

On 1/29/24 the following happened.

1.) I was put on a Separation schedule due to resident "M" who came over here from Bldg. 41 and saying he was scared of me.

So, basically I am being punished for resident "M's" fake fears. We had an issue in 2015 when he broke my nose and I've thought nothing about doing something to him. He is just trying to use me to get back to Bldg. 41.

2.) I received the following replies from Risk Management dated 1/26/24.

a.) Risk Management has received and reviewed your letters dated January 21, 2024 regarding various concerns. The responses to your concerns are listed below:

- Your treatment team has provided you with feedback on a pathway to Building 41 which includes appropriate participation in programming, improved behavior and no behavior notes. Regarding your concerns with a peer, a Separation was in place while there was active litigation between the two of you. This separation is no longer in place.

- Tablets are not currently approved for use at STARC, but continue to be explored for use in the future.

- Yard time will not be increased. Each unit has the same allotment of hours.

It is pretty odd that the excuse used to be I could not go to Bldg. 41 due to resident "M" being over there as we have a Separation but once he's not over there the separation is gone and new excuses are made on why I can't go. Next, how is it that all NY's prisoners have and had Tablets for years but us here as civilians still don't? Lastly, They wonder why so many residents are overweight and anti-social. Could it be that their yard/Rec. time is limited?

b.) The Risk Management Department has received and reviewed your correspondence dated January 15, 2024 regarding concerns with being offered individual therapy. After a discussion with your Treatment Team, they are willing to explore the possibility of adding individual therapy to your treatment curriculum. Before that can take place, you are encouraged to

Continue to engage in your treatment and prioritize your treatment concerns and be able to work through those concerns in a pro social manner."

Now, after 15 years of requesting individual therapy the facility is thinking about giving it to me. The only reason why it is now an option is because I wrote it up and stopped programming. The reason I say "thinking" is because of all Risk Management wrote. Just so it is clear, they are basically saying I need to stop writing things up and prioritize my treatment concerns if I want individual therapy.

C.) The Risk Management Department has received and reviewed your correspondence dated January 11, 2024 regarding concerns with having numbers added to your personal NCIC list. This Department has been advised that the numbers in question have been approved and added to your personal list on 1/26/2024.

2.) I received a letter dated 1/25/24 from Assemblymember Daniel O'Donnell's office in reply to my 11/10/23 letter to him. It said in part:

"Thank you for contacting our office with your concern. As you know, Assembly Member O'Donnell represents District 69 in New York City and serves as the Chair of the Tourism, Parks, Arts and Sports Development Committee. It is my understanding that you are currently at a rehabilitation center located in Marcy, New York. As such, I am going to redirect you to the representative for that area.

Assemblywoman Marianne Buttenschon represents District 119 which is the district the rehabilitation center is in. Assemblywoman Buttenschon's district office is located at 207 Genesee St., Rm. 401, Utica, NY, 13501 and their phone number is 315-732-1055. Alternatively, they can be reached at buttenschonm@nyassembly.gov.

Assembly Member Buttenschon's office would be the most appropriate contact for your concern. Please don't hesitate to reach out to them.
Best

Mirian Hernandez"

I am glad that I got a reply but what has me angry is that Assemblymember O'Donnell did not reply personally. I wrote him specifically with my concerns due to him being opposed to Article 10 and I wanted him to see his concerns have come true. Assemblywoman Buttenschon has already proven she does not care

about what I or other residents have to say, she doesn't even reply to letters. Assemblymember O'Donnell's contact info is:

District office
245 West 104th St.
New York, NY, 10025
212-866-3970

Albany office
Legislative office Building
Room 712
Albany, NY, 12248
518-455-5603

Odonnell@nyassembly.gov

Then on 1/30/24 I:

1) Sent Risk Management a **Objection to care and Treatment** that said:

Under **"Description of Problem"**:

"On 1/29/24 I was handed a "separation schedule" by RCA Stern. On that same day I received a reply from Alyssa Luley dated 1/26/24 in reply to a 1/21/24 objection I wrote about being sent to Bldg. 41. Her reply said in part: "Regarding your concern with a peer, a separation was in place while there was active litigation between the two of you. This separation is no longer in place."

Under **"Action Requested"**:

"- That I be told in writing if there is or isn't a separation in place,

- That I be sent to Bldg. 41 if there is a separation,

- That separation schedule be removed if there is no separation."

I had to write this due to the facility not even being on the same page. How can I be given a "separation schedule" on 1/29/24 but on 1/26/24 not be on a separation?

2.) Danielle Tope 5 appeals. They said in part **"Please provide the reason for your appeal"**:

a.) "Reply is insufficient as the #'s have not been added to my personal NCIC list as of today (1/29/24)." (Phone #'s)"

b.) "Reply is insufficient as it attempts to make it look as if I will be getting individual therapy then goes on to say that I need to do a number of things to get individual therapy." (Individual)

c.) "Reply is insufficient as "Action Requested" was not answered and reply is also minimal." (Yard/Rec)

d.) "Reply is insufficient as "Action Requested" was not answered and reply is minimal and deceptive" (Tablets)

e.) "Reply is insufficient as "Action Requested" was not answered. Next, Treatment Team has not told me anything supposedly said to have told me, Nor has treatment team put anything in writing for me concerning going to Bldg. 41. Also, both Danielle Tope and Mark Cederbaum put in writing that myself and resident "M" are not allowed to be in the same building, so I should be moved to Bldg. 41." (Bldg. 41/Resident "M")

Then on 1/31/24 my room was searched in violation of my 11/7/23 Cease and Desist order. No contraband was found. I made objection to staff doing search and had both of them read the "cease and desist order" prior to them searching my room.

Then on 2/1/24 I was informed that the "seperation schedule" was discontinued.

No reason was given as to why I was first put on it or why only 3 days later it was discontinued even though I asked.

Then on 2/2/24 Psychologist Elaine Vuong came to meet with me about signing the contract and about how I should be getting Trauma group and Individual Therapy.

During the meeting I told her that I want in writing exactly what I need to do to go to Bldg. 41 and she said she'd get it to me once she talks to the rest of the Treatment Team. Also during the meeting she told me that if I don't sign the contract I will not get any groups/individual. That's crazy because I am court mandated here for treatment.

Then on 2/5/24 I:

1.) Sent Risk Management 2 "Objection to care and Treatment" that said in part:

a.) Under "Description of Problem":

"On 2/2/24 I was informed that if I don't sign a contract I can not receive the therapy I want (Individual + PTP). I am

Court mandated to be here for treatment and should not have to sign anything saying I want therapy. To deny me treatment is a violation of court orders and my rights. I have NEVER refused to program as has been said multiple times. I want the above therapy and have requested both for over 15 years."

Under "Action Requested":

"That I get the therapy I want without signing a contract or I be told in writing why I won't get therapy if I don't sign the contract."

b) Under "Description of Problem":

"As of today all the following complaints have not been replied to:

Date	Complaint
12/5/23	Unanswered Complaints
12/13/23	Mr. DeTar's #
11/10/24	8 Family Pictures
11/11/24	Mail being held
11/15/24	Typewriter
11/15/24	RLC Election
11/16/24	INV. Fournier

Under "Action Requested":

"That ALL complaints be replied to individually in writing or I be told in writing why they won't be answered."

It's sad that I have to continually write things up to get things done. This place feels they can say/do whatever they want with no consequences. I'm sorry, I hate bullies and will ALWAYS stand up for what is right. I will not stop writing until things change.