

On 12/11/23 the following happened:

1.) I was shown a updated (12/2023) "Loss of Privilege" sheet that now allows almost anyone to sign them. It now says: "Treatment Team Leader/Designee". It's pretty weird that after I filed complaints about others (beside Treatment Team Leader) signing "Loss of Privilege" sheets that they now changed the form.

2.) I sent out a post to Charlie DeTar (Betweenthebars.org) and later in the day received it back with a note on it from Larry Cracchiolo, Treatment Team Leader that said "Sorry this is on the disapproved media". Please note that on 11/10/23, 11/16/23, 11/27/23 and 12/4/23 I sent mail out to Mr. DeTar with no issues. Why now is it a problem and how does mail have anything to do with "media"? This place is scared of all I'm posting and are illegally tampering with my mail.

3.) I received a reply from Mark Cederbaum, Director, Bureau of Institutional Sex offender Treatment dated December 6, 2023 that said in part:

"I am writing to acknowledge receipt of your appeal letter dated November 19, 2023, which was received by this office on November 29, 2023. In your correspondence you appeal Dr. Tope's response to your letters regarding room searches and strip searches.

After reviewing documentation pertaining to the concerns noted in your letter, it appears these issues have been thoroughly addressed in previous responses by Dr. Tope and Risk Management. To briefly summarize, residents are not informed prior to room or strip searches for safety and security purposes. While STARC does not disclose the purpose for such searches, please know that all searches are conducted with appropriate justification.

Regarding your statement that a "doctor's note is required for a strip search", please note that per policy a physician's note is not required for strip searches. As was noted in Dr. Tope's response, you may request the resident searches policy through FOIL. If you are unsure how to do so, please request assistance from your treatment team. The amendments you reference are not applicable to the situation you describe. Probable Cause for searches within the treatment program is described in policy." Please note that I never asked/said anything about being informed prior to the room/strip search. What I did ask was, what the probable cause was and who authorized the room/strip search. That

questions was never answered. I FOILED the policy and received it on 11/28/23. Please see past posts about it.

Then on 12/12/23 the following happened:

1.) I sent the following two (2) letters to Larry Cracchiolo, Treatment Team Leader. They said in part:

a.) "I am writing today per RC2 Marlow to find out why you illegally stopped my mail from going out today (12/11/23) to:

Charlie Detar

2885 Sanford Ave, SW

#30428
Grandville, MI, 49418

There is NO reason my mail was stopped by you. I have been writing this person for over a month with no issue. Also, the name nor the address is on the negative correspondence list. You are in violation of both State and Federal law by your actions today. Lastly, what does "media" have to do with my mail? I ask this due to you saying "Sorry this is on the disapproved media" on the sticky note you put on my mail."

b.) "This letter is being written to notify you that on 12/11/23 you violated my 11/7/23 Legal Notice by illegally stopping mail to Charlie Detar from going out. Mr. Detar nor his address is on the negative correspondence list. Your actions on 12/11/23 constitute abuse, harassment and targeting.

PLEASE NOTE: This is the third time since 11/7/23 you have violated the 11/7/23 Legal Notice.

Now for the record:

In accordance with section 31.19(b) of the New York Mental Hygiene Law, you are hereby ordered to Cease And Desist immediately, the following practice or conduct:

- Harassment, Targeting and Abusing me (John Peana),
- Tampering with my (John Peana) mail, both incoming and outgoing,
- Retaliating against me (John Peana) for complaints, write ups, legal proceedings, phone calls and mailed complaints, and
- Abusing authority

Said practice or conduct violates Article 31 of the New York Mental Hygiene Law.

If you fail to immediately comply with this Cease And Desist Order, a proceeding to restrain the prohibited practice or conduct will be brought against you in the Supreme Court of Oneida County pursuant to Section 31.19(c) of Mental Hygiene Law."

2.) I received a phone call from Daniel Lambright, Esq. and Lisa Laplace, Esq., both from the NYCLU. They called to talk to me about my posts and everything going here. They were/are very concerned about all I posted and said. We will be in further contact over the next few weeks/months.

Then on 12/13/23:

1.) I sent a request to have Charlie DeTar added to my phone list. Then later in the day I was notified that the number would not be added as it has supposedly been added to the negative correspondence list. This is pretty weird, on 11/10/23, 11/16/23, 11/27/23 and 12/4/23 I wrote Mr. DeTar with no issue. Now all of a sudden he, his address and phone # are on the negative correspondence list. Is it just me or are they really trying to silence me and violate my 1st Amendment Right? Their actions are beyond illegal. WHAT ARE THEY AFRAID OF??

2.) RC 2 Marlowe refused to sign the "Authorization for Release of Information" forms for:

- a.) Daniel Lambright, Esq.,
- b.) Lisa Laplace, Esq.,
- c.) Kelly Harnett,
- d.) Charlie DeTar.

Then on 12/14/23:

1.) I sent Social Worker Cordero the "Authorization for Release of Information" forms mentioned on the above date (12/13).

2.) I sent Larty Cracchiolo, Treatment Team Leader the following:
"This letter is to notify you that your actions today concerning the denial of Charlie DeTar's phone number being put on my phone are in violation of my 11/7/23 Legal Notice and 12/11/23 Cease And Desist Order. You have now violated the Legal Notice four (4) times and the Cease And Desist order once (1). In this case you have abused your authority and are retaliating against me. I beg you to start abiding by my Legal Notice and Cease And Desist Order."

3.) I sent four (4) "Objection to Care and Treatment(s)" to

Risk Management. They said in part:

a.) Under "Description of Problem":

"In June 2023 my mother got permission to send in photos of her and my niece/nephews. She spoke to Psychologist Elaine Yuang.

Then on 11/28/23 I received 8 photos from my mother of her, my niece and nephews. That same day they were sent to my Treatment Team for review. Now 15 days later I still don't have the photos"

Under "Action Requested":

"- I be given all 8 pictures or be told IN WRITING why I can't/wont get them"

b.) Under "Description of Problem":

"On 12/6/23 I was informed that a Psychologist named Fred Berlin had called the facility to set up a way to speak to me.

To date he still has not been allowed to speak to me. There is a release on file for Dr. Berlin so I don't understand why we can't speak"

Under "Action Requested":

"- I be told IN WRITING why I am being blocked from speaking to Dr. Berlin,

- A call/VTC be set up for me to speak to Dr. Berlin ASAP."

c.) Under "Description of Problem":

"On 12/11/23 I sent a letter to Charlie DeTar. Then later in the day I received it back with a sticky note on it from TTL Cracchiolo that said "Sorry this is on the disapproved Media"

I've wrote Mr. DeTar on 11/10, 11/16, 11/27 and 12/4 with no problem.

Under "Action Requested":

"- I be told why my mail was not sent out,

- I be told what "Media" has to do with my mail,

- My mail be sent out to Mr. DeTar,

- I be told how TTL Cracchiolo can violate my 1st

Amendment Right.

- * I want this all in writing * "

d.) Under "Description of Problem":

"On 12/13/23 I sent TTL Cracchiolo a phone # request slip to add the number for Charlie DeTar to my phone list.

Later that day I received the request slip back with "No" circled under "Approved". Also, the following was written "This has been

added to the negative correspondence" on the request slip,"
Under "Action Requested":

"- I be told on what date Mr. DeTar and his # were put on the negative correspondence list and the exact reason why in detail.
- * I want this all in writing *"

I also wrote: "NOTE: Please don't combine this with my other 3 objections dated 12/13/23" On the bottom of each objection due to the facility always trying to condense complaints and then giving general replies to them.

4.) I did a chart review and to my surprise there was no documentation concerning:

- a.) the refusal of the facility not allowing my mail to Charlie DeTar to go out and why,
- b.) the refusal to add Charlie DeTar's phone # to my phone list and why,
- c.) Charlie DeTar being added to my negative correspondence list and why/when.

Then on 12/15/23:

1.) I sent a "Objection To Care And Treatment" to Risk Management that said in part:

Under "Description of Problem":

"On 12/14/23 I did a chart review, to my surprise there was NO documentation (Note, Report, etc....) concerning:

- a.) the refusal to send my mail out to Charlie DeTar and why,
- b.) the refusal to add Charlie DeTar's # to my phone list and why,
- c.) Charlie DeTar being added to my negative correspondence list and why/when.

All the above pertains to my 1st Amendment Rights and should have been documented."

Under "Action Requested":

"- That I be told why there is no documentation on any of the above.

- These practices of trying to cover up illegal actions STOP!!
* I want this all in writing *"