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I sent this on 20 May 2020 at 3:30PM

Hey readers, had to redact staffs' name from some of the quotes in this article, and only identify the staff I'm suing with the initials of their first, middle & last names, to comply with BtB's rules. However, you can look all of those names up by looking up the case, as explained in F.N. 1.

Please share this exposé "far and wee."

Merci !

A Lawsuit Demonstrating How the Wisconsin Department of Corrections Retaliates Against Prisoners Who Make PREA Complaints About Staff And Suppresses And Misrepresents Such Complaints to Allow Sexual Abuse to Continue

by Nate A. Lindell #303724 created 17 May 2020

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While prisoners are often perceived as making inflammatory yet vague, seemingly implausible claims of abuse by staff, with nothing but their word and maybe the words of their fellow convicts to back them up, here there are documents created by prison officials [see F.N. 1] themselves showing that not only did their own PREA Investigator intimidated me from being interviewed about my complaint, but they then mischaracterized the complaint as being about a Captain Olson to justify punishing me for lying and to avoid investigating the guard (D.R.S.) who was the true subject of my complaint.

The purpose of the PREA (Prison Rape Elimination Act) is to "eliminate" sexual abuse in prison, by other prisoners and staff. The problem is that, despite lip service, many prison staff WANT abuse to flourish in prison. Such was the case in the Waupun Correctional Institution (W.C.I.), when I was there in 2013. [F.N. 2]

Days within my January 2013 arrival at WCI I learned that guards frequently accused captives of "resisting" while being escorted somewhere while in the Seg/Restrictive Housing (R.H.) unit, using that as a pretext to justify inflicting "staff-assisted strip searches" on prisoners, which often ended with guards sticking their fingers up a prisoner's butt, while a Captain pointed a tazer at the victim and four guards held the victim's limbs. So, when S— "invited" me to go for a walk after arguing with me for trying to help another captive with legal work, I phoned in a PREA complaint, explaining that I was concerned that D.R.S. wanted to set me up for a staff-assisted strip search. T. N., in Madison, summarized that call as follows:

"Inmate claims he had a verbal altercation with a CO Schuter

(sp?). Later that night the captain took him out of his cell for no reason and he thinks his intent was to sexually abuse him."

(F.N. 3) A recoding of my actual call was not preserved, nor was a full transcript of it made.

(F.N. 4)

On 7 November 2013, a PREA Investigator named B.E.S. came from Madison to see me, said he wanted to interview me about my PREA call, but insisted that I be strip searched first. I told him that I wouldn't go through a strip search in order to talk to him about harassing strip searches, but offered to speak with him about my PREA call at the cell front. B.E.S. angrily refused, walked off; and I called in another PREA complaint that was summarized as follows by T.N.:

"Inmate stated that the Warden (or who he thinks is the Warden) finally came to speak to him about the incident below. The inmate asked if he would be strip searched before speaking about the complaint. The Warden stated yes and ask Sgt. Price to proceed. At this point, Inmate Lindell stated he didn't think it was fair that he was going to be sexually harassed with a strip search for filing a complaint and refused the search. The Warden waved and walked off." (F.N. 4)

A copy of that summary was emailed to A.P.M., the Security Director at W.C.I...who has been sued by at least six other prisoners for retaliating against them for making PREA complaints about staff. (F.N. 5). MELI was also emailed a Report from B.E.S. (F.N. 6), in which B.E.S misrepresented my PREA call:

"Inmate Lindell states Captain O— took him out of his cell for no reason and he thinks Captain Olson's intent was to sexually abuse him." [F.N. 6]

-- see how he added "Olson's" name and made no mention of D.R.S., despite T.N.'S initial summary of my PREA call? Ironically, in the report, sent to A.P.M, B.E.S somewhat confessed that the threat of a strip search was used to intimidate me from pursuing my PREA complaint, stating:

"On 11/06/2013 myself and Inv. T— attempted to interview inmate Lindell. Lindell advised Sgt. Price he did not want to be interviewed [actually I didn't want to be strip searched]. I went to inmate Liddell's cell and introduced myself and asked inmate Lindell if he would speak with me. Inmate Lindell asked if he was going to be strip search? Sgt. Price advised that per policy, he would be strip searched. Inmate Lindell then stated he did not want to speak with me. This investigation is concluded and is unfounded." (sic in original) [F.N. 6]

Wouldn't most people decline to be interviewed for a sexual harassment complaint if told that they had to get naked and display their genitals and anus first?!

Despite the PREA Handbook given to prisoners [F.N. 7] assuring hat I have a "right":

" To anonymously and safely report, in a variety of ways, sexual abuse and sexual harassment."

Despite MELI having been both notified that my PREA call was about D.R.S [F.N.s 3, 4, and 8] and that B.E.S basically threatened sexual harassment to deter me from being interviewed [F.N. 8], despite A.P.M. having also been notified that Cpt. O. was never interviewed by B.E.S [F.N. 9] --so there was no evidence that disputed B.E.S.'s revision of my PREA call as being about Cpt. O. bringing me out of my cell, no evidence that Cpt. O. didn't bring me out of my cell-- A.P.M. authored Conduct Report (C.R.) #2406066, which accused me of lying about Cpt. O. in my PREA call.

THERE WAS NO EVIDENCE THAT I LIED ABOUT ANYONE, because no staff --not C.O. D.R.S., nor Cpt. O-- were interviewed and no other evidence indicated that I lied!

Despite A.P.M. admitting at the disciplinary hearing (and on discovery, for my lawsuit) that he never listened to my actual PREA call, nor read a transcript of it [F.N. 10], that he had no access to such material, Cpt. J.F. O'D. found me guilty of the charges and gave me the maximum sentence of 360 days in punitive seg. [F.N. 11]

Cpt. J.F.O'D. never gave me a copy of his decision, so I couldn't appeal the discipline. [F.N. 12]

That discipline was used to justify holding me in Solitary Confinement (a.k.a. Restrictive Housing, R.H.) at the Wisconsin Secure Program Facility (W.S.P.F.) for three years, until I was stabbed in my head and almost killed. [F.N. 13]

This outrageously, obviously unjustified discipline remains in my prison records, despite the new WDOC Secretary surely understanding how foul it is, as he's answered discovery's requests about it. Nothing has been done to compensate me for the suffering it has caused, nor have B.E.S., A.P.M or Cpt. J.F.O'D. been disciplined for their misconduct -- staff may still insist that prisoners be strip searched prior to being interviewed about PREA complaints about strip searches!

I urge readers to DEMAND the Wisconsin Governor Tony Evers (PH 608-266-1212; evers@Wisconsin.gov), W.D.O.C. Secretary Kevin Carr (PH 608-240-5055; Kevin.Carr@Wisconsin.gov) and D.A.I. Director Makda Fessahaye (PH 608-240-5104; Makda.Fessahaye@Wisconsin.gov) both change their policies to prohibit this kind of abuse from happening again, and take disciplinary action against B.E.S., A.P.M., & Cpt. J.F.O'D.

F.N. 1 Those documents are attached to the Second Amended Complaint, Docket #91, which I filed on 12 May 2020 for Eastern District of Wisconsin Case #18-cv-2027, Lindell v. Meli. You may view those documents using www.pacer.gov, and see the full names of those identified only by initials in this article.

F.N. 2 Attached as Exhibit 80 to my Second Amended Complaint is a 10-page article by Bill Lueders, detailing the widespread abuse of prisoners, published on <https://www.wisconsinwatch.org/2014/07/waupun-prison-guards-accused-of-abusing-dozens-of-inmates/> -- I was the main source, on the inside, for this article.

F.N. 3 See Exhibit 81, attached to the Second Amended Complaint (S.A.C.)

F.N. 4 See Exhibit 97, attached to the S.A.C.

F.N. 5 See the case cited in ¶ 16-A3 of the S.A.C.

F.N. 6 See Exhibit 83, attached to the S.A.C.

F.N. 7 See p. 10 ¶16-A2, of the S.A.C., and its Exhibit 99.

F.N. 8 Exhibit 98, attached to the S.A.C., is an email showing that Meli was notified of my PREA call about SEARLS expecting me to endure a strip search in order to be interviewed about my PREA call about SCHOUTEN.

F.N. 9 See ¶10-A5 Exhibits 84 & 86 & ¶12-A2.

F.N. 10 See Exhibits 90 & 92, attached to the S.A.C.

F.N. 11 See Exhibit 93, attached to the S.A.C.

F.N. 12 See ¶ 17-A3 of the S.A.C.

F.N. 13 See ¶ 13 of the S.A.C., and Exhibits 3-13 attached to my Declaration (Docket #25) filed on 4 April 2019.

Readers, please copy & paste this article in an email to to below journalists & activists, so they can put pressure on officials to justly settle this case & hold prison officials accountable -- the subject line should read something like "Covering up sexual abuse in WI prisons."

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