

THE "FIGHT" WORKS
by Timothy J. Muise

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One of the biggest enemy to the "prisoner activist" is the apathy of other prisoners. Men in these gulags get beat down and feel that there is no use in fighting the abusive system as the deck is so stacked against us. It is part of the plan of demoralization and self-esteem stripping that the jailer employs against us. Well one of my jobs, as I see it, is to instill new hope in the prisoner planting seeds of dissent which I hope will sprout in an invigorated spirit of the modern fight for human rights in prison.

One of the tools I have at my command is the ability to litigate. It can force the gulag oppressor to respect our rights. I did this last year when I forced the entire Executive Branch to recognize that prisoners have the "right" to organize protests in the free world. My case Timothy J. Muise, pro se, Vs. Gary Roden & Another, Suffolk Superior Court No. SUCV2011-0895, forced the Executive Branch to employ an "Emergency Adoption" to change the prison disciplinary regulations to reflect the fact that prisoners can organize outside demonstrations. What follows is the Regulation Filing Notice which states, "Prior approval of the Governor's Office and the executive Office of Administration and Finance has been granted." and that my case, "Amends 103 CMR 430.24, Offense 2-10, by specifically limiting inmate discipline to group demonstrations or hunger strikes inside of state correctional institutions." (See the following notice) These victories give us hope!

In true gulag fashion I was "disciplined" and "transferred" for doing what I have the "right" to do; organize peaceful protests outside of the abusive prisons. The good news is that the case changed the law and the DOC/gulag had to pay me \$10,000.00 for my inconvenience; money which has been put to good use in constructing more "free speech" litigation against the oppressors. The "discipline" had to be overturned, in fact the gulag had to list the disposition of the case as "overturned by the Superior Court." It pissed them off to do that and the ORDER was given upon my motion; that really pissed em' off! (But better to be "pissed off" than "pissed on" I guess!)

The fight works! Please get involved in assisting me to fight these bastards who "create" crime rather than work to eradicate it. I need your support and hope you will contact me with ideas and backing. We have to believe men and women can change or we are doomed as a society. You can reach me at;

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* * PLEASE REVIEW THE FOLLOWING DOCUMENT * *



Docket # 267,

THE COMMONWEALTH OF MASSACHUSETTS
William Francis Galvin
Secretary of the Commonwealth

EXHIBIT
"D"

Regulation Filing *To be completed by filing agency*

CHAPTER NUMBER: 103 CMR 430.00

CHAPTER TITLE: Inmate Discipline

AGENCY: Department of Correction

SUMMARY OF REGULATION: *State the general requirements and purposes of this regulation.*

This regulation complies with Suffolk Superior Court declaratory judgments by permitting discipline of inmates who participate in group demonstrations and hunger strikes inside state correctional institutions without regulating outside activities, which could implicate First Amendment protections.

REGULATORY AUTHORITY: G.L. c. 124, §1(b), (i), and (q) and G.L. c. 127, §33

AGENCY CONTACT: Steven J. Masse, Jr. PHONE: 617-727-3300, ext. 1164

ADDRESS: 70 Franklin Street, Suite 600, Boston, MA 02110

Compliance with M.G.L. c. 30A

EMERGENCY ADOPTION - *if this regulation is adopted as an emergency, state the nature of the emergency.*

SEE ATTACHED

PRIOR NOTIFICATION AND/OR APPROVAL - *If prior notification to and/or approval of the Governor, Legislature or others was required, list each notification, and/or approval and date, including notice to the Local Government Advisory Commission.*

Prior approval of the Governor's Office and the Executive Office of Administration and Finance has been granted.

PUBLIC REVIEW - *M.G.L. c. 30A sections 2 and/or 3 requires notice of the hearing or comment period, including a small business impact statement, be filed with the Secretary of the Commonwealth, published in appropriate newspapers, and sent to persons to whom specific notice must be given at least 21 days prior to such hearing or comment period.*

Date of public hearing or comment period: _____

FISCAL EFFECT - Estimate the fiscal effect of the public and private sectors.

For the first and second year: _____

For the first five years: _____

No fiscal effect: _____

SMALL BUSINESS IMPACT - M.G.L. c. 30A section 5 requires each agency to file an amended small business impact statement with the Secretary of the Commonwealth prior to the adoption of a proposed regulation. If the purpose of this regulation is to set rates for the state, this section does not apply.

Date amended small business impact statement was filed: _____

CODE OF MASSACHUSETTS REGULATIONS INDEX - List key subjects that are relevant to this regulation:
State Correctional Institutions; inmate discipline; engaging in or inciting a group demonstration or hunger strike inside state correctional institutions.

PROMULGATION - State the action taken by this regulation and its effect on existing provisions of the Code of Massachusetts Regulations (CMR) or repeal, replace or amend. List by CMR number:

It amends 103 CMR 430.24, Offense 2-10, by specifically limiting inmate discipline to group demonstrations or hunger strikes inside state correctional institutions.

ATTESTATION - The regulation described herein and attached hereto is a true copy of the regulation adopted by this agency. ATTEST:

SIGNATURE: _____ DATE: 11/14/14

Publication - To be completed by the Regulations Division

MASSACHUSETTS REGISTER NUMBER: #1275 DATE: 12/5/14

EFFECTIVE DATE: 11/14/14

Remove these pages:	Insert these pages:
	This is an emergency regulation. There are no replacement pages.

