

INMATES CLAIM ASSAULT CHARGES
AGAINST PRISON STAFF DURING SHAKEDOWN

Twelve inmates at the Federal Correctional Center - (Medium) in Petersburg, VA, are preparing to file a lawsuit against prison staff for assault and sexual assault during a series of unit shakedowns in early 2022. The defendants include the Warden and two female staff members, an education worker and the chapel secretary.

The inmate plaintiffs claim that on February 4, 2022, staff members of the Special Response Team (SRT), wearing SWAT-like tactical gear and carrying beanbag and paintball guns designed to fire OC pepper balls having a similar effect as OC pepper spray, ran into inmates' cells and "body slam[med]" them to the floor where they were handcuffed with zip cuffs.

Inmates allege they were then lifted by the arms while handcuffed and carried out of their cells to be forced to the floor again where SRT members would sexually assault inmates, groping their genitals and buttocks.

One inmate claims he sustained injuries after he was shot with an OC pepper ball gun while on the ground and not resisting.

Another, James (Jamie) Brown, a transgender, alleges that when she told SRT officers she was transgender, the officer replied, "So am I." Brown goes on to claim that a second officer instructed the first to "Search his crack," at which time the first officer "stuck his hand through Brown's pants between

Brown's buttocks, squeezing and cupping Brown's butt cheeks."

The inmates claim that at no time where they asked or given the opportunity to voluntarily exit their cells or cuff up through the tray slot in the cell door. Many inmates were shot with the beanbag and pepper spray guns while still laying on their beds. During previous shakedowns, inmates were allowed to voluntarily leave their cells and go to Recreation. That was prior to Warden Leu taking over at Petersburg.

During a shakedown on February 18, 2022, two weeks after the previous shakedown and only two days after the inmates filed their initial grievance complaints against staff for the previous assaults, inmates in the plaintiffs' same unit were again shaken down. This time staff took all but two of plaintiff Brown's legal books and other, authorized, personal books. Brown alleges that this was in retaliation for her assisting inmates in preparing and filing grievances.

As stated in the lawsuit, the Plaintiffs' unit has been shaken down shortly after every step in the grievance process, which includes appeals to the Regional and Central Offices of the Federal Bureau of Prisons (BOP).

According to law, any inmate wishing to file suit against prison staff must first complete the prison's inmate grievance process. On April 12 of this year, all of the plaintiffs' grievance forms were returned with an attached note from defendant Allen of the Legal Department stating, "Please return to inmates. This will not be accept [sic] by Legal," in what Brown suggests is an attempt by the administration to prevent

Among a number of changes Warden Leu has brought to Petersburg - Medium, inmates in the Special Housing Unit (SHU/Segregation) can no longer shave and are forced to grow a beard or use an ineffective, abrasive depilatory product.

In May of 2022, just before hurricane season and the flooding rains associated with it, all inmates' jackets were taken away when there were still high temperatures in the 50s and lows in the 40s.

Warden Leu has even encumbered inmates' accounts when they have not been found guilty of any violation of the rules, and without a hearing, allowing them only to spend \$6 per month at Commissary, and preventing them from buying Trulinks units which are used to email family and friends or print out receipts for tort claims or legal documents using the BOP's computer system. This encumbrance also prevents inmates from accessing their funds to pay legal or court fees or paying for an attorney.

One inmate at Petersburg - Medium was written an incident report for both "Disobeying a direct order" and "Refusing to program" when staff attempted to force him to live with a cellmate who had previously assaulted him, and he refused.

According to one inmate who has spent seven years at Petersburg - Medium, "Each Warden just keeps getting worse and worse. They act like it's their job to punish us for being prisoners when our punishment is only supposed to be 'being a prisoner.'"

Kelly Jones
August, 2022
[Betweenthebars.org/blogs/747/](https://betweenthebars.org/blogs/747/)



INCIDENT REPORT

Part I - Incident Report

1. Institution: PETERSBURG MED FCI		Incident Report Number: 3650177	
2. Inmate's Name XXXXXXXXXX	3. Register Number 58302419	4. Date of Incident 07-28-2022	5. Time 0930 hrs
6. Place of Incident C-N cell 4	7. Assignment PD PM 1 WK	8. Unit C	
9. Incident 329 -- DESTROY PROP \$100 OR LESS. <i>305 - Possession of unauthorized item</i>		10. Prohibited Act Code(s) 305 329	

11. Description Of Incident
 (Date: 07-28-2022 Time: 0930 hrs staff became aware of incident)

This is a Re-Write.

On July 28th 2022 I J Nazar Material Handler Supervisor was conducting a cell search of cell 4 in unit C-N. On the upper bunk the following items were found, A pillow that was fabricated by sewing a government issued sheet around a white foam square approximately 12 inches by 24 inches. The white foam is consistent with type and color of the foam stuffing from inside the government issued mattresses. Under the mattress there was a larger piece of the same foam used inside the pillow it was approximately 18x50 inches. the cost of a mattress is \$61.80 and the cost of a sheet is \$4.40 Per a memo posted my Warden Leu any inmate found in possession of damage or altered government property will receive a 329 According to the Sentry roster Printed for 7-28-22 Inmate ~~XXXXXXXXXX~~ is assigned to the upper bunk.

*He WAS
 Just Locking
 US Down*

*Received AT 9PM
 Shower Co COMEN*

12. Typed Name/Signature of Reporting Employee j Nazar		13. Date And Time 07-29-2022 0641 hrs	
14. Incident Report Delivered to Above Inmate By (Type Name/Signature) <i>H. K. W...</i>	15. Date Report Delivered <i>7/29/22</i>	16. Time Report Delivered <i>8:</i>	

The Government Paperwork Elimination Act (GPEA) of 1998 authorized Federal Agencies the use of electronic forms, electronic filing, and electronic signatures to conduct office business.