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Thursday  
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United States Attorney  
Central District of California  
212 North Spring St.  
Los Angeles, CA 90012  
San Diego, CA

Re: Violation of State and Federal law

To the Honorable United States Attorney:

As you can see by my return address, I'm currently incarcerated in the California Institute for Men (CIM), one of the many prisons under the control of the California Department of Corrections and Rehabilitation (CDCR). As such, I'm forbidden access to more modern methods of contacting you, such as anything that's done on the Internet or even a direct call to your office. With that said, I've drafted this letter, on behalf of all of the men who've ever been in here, or ever will be, in the hopes that you can use the broad and reaching powers of your office to correct a terrible injustice, before someone else is seriously hurt, or worse, dies.

The injustice I speak of is the complete refusal of the prison administration to provide the inmate cells, particularly on C-Facility, with any ventilation whatsoever, and by this I mean that there's absolutely no airflow coming into the cells through the buildings' ventilation systems, nor any air leaving the cells through the buildings' ventilation systems. As you have an office in Los Angeles, I don't need to tell you just how hot it gets in this area, but trust me when I tell you that the heat we're dealing with is even far worse than anything you've had to experience there. Keep in mind that, not only do we experience temperatures which are routinely 20 to 30 degrees hotter than Los Angeles, but our buildings are all located in direct sunlight, without any awnings or shade whatsoever and are made of concrete and metal, which means that the walls just heat up, hotter and hotter, until they're literally baking the occupants and contents of the cells. The outside wall can reach temperatures well in excess of 110°, while the floors, inside walls and ceilings exceed temperatures approaching 100°.

The officers are supposed to record hourly temperature readings, which they do, but they refuse to make any attempt whatsoever to be accurate in their assessment. The thermometer they were issued is one that takes anywhere between 5 and 10 minutes to fully adjust, time they simply don't even bother making an attempt to give it. They leave it in the office, which is the coolest part of the building, and when it comes time for their hourly reading, they either use the reading there, or use the reading on the display after they've walked down the hallway one quick time with it in their hands. In other words, they're always using the reading from the office, which is consistently 10 to 30 degrees cooler than the cells. (Even the hallways are consistently 10 to 20 degrees cooler than the cells.)

As if this wasn't had enough, several years ago, the officers figured out a way to provide air conditioning to the offices in the housing units, however, they ran into several problems. First of all, they didn't have their own ventilation system to hook up an air conditioning unit, so any air they pumped into their office had to be pumped in through the same system of ductwork that supplied air to the inmates' cells. To them, it was inconceivable to give us cool air, no matter how hot it gets here, which they couldn't have done even if they wanted to, which was the second problem, that problem being the size of the unit they were attempting to install. So, to solve their problems, they decided to shut off all of the ductwork to the cells themselves, this way, when they hooked the unit up, any airflow would only go to the offices. Unfortunately for them, the wiring was illegal, and a couple of weeks ago, it started to smoke, prompting a call to the fire department. When they came over and seen the unit on the roof, illegally wired, they ordered it disconnected, leaving most of the offices, as well as the cells, without any air whatsoever. There were a few exceptions, however, as, somehow, an officer managed to get his hands on a portable air conditioning unit. The only problem is that the heat from the exhaust has to go somewhere, so they pump that additional heat into the showers, raising the temperature of the buildings even higher.

I realize that your first response is going to be to remind me that there is an appeals, or grievance process available to me, and that I should use it. I have, as have numerous others who came before me, and, without exception, it's been denied. They actually came over here, verified that we had no airflow entering or leaving the cells, and then left, without doing anything. A little more than a week later, temperatures hit 117°. I won't speak for what they told others, but their written response to me was that providing me with any relief would "create an undue financial burden on the California Institute for Men." (Seriously, they actually wrote that.) At the moment, this appeal is at the 2nd level of review, a process that's going to take yet another month before completing, only to send me to the third level of review, a process which will take several more months. By the time it's all said, done and over with, summer will be over, nothing will have been accomplished, and people will continue to be sent to the hospital for heat related illnesses and/or injuries, possibly even the morgue. I know, because I was sent over a little more than a week ago, as have a number of others.

So, why am I writing to you? Because, it's my understanding that this isn't just an issue of being "morally" wrong, or even an issue of "cruel and unusual punishment," it's also a violation of Local, State and Federal laws to put someone, even an inmate, into a room without providing them with any ventilation. As such, I am exercising my rights as a citizen of this great country to ask that you fully investigate this matter, and should criminal wrongdoing be discovered, to prosecute the violators the same way I was prosecuted for my criminal allegations. The people who operate this facility shouldn't be permitted to get away with their lawlessness any more than the people in here. If anything, they should be held to a higher standard, not just because they're responsible for providing us access to rehabilitation, but because they've been notified, time and time again, of the violation and refused to take action.

For the record, we're not asking to be provided with "air conditioning," we're simply asking that the law be followed, that these cells be provided with adequate ventilation and that proper measures are taken to keep the cells cool enough so that the conditions we're subjected to aren't considered "cruel and unusual punishment." I have no doubt that, if and when you do look into this, they're going to come back with all kinds of excuses, pointing to their "official" logs proving that temperatures in the cells don't get that hot, or that we're provided with plenty of ice water, access to showers, that we're even permitted to open the cell doors fully open. All of this is a complete fabrication. There are no cold water fountains, only an Igloo of cold water brought over once a day, sometimes twice, if we're really lucky, and that's usually not until the evening hours, after dinner has been served. Opening the cell doors is left to the "discretion" of the officers, and never opened on "first watch" (from 10:00 p.m. until 6:00 a.m.), and even when opened, most officers refuse to open them more than a crack, despite instructions to the contrary. As far as showers are concerned, we've frequently been told that the showers are closed, but even when they're open, how can we take a shower if we're locked in our cells? How can I get any cold water if I can't get out of my cell? All I can do is sit here and suffer, until I finally pass out from the heat.

I realize that there are many out there in the community who feel that, as a general rule, inmates have "nothing coming," and while most of the people certainly deserve to be here, "being here" and being treated the way they're treating us are two completely different things. There should always be a minimum level of common decency and respect, compassion and understanding afforded to even the worst offender. We do no less with the enemies we capture in battle, so surely we can do this to the loved ones of our friends, family and neighbors?

Should you have any questions, please do not hesitate to contact me at the address listed above. In the meantime, please remember that each passing day is torture for those in here, with temperatures high enough to put people in the emergency room on a regular basis. Waiting, even for a day, could have potentially lethal consequences.

Respectfully,