

Date: 8/22/2019 5:21:38 PM

Subject: C.C.I. Staff's Retaliatory Destruction of Property

I met w/ a Columbia Co. Sheriff's Dep't detective on 10 July 2019 about my John Doe Petition (Columbia Co. Cir. Ct. Case #19--JD--6) concerning Business-Office staff here refusing to pay inmates(I/ms) let out of seg. (contrary to ss. DOC 309.55(7), thus a crime under ss. 943.20(1)(b)), and about another John Doe Petition regarding staff harassing me for filing complaints about clothes smelling like piss (see 3 July 2019 post on my blog --betweenthebars.org/blogs/540/--to view the petition).

On 12 July, two hours after Sgt. RANDALL BENNINGER gave me back documents I'd e-filed for E.D. Wis. U.S. Dist. Court Case No. 18--CV--2027, Lindell v. Meli (see July 13th post on my blog for seats about that case, how valuable/serious it is), BENNINGER woke me from a nap, cuffed me up, did a cell search, claimed he found a razor head in my legal papers; I LOUDLY protested, said it had to have been planted, probably by the tier tender (Justin Welch), as he'd falsely told staff @ W.C.I. that I had a razor in my cell in 2013 (Welch was/is a severe rat--testified against codefendants-- & killed a woman, was thus scared of me), which I filed I.C. # WCI-2013-20475 about. Because my protest was too strong, outed someone who's surely still snitching for staff, Cpt. GWEN SCHULTZ told Lt. _____ TAYLOR to bring me to restrictive housing (RH) on temporary loc-up (TLU). I did NOT admit to having a razor!

After sitting in seg/RH for 5days, on 17 July, C.O. _____ RHODE brought me my inventory for my property, which he pointed out wasn't signed. The form also said my TV was "broken by offender." In my legal papers, I noticed that the whole file for Case No. 18--CV--2027 was missing, & RHODE said my Prisoners' Self-Help Litigation Manual (just purchased for me in April, given to me in mid-May) was missing. Personal photos (e.g. of my cousin, when she was Miss Montana, of my nieces& nephews as babies, etc., IRREPLACEABLE!), my address book, all stamped envelopes, over 100\$ in commissary, a radio just received 3 July--ALL GONE!

I. WAS. PISSED! ,

I insisted RHODE get my stuff. He went back to the unit I was on (R &O, where incoming I/ms & those on P.C. go), explained the with to Sgt. JEFF REWEY, Jr. Who searched the cell of the guy of Daniel Wachowiak, the guy I was celled with when I was TLU'd. (I was told that Lt. TAYLOR supervised this.) Sgt. REWEY found some of my stuff in w/ WACHO' & wrote Conduct Report (C.R.) # 29113 about this; WACHO' plead guilty, got 10 days loss of phone calls, a minor disposition....

The same day I was told most my property was destroyed I received C.R. #27982, authored by BENNINGER, charging me w/ possessing a weapon, supporting that charge by claiming:

"...Lindell did admit having the razor when he was in a different institution before he came here to CCI...."

THAT'S hilarious, as staff here surely search incoming property & look for razors (they're kept by unit Sgts here, such as BENNINGER); & for the last 5yrs I've been in RH where razors are verboten; PLUS Lt. TAYLOR noted in my TLU notice that I DENIED having a razor & said it was likely planted by WELCH. Cpt. SCHULTZ, who KNEW I denied having a razor, approved BENNINGER'S CR & made it a major.

I remained in RH, truly suicidal, heartbroken traumatized by this. But I also investigated the situation, got doc's revealing what happened. (You can do the same, using WI's Open Records law, ss.19.35, to obtain the doc's cited herein from CCI Records supervisor, Robert Beahm.)

Part 2, final part, to follow, in minutes....

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Subject: CCI Staff's Retaliatory Destruction Property....

In my request for witnesses/evidence to be considered @ the hearing for the CR that BENNINGER wrote(#27982) I sought to have video from R&O viewed/considered (to see if WELCH planted the razor), asked them to consider the IC I'd previously filed about WELCH trying to frame me for having a razor, but CCI Security Director BRIAN GUSTKE disapproved this in put204753 July decision; GUSTKE also ignored my request on top of that form to dismiss the CR & issue CRs against WELCH & WACHO' for planting a razor on me so they could steal my property.

At the hearing for CR #27982, held on 29 July, Hearing Officer (HO) Lt. ____ Loden (who was also the Property Dep't supervisor, thus very well knew that my property was found in WACHO's possession, knew my TLU inventory wasn't signed, etc), refused to ask my witnesses my question about WACHO' stealing my property, despite me explaining that it showed his motive for framing me. Despite Lt. LODEN's efforts to thwart my presenting a defense, Sgt. BENNINGER --proudly puffing his chest-- said (& Lt. LODEN noted in her DOC-84 form, "Reasons for Decision & Evidence Relied On") that he knew WACHO' & I "were having problems"----yet BENNINGER let that guy pick what property was mine & hand it out to BENNINGER! While BENNINGER grinned & loudly lied, saying that I admitted to him that I had the razor ("You said you brought that razor from another institution," Lt. LODEN noted him stating in her DOC-84 form) Cpt. SCHULTZ, clearly ashamed at his lie, testified that I didn't admit to her such a thing & told her I thought the razor was planted. Despite Cpt. SCHULTZ's testimony, despite Lt. TAYLOR's notation of my denial in my TLU statement, despite common sense (staff search incoming property, obviously for such things as razors given that CCI doesn't allow us to keep them in our cells, plus at my prior institutions --for the last FIVE YEARS!-- I was in RH/Seg, where razors are denied due to frequent self-harm) Lt. LODEN, apparently trying to compromise, found me guilty of possession of contraband, sentenced me to 16 days of cell confinement.

So, after all my stuff was stole/broke, they let me out of seg, as if all was good! They were even gonna put me back in R&O, where BENNINGER was the regular 1st shift Sgt. & WELCH his junior "deputy." Funny, given the stabbings, beatings, slashings of I/ms & assaults on staff in my record (not bragging, but you'd think they wouldn't tempt me...) I have more tools now, more awareness of what these "good people" do & try to do: they'd love to be able to be able to justify their portrayals of me as a monster....

While in seg I obtained (via Open Records request) incident report (IR) #381962, wrote by C.O. ANDRE J. COULLARD, which states that WACHO' gave staff my TV @ 2PM & claimed I broke it prior staff pulling me out to search our cell (so three C.O.s searched our cell, looking for contraband, supposedly found a razor---if true, that would have resulted in a more thorough search!---yet missed a broken TV?!); Cpt. T____ JUDD saw that IR, smelled shit, sent it back to COULLARD w/ the questions: "was a supervisor notified? where did Lindell go? What was the end result? Which supervisor?" (sic)----but no one told me this; no one talked to me about it. This IR shows that WACHO' was put back in my cell w/ my property after I was put in seg, & even after he handed out my TV broken staff didn't protect my stuff. (I've since obtained affidavits verifying that WACHO' broke my TV immediately after BENNINGER put him back in my cell, not @ 2PM --apparently COULLARD's IR tried to hide BENNINGER's culpability.)

Also while in seg I received a letter from WELCH, boasting about what happened, calling me "dumn," telling me to stop talking to supervisors about what happened, telling me he hoped I enjoyed my time in seg (remember, he'd previously tried to get me in trouble for having a razor, which I'd filed IC #WCI-2013-20475 about). I gave that letter to Lt. TAYLOR & Cpt. JUDD on 21 July (witnesses told me they confronted WELCH about it, tried to fire him from being the R&O tier tender, but R&O staff protected WELCH). That letter suggests WELCH was involved & had motive to frame me.

From the moment that found out my property was destroyed I began writing & speaking to EVERY supervisor I could, asking them to redress the matter; NONE replied! Cpt. _____BEST told me on 17 July @ 9 PM ish (I caught him after he dealt w/ a suicidal I/m) that an investigation should be done, yet he didn't reply to the requests I sent him explaining things, & when I saw him as I left seg on 29 July, he looked down, tried to speed walk past me (I persisted; he finally said "We've all received you many requests") I sent over 20 requests to the warden, security director, Cpts ---NONE replied. Thus I filed I/m complaint (IC) #CCI-2019-13520, awaiting decision....

I appealed Lt. LODEN's disciplinary decision, pointing out the impossibility of me having a razor, the fact that Cpt. SHULTZ testified that I told her the razor was planted & WACHO' s apparent motive for framing me; but warden SUE NOVAK denied my appeal on 12 Aug. I filed IC #CCI-2019-14484 about this, awaiting decision....

Despite me sending multiple requests to NOVAK & GUSTKE, articulating the many improprieties explained herein, which violate DOC work rules & criminal laws, they've refused to investigate the matter, refuse to prevent this from happening again, refuse to enforce rules & laws with staff. IC #CCI-2019-14650 is pending about this....

Because the whole file for E.D. Wis. Case #18-cv-2027 was " lost," along w/ my litigation supplies, I filed a motion w/ the court asking Judge Lynn Adelman to protect me from further interference w/ my litigation of that case, to appoint counsel & force defendants to return what was stolen/lost. A.A.G. Samuel T. Berg (bergs@doj.state.wi.us) replied, basically, "well, Lindell has another suit, but what CCI staff did has nothing to do with these defendants"----funny, as emails I received in discovery for another suit show that ANTHONY P. MELI (the main guy I'm suing) e-mailed staff at my prior prison on 4 Dec. 2018, asking them to shut down my blog b/c it writes about prison; surely MELI took issue w/ my posts about my suit against him---it's very likely that he incited staff here to shut down my suit against him. A hearing is scheduled to resolve this motion on 5 Sept., & you can view my motion & supporting doc's using www.pacer.gov

That's the story. Please help by:

E-mailing AAG Berg (bergst@doj.state.wi.us) & demanding he fix restrain staff& return my papers & property;

Call (608-742-9100) my warden (Sue Novak) & security director (Brian Gustke) & email them ---Sue.Novak@Wisconsin.gov & Brian.Gustke@Wisconsin.gov--- & insist that they investigate & redress this;

Call & e-mail the WI DOC Secretary, Kevin A. Carr (608-240-5000) --- Kevin.Carr@Wisconsin.gov---& DEMAND he get ahold of the corruption here @ CCI DEMAND that he ensure I'm given back my litigation supplies & that staff to blame are dealt w/ & I'm protected from further retaliation

Personal help is welcome. Contact me for details.

Help me help others! Help others yourself!