

Rasheem's has struggled to receive adequate care for what should be routine diabetic treatment typically controlled by diet and the timely administering of insulin. Withholding healthcare has reportedly become a weapon of choice for nursing staff. As Rasheem stated, many of the Corizon staff involved with his care are defendants of civil cases, a situation that Rasheem suspects has created a conspiracy to discourage him from filing complaints. There are also ubiquitous reports of aggressive racism, including one instance where an officer who is also a defendant in his lawsuit demanded that Rasheem "suck his dick" if he wanted to be released from property restrictions. This particular officer's supervisor was a defendant in Rasheem's lawsuit, thereby removing any likelihood for recourse. However, this racist treatment is not confined to just a few officers, but according to Rasheem involves an entire network of staff who take part with casual impunity.

*“As you know there has been an ongoing campaign of harassment here regarding me. And the following officers are the main culprits who are constantly taunting me and trying to provoke me into a physical altercation: **Col. Caleb Terry, Col. Kristopher Wallace, and Nurse Timothy Ball.** This is a housing unit they do not normally work in at all. They been popping up over here trying to provoke me. They don't want me out of the hole, or prison.*

*1.) On 5/8/2017 Col. Caleb Terry was taunting me in the chow hall by winking at me and blowing kisses. He also came to the housing unit blowing kisses and making threats towards me. **This officer is a professed racist. He has called me nigger on numerous occasions (behind the door) and has stolen my incoming mail.***

2.) *On 6/4/17 Nurse Timothy Ball denied me medical treatment. This rogue nurse is poorly trained and poorly supervised. He has a history of poor conduct and his supervisors fail to discipline him. He holds malicious feelings towards me for filing grievance reports on him. He deliberately neglects to bring my insulin on time.*

3) *On 6/4/17 I reported to the officer that I will like for him to call medical and inform them that I only want two pills of the several that I am scheduled to take at 8:00 pm. I've been having an adverse reaction to certain medications (...). I told Nurse Ball I only wanted to take the two aforementioned meds and he responded, "You are taking whatever I bring you." I responded I have a right to refuse meds and he can't force me take medications that are causing me problems. I then asked for some refusal forms, which he denied me."*

It is both tragic and pitifully ironic that an institution built upon the notion of serving and upholding justice routinely and simultaneously denies and obstructs it for those trapped within. What is even more disturbing is a healthcare professional taking advantage of and abusing the vulnerability of a severely ill person as a tool of retaliation and intimidation.

It suffices to say that Rasheem's civil cases against the department were not successful, but even after years of abuse, solitary confinement, and numerous transfers, he continues his struggle for justice for himself and the many others trapped in a system that ignores what it means to be human. Below are excerpts from his latest correspondence.

"As you see from the address that I'm no longer at the SCCC plantation. They transferred me here (WMCC) on 8/27/19. Being here is so much better than those actual level 5 joints. I sort of got some relief. Yeah, I'm still in the hole. They told me that if I give them 90 days CDV free, they'll let me out of the hole. I've been in the hole too long, since July 2, 2013. Being a prisoner advocate comes with a price, and the Most High knows I've been through it dealing with these corrupted staff, whether it be medical, custody or the administrators.

Well, I'm writing to you with the hopes that you will provide me some assistance obtaining adequate health care. The whole time I

was at SCCC I was fighting to receive proper healthcare treatment.

I'm hoping that you can help me like you did before by emailing the Director over DORS as well as the Director of Operations, Ms. Wing.

Something is wrong with me, but the medical staff here as well as other places don't care. They seek to undermine my issues, to avoid spending money on me. I have legitimate reasons for the care that I'm seeking. All that I request is medically necessary. I don't want to die here."

Missouri Department of Corrections Legal Counsel would advise: "I would encourage Mr. L. to follow the Departments grievance procedure as it is generally the most efficient method of resolving issues."