

Private
Personal
Urgent

Prisoner
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Friday
Sept 11, 2015

Dear Governor Scott

CTS-15-64254

DUE 10-18-15

The Administration at Florida State Prison has cut me off from my family, friends, my religious literature and from sending and receiving letters from the Bishops and my priest. Which is violating Federal law under the Religious Land Use and Institutionalized Persons Act (RLUIPA) and Religious Freedom Restoration Act (RFRA). All because I unintentionally violated NOT a state or Federal law but a 33-Florida Administrative Code prison rule. Which prison administrators violate daily.

I simply wrote a member of my church to enquire if they would be willing to purchase my extra postage stamps from me at a discount. So I could stay under the 40 possession stamp limit set forth in 33-F.A.C. and use the stamp money to purchase items from the canteen here in the FDOC.

My church calls up to Chaplain Wynn to make sure this is all within the rules. Chaplain Wynn said no, that's considered running a business, it's against the rules. Now Chaplain Wynn never even comes and speaks to me. He wrote DR 205-151654 mail violation 9-14. No attempt at verbal reprimand No attempt at a corrective consultation on a Form DC6-117. No, his first reaction is disciplinary which under 33-F.A.C. is suppose to be a last resort. see 33-601.301 section (3) (quote) "Preventive discipline consists of initial orientation and continuing group and individual instruction without the necessity of taking formal disciplinary action. These corrective techniques should be employed when deviations from

the rules occur due to lack of understanding or when resulting from carelessness or faulty habits. The employee's counseling of an inmate is designed to eliminate future disciplinary violations and to develop acceptable standards of behavior." In quote This also coincides with 33-601.303, section (1) & (2) Beautiful words, but I've never had any counseling or any group or individual instructions concerning 33-Florida Admin. Codes. In fact "I don't even see proposed Rules or Rule changes" see attached to this letter a request dated 9-6-15 this past week where I'm asking to see any new rule proposals from August and Sept. The response I get, is "please be more specific." I have no clue what new rules are being proposed. I have no clue of the rule changes, yet I'm required to follow them. Logic tells you, this is impossible! But this is the FDOC, where there's no logic needed.

I filed an appeal on D.R. 205-151654 in Formal Grievance #1509-205-016, The warden has the Assistant warden J. McClellan respond that in and of itself is a violation of 33-601.309 Inmate Discipline -- Review and Final Action see section (2) and (4) and this is a quote from the last line in section (4) "Review of each disciplinary report is the responsibility of the warden or regional director and cannot be delegated to other staff members." so assistant warden McClellan violated 33-F.A.C., see his signature on the Formal Grievance, #1509-205-016. F.S.P. records will show that warden Palmer was in the building the week of Sept 1 through 4th so there was no reason to try to delegate the final review to another employee. Further more the response in the Formal

Grievance is Filled with erroneous information. This DR was not investigated within the 24 hour time frame of 33-601.305. Sgt. Mason the DR investigator (which you can confirm through FDOC employee records) didn't comply with 33-601.305 section (1) through (5) This DR. was passed off to G-wing Sgt. Kraszewski, who didn't comply with any of the investigative rules. D.R. 205-151654 and G-wing video will show that the DR. investigation didn't start until 30 and a half hours after it was written in violation of 33-601.305 Florida Administrative Codes. I'm being held to a more stringent standard of 33-FAC. than staff are. There's also no repercussion when staff violated the rules. I'm being held to a more stringent standard of 33-FAC. than FDOC employees.

And our grievance system is pure garbage." Look at Grievance 1509-205-016. speaks for itself. Non-compliance of 33-601.309. (2) and (4)

33-103.603 (2) Grievance training. I've never had this training and I've never met another inmate who has. We're given an orientation manual, that we have to sign for. That's the extent of our training. This is just another 33-FAC rule that's not complied with.

These people are also using Disciplinary Confinement known as (DC) as a first resort. This is a quote from the last line of 33-601.308 (4) (4) "Disciplinary Confinement shall be utilized only as a last resort." in quote.

yet the Administration used it as a first resort. So I'm confined, to a 9x6. . . 54 square foot cage cut off from my family and friends as well as my Bishop and Church as a result of an unintentional minor rule violation. And in return,

the Admin is violating Federal law under RLUIPA, and RFRA by denying me access to my church and religious literature. so chapter 33-F.A.C. is being used in a minor rule violation to over ride Federal law, so I'm coming to you in hope, that you will take action to correct this.

IF I had used the mail to violate Federal or state law, I could then understand some sort of mail suspension, but still not a complete and total severing of family ties. Cause as you very well know the FDOC and its employees are extremely dangerous. Darren Rainey burned to death by FDOC employees who placed him in a scalding hot shower. Randall Jordan-Aparo gassed to death. Jerry Washington, Latandra Ellington and the list goes on of inmates who have been murdered raped and abused by Florida Dept of corrections staff. This is no place to be severing family ties cutting the inmate off from his only support.

I'm hoping you will bring about some change to 33-601,308 section (4)(c) where mail suspension or visitation suspension (severing family ties) cannot be used unless there is evidence, that a state or Federal law has been violated and a criminal act has been committed.

I'm coming to you as a last resort, I've written senators, House Representatives and secretary Julie Jones. my next step is The United States Dept of Justice, because not only is RLUIPA and RFRA being violated here. I've witnessed the violation of labor laws.

I don't want to be doing this, I wanted to lay back and mind my own business I've fought

For change, I've stood up against FDOC corruption and it resulted in retaliation. FDOC ethics is extremely poor, and that's putting it politely.

I have no one to write other than Depts of Government and legal mail. They have me on D.C. in solitary, isolation with nothing to do. I'm in a 9x6... Foot Cage, that causes psychological damage. Cut off from my people who are my support. all because of a minor rule violation, "running a business" and they say it's because I had a 9-14 mail violation last October. But all I did there was place an ad on the internet promoting my blog where I talk about prison abuse. And I let the mail room classification ect know that I was placing the ad up in 2012 no, 2011 see DR #213-141428 and go on the FDOC website and view the grievance appeal and exhibits in Appeal Grievance 14-6-38135 showing that I made every attempt to comply with 33-FAC. so it was another unintentional rule violation, that really wasn't a rule violation, because I informed the Admin. of what I was doing, to ensure that I was in compliance.

I cannot win in this system, we need change and since there's clear violation of Federal laws being violated under RLUIPA and RFRA. I'm hoping you will take action to correct this and put my family and I back in touch with one another.

Thank you for your time and hopefully your help.

Sincerely
 Ronald W. Clary