Email
Correspondence
From: [Redacted]
Sent: Saturday, February 20, 2016 5:16 PM
To: LaDoris Cordell; CustodyOpCommission
Subject: Jail releases Alzheimer's patient alone

FYI, (use: cntrl+right click to follow the link)

I-Team: Jail releases Alzheimer's patient alone, dies on I-880
KGO-TV- Feb 19, 2016
Now the Santa Clara County Sheriff's Office says despite what Pavlov was told by that front desk deputy, Matyssik had not been released. In fact

...
US Mail
Correspondence
My name is [redacted] and I'm currently incarcerated in Santa Clara D.O.C. Main Jail. The purpose of this letter is to expose the Civil Rights violations I've experienced and continue to experience while incarcerated, also to seek your support to be a voice for us inmates.

My criminal history - Grand Theft, possession of firearms, felony evading, taking vehicle without owner consent & forgery. I'm finishing up a 5 year with 1/2 sentence for 10851, V.C. and 476 (d) P.C. My release date is May 26, 2016. I've been incarcerated in Pelican Bay, Corcoran, Folsom C.C.F., Dual Vocational Institute and San Quentin State Prison. Butte, Yuba, San Joaquin, Stanislas, San Francisco, Alameda and Santa Clara County Jail. Out of all my 20 years of incarceration, I've never received a write-up or disciplinary punishment until my current stay here in Santa Clara.

Since 11-5-13, I've experienced several civil right violations which I'm currently engaged in Federal and State Court. These issues:

1. Medical Negligence - State - Santa Clara Civil Division - Case #

2. Overcrowded conditions - Waive of Habeas - State - Santa Clara Criminal - Case #

3. 1st Amendment Petition Government for Redress of Grievances/Retaliation - Case #

Federal Court
I've been threatened with physical harm, discriminated against and retaliated against for seeking prison reform activities. I'm a pro-Per/pro-se litigant on all cases, I've exhausted all administrative remedies and my cases are at summary judgment stages, County counsel attempted to settle yet I denied and I'm demanding $750,000.00 for each case or $750,000.00 for all cases.

I've sought the help of many attorneys with no avail. I've done my homework and out of over 300 case laws, all one in my favor. I'm asking for you to put this out on Social media to gain support that inmate lives matter.

Sincerely,

[Name]

Santa Clara D.O.C. Main Jail
150 West Hedding St.
San Jose, CA 95110-1718

2-7-16

I give you full permission to share this with any interested parties.

[Name]

2-7-16
SANTA CLARA DEPARTMENT OF CORRECTIONS. (OFFENDANTS) HAVE VIOLATED
PLAINTIFFS WELL-ESTABLISHED STATUTORY AND CONSTITUTIONAL RIGHT OF THE
FIRST AMENDMENT. RIGHT TO PETITION GOVERNMENT FOR REDRESS OF
GRIEVANCES BY RETALIATORY DISCIPLINARY ACTIONS. (FAULKNER VS.
MCLOCKIN 727 F.SUPP 486. 490 (N.D.IND.1989)); (UNITED STATES VS
STOTTS 925 F.2D. 83 (4TH CIR.1981)); (HARROD VS. HALLWOOD 773 F.2D. 234
(8TH CIR.1985) CERT. DENIED 476 U.S.1143 (1986) (RAMOS VS LAMM 639
F.2D. 589 582 (10TH CIR.1980) CERT. DENIED 450 U.S. 1041 (1981)); (GUARDADO
VS ESTRELLA 580 F.2D. 748 759 (5TH CIR.1978)).
PLAINTIFF OUTGOING MAIL WHEN SENT TO GOVERNMENT AGENCIES
OR OFFICIALS AS A GRIEVANCE OR COMPLAINT IS PROTECTED BY THE FIRST AMENDMENT RIGHT TO PETITION GOVERNMENT FOR REDRESS OF GRIEVANCES AND ACCESS
TO COURTS. SANTA CLARA DEPT. OF CORRECTIONS POLICY AND PROCEDURES PERMIT
PLAINTIFF TO CORRESPOND TO OR FROM PERSONS AND ORGANIZATIONS INCLUDING
BUT NOT LIMITED TO COURTS, COUNSEL, OFFICIALS OF A CONFINING AUTHORITY
STATE AND LOCAL AGENCY OFFICERS, GRIEVANCE SYSTEM ADMINISTRATORS OR
PRONING AUTHORITY, MEDICAL PROFESSIONAL & RELIGIOUS INSTITUTIONS.

PLAINTIFF MAY CORRESPOND CONFIDENTIALLY WITH STATE AND FEDERAL
COURTS ANY MEMBER OF THE STATE BAR OR STAFF OR FEMALE OR
THE STATE BOARD OF CORRECTIONS FACILITY SUPERVISING OR THE FACILITY
ADMINISTRATOR. ON DECEMBER 30TH, 2014, I SUBMITTED A GRIEVANCE
REGARDING TRUSTEE POSITIONS IN 7B DISCRIMINATORILY AND
ETHNICALLY UNBALANCED CORRECTIONAL OFFICER [REDACTED] WOULD ONLY HAVE
HISPANIC TRUSTEES. I SENT THE GRIEVANCE VIA "INDIGENT CONFIDENTIAL
LEGAL MAIL." ON JANUARY 2ND, 2015 I RECEIVED GRIEVANCE [REDACTED]
WITH A THREAT THAT IF I SEND A GRIEVANCE IN THAT MANNER
I WILL RECEIVE A MAJOR RULE VIOLATION, FOLLOW THE INDIAN
GRIEVANCE PROCEDURE.

ON JANUARY 9TH, 2015, WRIT OF HABEAS CORPUS [REDACTED] WAS
DENIED FOR FAILURE TO EXHAUST ADMINISTRATIVE REMEDIES. I SUBMITTED 10
GRIEVANCES REGARDING VARIOUS CONDITIONS OF CONFINEMENT YET FAILED TO SUB-
MIT AN APPEAL LETTER TO THE DIVISION COMMANDER REGARDING DENIED GRIEVANCE.
ON JANUARY 18TH, 2015, I WROTE AN APPEAL LETTER TO THE DIVISION COMM-
ANDER VIA INDIGENT, CONFIDENTIAL LEGAL MAIL. I RECEIVED A MAJOR RULE INSTRUC-
TION FOR DISOBEDIENCY A WRITTEN OR VERBAL ORDER FROM STAFF AND PRISON-

(2)
typing false information or lying to staff. [Please note I'm indigent and a pro-\per plaintiff in several civil rights lawsuits]. The content of the letter was an appeal to denied grievances which Superior Court
Judge Julia Allocciani directed me to appeal in order to exhaust
administrative remedies.

Pursuant to Santa Clara Dept. of Corrections - Policy and Procedures Section 14.05.7(a) states: "I may elect to write the Division Commander or the Chief
of Corrections confidentially." Santa Clara Dept. of Corrections Inmate Orientation
and Rulebook Page 5.6.6 permits me to correspond confidentially and that
no employee may retaliate against me in any way for making a complaint
regarding any violation of these rules. Section 14.05.2(e) states. Inmates
filing grievances relating to conditions of confinement are required to
exhaust all available administrative grievances/appeal procedures before
applying to the courts.

Santa Clara Dept. of Corrections Policy and Procedures Section 14.01
states: "It is the policy of this department to provide inmates with access
to the courts and legal services as may be necessary to safeguard THEIR
statutorily and constitutionally mandated rights. No reprisals or penalty
will be imposed on any inmate because of the inmate's decision to
seek judicial relief for any matter, including conditions of confinement
or treatment by staff." Section 14.03 states it is the policy of the depart-
ment of corrections to recognize and protect inmates' rights relative
to their confinement and consistent with their status. Inmates
seeking judicial or administrative redress will not be subjected
to reprisals or penalties as a consequence Section 14.03.3
IT IS WELL-SETTLED THAT PRISONERS HAVE A CONSTITUTIONALLY PROTECTED  
RIGHT OF ACCESS TO THE COURTS, WHICH IS SUBSUMED UNDER THE FIRST AMEND-  
MENT RIGHT TO PETITION THE GOVERNMENT FOR REDRESS OF GRIEVANCES, WHICH  
ALSO ENCOMES THE FILING OF INNATE ADMINISTRATIVE APPEALS. (SEE  
SPROUSE VS BABCOCK 870 F2D 480 (8TH CIR 1989) SANTA CLARA DEPT OF  
CORRECTIONS DEFENDANTS PENALIZED PLAINTIFF FOR SEEKING AND FILING  
ADMINISTRATIVE GRIEVANCES AND APPEALS.  
The right to petition applies with equal force to a prisoners  
right to seek redress from all branches of government. In the  
prison context, inmates must be permitted free and uninhibited  
access to both administrative and judicial forums for the purpose  
of seeking redress of grievances and complaints against jail  
officials. The courts have held that the intentional obstruction  
of the right to seek redress of grievances is precisely the  
sort of oppression that federal civil rights 42 U.S.C § 1983 is  
tended to remedy. Deliberate retaliation by jail officials against  
plaintiffs exercise of his rights is actionable. (see FRANCO VS  
KELLY 554 F2D 584 589 (2ND CIR 1988)).  
Retaliatory discipline for the exercise of a constitutionally protected  
right is impermissible. Jail official may not retaliate against plaintiff  
for pursuing redress which violates the 1st and 14th amendments. (see  
COLON VS CASHLIN 58 F3D 858 872 (2ND CIR 1995)). (Also see  
GRAHAM VS HENDERSON 89 F3D 75 79 (2ND CIR 1996)). Plaintiff has  
right to be free from the filing of false or arbitrary dis-  
ciplinary charges in retaliation for the exercise of constitutionally  
protected rights. (KRAIT VS ROWLAND 65 F3D 807 (9TH CIR 1995)).
The U.S. Supreme Court has unequivocally admonished that even minimal infringement upon 1st Amendment values constitutes irreparable injury sufficient to justify injunctive relief. It is clear therefore that First Amendment interests were either threatened or in fact being suffered for even minimal periods unquestionably constitutes a violation of plaintiff's right. The right to petition the government for redress of grievances in both judicial and administrative forums is among the most precious of the liberties safeguarded by the Bill of Rights.

Plaintiff seeks monetary damages in all three civil rights cases in the amount of $1,750,000. The foregoing is true and correct to the best of plaintiff's knowledge. SIGNED under penalty of perjury on MAY 19TH, 2015

[Signature]

[Stamp]

Plaintiff 5-19-15
Santa Clara D.O.C. - Chief

On 6-3-14, Inmate [redacted] received an inmate infraction for major rule violation 
2-11, disobeying a written or verbal order from staff, SGT. Gillette. SGT. Gillette told Mr. [redacted] to no longer call Internal Affairs regarding a medical issue and prior grievances filed by Mr. [redacted]. I disregarded SGT. Gillette's verbal order and called Internal Affairs twice regarding disposition of my medical case, I signed a medical release form to Internal Affairs agent Linda Kowell back in January 2014.

Santa Clara Department of Corrections Inmate Orientation and Rule Book stated that I may call, confidentially the Internal Affairs office and that no employee may retaliate against me in any way for making a complaint regarding any violation of these rules - conditions of confinement.

First Amendment - Retaliation Claim

I was punished for calling Internal Affairs, given disciplinary infraction for 8 days, removed from minimum compound R.C.P and placed in M.S. Lockdown which I'm still assigned to this day. Calling Internal Affairs would be protected conduct. Disciplinary charges would be adverse action and there is a causal connection between me calling and filing grievances to Internal Affairs.
Seeking Injunctive and Monetary Damages. Complaint was filed and I exhausted my Administrative Remedies; File #... 

Honorably EDWARD P. CEE, ACLU, Stanford Law School: 
Re: San Jose Mercury News, Board of Supervisors; and United States District Court have received notice of this issue.

Sincerely,

[Name] 8-3-14
My name is [redacted] and I'm currently incarcerated in Santa Clara County Jail. The purpose of this letter is to inform the public regarding the constitutional violations this department continues to practice.

First, on 6-3-14, I was given a major rule infraction violation #211-31 Disobeying a written or verbal order from staff. The reason, calling Internal Affairs Office of the Sheriff regarding medical complaints, and prior grievances filed with this department. Back in January 2014, I signed a medical release form to Internal Affairs agent Linda Kowells, in order for them to follow-up on my complaint. I was removed from a rehabilitative program, R.C.P. - Re-entry Corrections Program, and placed on 115 lockdown and received disciplinary isolation for 8 days.

The Santa Clara Department of Corrections Inmate Orientation and Rulebook states on page 6, "Confidentially calling or writing the Office of the Sheriff, Internal Affairs - [address given], then it states in bold black type, "No employee may retaliate against you in any way for making a complaint regarding any violations of these rules." Also the 1st Amendment of the Federal Constitution states that I may petition the Government for Redress of Grievances. See also Silva vs. Divittorio (9th Cir. 2011), First Amendment principle that prison officials may not retaliate against or harass prisoner because of his exercise of his right of access to courts, applies even where action taken in retaliation would be otherwise permissible. USCA cont. amend A - Escobar vs. Reid (D Colo. 2009).

The right of meaningful access to the courts extends to established prison grievance procedures. Valandingham vs. Boyorquez (9th Cir. 1989), Hines vs. Gomez (N.D.Cal. 1994). The]
TO WHICH THE FIRST AMENDMENT GUARANTEES A RIGHT OF 
REDRESS OF GRIEVANCE INCLUDES THE PRISON AUTHORITY, AS 
IT INCLUDES OTHER ADMINISTRATIVE ARMS AND UNITS OF GOVER-
NMENT. SORAINNO VS GASCO INC. 42 MORGAN (9th CIR 1989).

I've exhausted my administrative remedies by filing
(4) GRIEVANCES REGARDING THIS ISSUE TO NO AVAIL. SEE
GRIEVANCE TRACKING # E See also
CIVIL RIGHTS OF INSTITUTIONALIZED PERSONS ACT, SECTION 6, 42 USC
1997(d)

Second Issue of Importance is the Department's practice
of placing inmates in "Safety Cells" or "Cold Rooms," for
Disciplinary purposes. The Penal Code and State Constitution
expressly prohibit all cruel and unusual punishment. Additionally,
The following limitations on disciplinary actions are listed
below *6 "in no case shall a safety cell be used for
disciplinary purposes." - Santa Clara Dept. of Corrections
Inmate Orientation & Rule book, page 36-37, 40-41. Hundreds
of cases of this nature exist on a regular basis in
which I'm also a victim of this violation.

Sincerely,

[Redacted]

701 S. Abel St.
Milpitas, CA 95035

8/19/14
Good afternoon,

- The Clerk of the Board’s Office received the attached correspondence. This document is being forwarded to you for appropriate action. The original document will be on file in the Clerk of the Board’s Records Unit for a maximum of 2 years from the date received.

Thank you,

Lori Nunez
Board Records Assistant II
Office of the Clerk of the Board
70 W. Hedding Street, East Wing, 10th Floor
San Jose, CA 95110
(408) 299-5001
February 2016

Blue Ribbon Commission on Improving Custody Operations
County of Santa Clara
70 W. Hedding Street, 10th Floor
San Jose, CA 95110

Dear Blue Ribbon Commission:

Enclosed are documents from inmate [REDACTED] detailing his ongoing problems with classification throughout his four years of solitary confinement in Santa Clara County Main Jail. Contents include an inmate request form for reclassification, his grievances to classification, an appeal letter, and a response from the Classification Unit Lieutenant.

Mr. [REDACTED] sends these on in hopes to facilitate progress towards equal rights for inmates in the Santa Clara County correctional system.

Thank you for your time and consideration.
1. CONTACT REQUEST: OUTSIDE AGENCY

☐ DISTRICT ATTORNEY ☐ PUBLIC DEFENDER ☐ ADULT PROBATION ☐ STATE PAROLE ☐ OTHER SPECIFY:

NATURE OF REQUEST:

2. CONTACT/INFORMATION: INSIDE FACILITY

CLASSIFICATION SECTION ☐ REHOUSING ☐ COMMISSARY ☐ LAW LIBRARY ☐ RELEASE DATE ☐ CHAPLAIN

☐ TRUSTEE ☐ MONEY ACCOUNT ☐ A.A. ☐ CHARGES ☐ FOOD SERVICE

☑ RECLASS. ☐ MAIL ☐ FRIENDS OUTSIDE ☐ BAIL ☐ BAIL BONDS

☐ WWP ☐ LOST PROPERTY ☐ OTHER: SPECIFY BELOW ☐ NEXT COURT DATE ☐ OTHER: SPECIFY BELOW

☐ PSP ☐ LOST CLOTHING

NATURE OF REQUEST: BEEN HOUSED IN SOLITARY CONFINEMENT SINCE 1-13-2012. WHAT'S REASON FOR MY CURRENT CUSTODY LEVEL AND WHEN CAN I BE REMAINED TO GENERAL POPULATION? FOR I FEEL THAT I HAVE BEEN IMPROPERLY CLASSIFIED. THANK YOU.

3. ACTION TAKEN/RESPONSE

☒ RESPONSE BELOW ☐ REQUEST FORWARDED OUTSIDE FACILITY ☐ REQUEST DENIED SEE EXPLANATION ☐ CANNOT BE ACTED ON AT THIS TIME:

☐ PREVIOUS REQUEST IN PROGRESS

EXPLANATION/RESPONSE: WILL FORWARD YOU are appropriately housed for safety and security reasons.

SIGNATURE: [Signature]

BADGE #2441 DATE 11/22/15 TIME 07:11
SANTA CLARA COUNTY DEPARTMENT OF CORRECTION
INMATE GRIEVANCE FORM

INMATE NAME: [REDACTED]  BOOKING NUMBER: [REDACTED]  HOUSING UNIT: [REDACTED]

DETAILS OF GRIEVANCE: PRINT! BE SPECIFIC.

WHAT SOLUTION ARE YOU RECOMMENDING?

Your Signature: [REDACTED]  Date: 12/4/15  Time: 2:10 PM

RESPONDING OFFICER'S STATEMENT (Please print):

[ ] Resolved [ ] Refer to Level II

Officer's Name:  Team:  Date: / / 

SUPERVISOR'S ACTION:

[ ] Resolved [ ] Refer to Level III

Supervisor's Name:  Team:  Date: / / 

SHIFT LIEUTENANT REVIEW: [ ] Concur [ ] Reversed

SIGNATURE:  Date: / /  Time: 

SUPPORT SERVICE RESPONSE: Unit Assigned:  Date Assigned: / / 

Date Due: / / 

Response by:  Title:  Date: / /  Time: 

FACILITY COMMANDER/DESIGNEE REVIEW: [ ] Concur [ ] Reversed

SIGNATURE:  Date: / /  Time: 

RESPONSE RETURNED TO INMATE: Date: / /  Time:  By:

Distribution:  White-Administration  Canary-Inmate (Final Disposition)  Pink-Inmate (Initial Receipt)
SANTA CLARA COUNTY DEPARTMENT OF CORRECTION

INMATE GRIEVANCE FORM

INMATE'S NAME: [REDACTED]  BOOKING NUMBER: [REDACTED]  HOUSING UNIT: [REDACTED]

DETAILS OF GRIEVANCE: PRINT! BE SPECIFIC: ON NOV. 4, 2015 I WAS MOVED FROM 3RD WATT MAX (SOUTH MAX) CELL #312, WHICH IS A SOLITARY CONFINEMENT UNIT, WITHOUT NOTICE PROVIDED THE PROCESS PROPERLY ENSURE PROTECTION UNDER THE 5TH, 6TH, AND 14TH AMENDMENT. I HAVE NOT BEEN GIVEN: 1) A HEARING WITH ADVANCED WRITTEN NOTICE, 3) AN OPPORTUNITY TO PRESENT WITNESSES AND DOCUMENTARY EVIDENCE. 2) WRITTEN REASONS FOR DECISION PRIOR TO MAKE USE OF A PRE-TRIAL DETENTION NOT IN PACE OF PROHIBITION THIS SHOULD NOT BE HUNTED UNDER C.B.C. 5.16.56 SEVERITY DETERmination I AM NOT VIOLATED AND SHOULD NOT BE HUNTED AS SUCH FURTHERMORE, BEC ASHER 2016 DEPARTMENT OF CALIFORNIA D.O.C. (N.D.CN) F15-1208-CV-059-PW THE VALIDATION PROCESS NO DANGER EXISTS FOR THE INMATE AND RECEIVING IS TELLING AMOUNT OF FRICTION AND UNHEALTHY PUNISHMENT I AM INAPPROPRIATELY CLASSIFIED

WHAT SOLUTION ARE YOU RECOMMENDING?: [REDACTED] AND ADJUSTED APPROPRIATELY

Your Signature: [REDACTED]  Date: 12/11/15  Time: 07:15 AM

(Do not write below this line. Use additional sheets if necessary)

RESPONDING OFFICER'S STATEMENT (Please print):

[ ] Resolved  [X] Refer to Level II

[ ] Resolved  [X] Refer to Level III

SIGNATURE:  Date: [REDACTED]  Time: [REDACTED]

SUPPORT SERVICE RESPONSE: Unit Assigned: [REDACTED]  Date Assigned: [REDACTED]

Distribution: White-Administration  Canary-Inmate (Final Disposition)  Pink-Inmate (Initial Receipt)
TO: MAIN JAIL COMPLEX CAPTAIN

FR: [Redacted]

MAIN JAIL COMPLEX
150 WEST HEDDING STREET
SAN JOSE, CA 95110

SUB: APPEAL OF GRIEVANCE LOG #: [Redacted]

RE: CLARIFICATION STATUS

DT: 12/23/15

DEAR MAIN JAIL COMPLEX CAPTAIN:

THIS IS AN APPEAL LETTER PERTAINING TO MY DISAPPROVAL OF MY CURRENT CLAS (CLASSIFICATION) STATUS AND THE RESPONSE BY OF [Redacted] # [Redacted], TO AN GRIEVANCE I SUBMITTED ON DEC, 4, 2015, LOG #: [Redacted]

1) I HAVE BEEN HOUSED IN ADMINISTRATIVE DISCIPLINARY CONFINEMENT (SOLITARY CONFINEMENT) FOR FOUR (4) YEAR'S, APPROXIMATING 1,460 DAYS AND THROUGHOUT THE DURATION OF
FOR FOUR (4) YEARS, APPROXIMATING:
1,460 DAYS AND THROUGHOUT THE DURATION OF C牵ED CONFINEMENT, S.C.C.D.C.C.
CLASSIFICATION WAS FAILED TO MEET THE DUE PROCESS PROCEDURAL PROTECTION (S)
UNDER THE 5TH, 6TH AND 14TH AMENDMENTS.
I HAVE BEEN DISCIPLINARY FREE THROUGHOUT.

2. I HAVE NOT BEEN GIVEN THE FOLLOWING AS A PRE-TRIAL DETAINEE: A)
   HEARING WITH ADVANCED WRITTEN NOTICE... B) AN OPPORTUNITY TO PRESENT
   WITNESSES AND DOCUMENTARY EVIDENCE.
   C) WRITTEN REASON FOR DECISION PERTAINING TO ALL MOVE(S).
   D) I AM A PRE-TRIAL DETAINEE NOT ON PROBATION OR PAROLE TALKED
   UNDER C.C.R., S.T.G., SECURITY THREAT OR ANY OTHER
   I AM NOT VALIDATED AND SHOULD NOT BE HOUSED AS SUCH.

3. DO TO THE VIOLATION OF MY RIGHTS TO DUE PROCESS PROCEDURAL
   PROTECTION (S) BY CLASSIFICATION, EXACTLY.
   DO TO THE MEXICAN NATURE OF THE AREA
   (S). REASON FOR C.ED. HOUSING (SEE # 4 HEREBIN.)
AN INTERNAL INVESTIGATION OF CLASSIFICATION
SHALL BE DONE, BECAUSE OF MY BEING HELD IN VOLUNTARY CONFINEMENT WITHOUT DUE PROCEDURE BEING EXERCISED BY U.C.C.P.C.

4700 [REDACTED] #1 [REDACTED] UNDERTAKEN THIS SERVICE RESP.
PRONCE DATE: DEC. 9, 2015 AS A PRE-TRIAL DETAINEE AND HELD IN LOVING RESTRICTED TIME RESTITUTION, YOU WERE IDENTIFIED AS A SECURITY RISK TOWARDS OFFICERS OF THE COURT, THEREFORE, YOU WERE PLACED IN UNBARE CELL, HOURS TO BETTER MONITOR YOUR ACTIVITIES.

I RESIGNED 4700 [REDACTED] #1 [REDACTED] RESPONSE TO MY GRIEVANCE BASED ON, #2, HEREBIN, AND THE FACT OF ALL DUE PROCESS PROCEEDINGS ALREADY PROTECTION HAVE NOT BEEN GIVEN TO ME PRIOR TO MY RECENT MOVE, NOV. 4, 2015, AND/OR AFTER OR DURING SAID MOVE, I PLAN ON FILING A HABEAS CORPUS FOR THE CLEAR VIOLATION OF MY RIGHTS, ALL OF WHICH TO HAVING AN ADVERSE EFFECT ON MY PHYSICAL AND MENTAL HEALTH, AND TAND EQUALLY TO CRUEL AND UNUNIQUE PUNISHMENT UNDER THE 8TH AMENDMENT.

PS: 3 of 4
WITH ALL OF ABOVE PAID I THANK YOU.
FOR YOUR TIME AND PATIENCE IN THIS
MATTER.

[Signature]
December 30, 2015

Mr. [Redacted]
CEN# [Redacted] / PFN [Redacted]
Main Jail Complex
150 West Hedding Street
San Jose, CA 95110

Dear Mr. [Redacted],

I received your letter dated December 23, 2015, regarding your classification status and the response to Grievance # [Redacted]. As this is in regards to a classification matter, I am sending this information to the Classification Unit Lieutenant. The Main Jail facility has no jurisdiction over your classification status; these decisions are made solely by the Classification Unit, who will be reviewing your concerns and responding to you directly.

Sincerely,

[Signature]

Captain Hoyt
Main Jail Division Commander

BH:evv

cc: Classification Unit Lieutenant
Blue Ribbon Commission on Improving Custody Operations
County of Santa Clara
70 W. Hedding Street, 10th Floor
San Jose, CA 95110

95110-1768 001
Primary Mailing Address:
888 S. San Pedro
San Jose, CA 95110
Good afternoon,

- The Clerk of the Board’s Office received the attached correspondence. This document is being forwarded to you for appropriate action. The original document will be on file in the Clerk of the Board’s Records Unit for a maximum of 2 years from the date received.

Thank you,

Lori Nunez
Board Records Assistant II
Office of the Clerk of the Board
70 W. Hedding Street, East Wing, 10th Floor
San Jose, CA 95110
(408) 299-5001
SANTA CLARA O.C. MAIN JAIL
150 WEST HEDDING ST.
SAN JOSE, CA 95110-1718

"COVER SUMMARY LETTER"

MY NAME IS [REDACTED] and I am currently incarcerated in SANTA CLARA DEPARTMENT OF CORRECTIONS. MY CRIMINAL HISTORY INCLUDES GRAND THEFT, POSSESSION OF FIREARM, FELONY EVADING, TAKING VEHICLE WITHOUT OWNED CONSENT AND FORGERY. I was sentenced 5 years with half. My release date is May 26, 2016 and I will have no tail. Please note that during my 15 years of incarceration, I have not received any rule infraction or discipline until my stay at SANTA CLARA COUNTY. I've been to O.L.E., Folsom C.C.F; CORCORAN; PELICAN BAY and SAN QUENTIN STATE PRISON, along with BUTTE, SAN JOAQUIN, SAN LUIS, ALAMEDA and SAN FRANCISCO COUNTY JAIL.

In 2006, I was beat by 7 SAN FRANCISCO POLICE OFFICERS after a high speed chase. I was handcuffed and face down. I had two NASAL RECONSTRUCTION SURGERIES - Filed 42 U.S.C CIVIL RIGHT EXCESSIVE FORCE COMPLAINT. IN 2008, I injured my lower back working in SAN QUENTIN, and I was struck by a vehicle in 2013 as a pedestrian crossing the street in the crosswalk. This was a hit and run and I suffered lower back pain. On 11-5-13, I was booked into SANTA CLARA COUNTY JAIL, and during booking, I informed R.N. Edward Jackson of a lower back injury, and it was noted in my medical record. (UNITED STATES DISTRICT COURT, SAN FRANCISCO DIVISION CASE# [REDACTED])
Pursuant to Policy and Procedure - Santa Clara Valley Medical Adult Custody Health Services - Inmate Access to Health Care States:

"If you have a chronic medical problem and/or are taking medication at the time of booking, you will automatically be made a doctor's appointment."

No appointment was made, even after the fact that I filed medical records, grievance, and letter of intent to sue in December 2013. I was assigned to work in Elmwood Kitchen and Laundry, after signing a medical clearance form stating that I have a lower back injury. It was ignored and on 1-5-14 I re-injured my lower back. I was seen by medical on 1-6-14, released my medical records to Internal Affairs, Linda Kowallis on 1-8-14. Medical complaints I filed with I.A. and did not see a doctor until 1-29-14.

In January 2014, I was infractions for helping an inmate who had asked me because he could not speak English. Correctional officer Zamora instructed us to come back after 6 AM count. We came back to the officer station, and 96 [redacted] told me to go back to my housing unit. Then he threw me into a 2x4 cell with another inmate, and the cell had feces and urine. I was in the cell for 4 hours. The infraction was for unauthorized attendance, yet 96 Zamora did authorize me to come back after count. Possession of contraband. I had gloves and cleaning supplies which was given to me by 96 Saunders because one inmate had Staph in barracks 5, the same time that H1N1 outbreak in Elmwood. If I would not have told the Inmate to seek medical attention, he would have died in two days. A doctor from Valley Medical was called in to treat the inmate staph infection.

[Medical can verify - December/January 2013/2014. Staph was located on the back of inmate head.]

Hispanic male
I was released on 2-5-14, and applied to Social Security benefits. Doctors appointment was scheduled yet I was re-arrested on 4-27-14 for forsey. Again I informed R.N Edward Jackson that I suffer from lower back pain from the injury I sustained working in Elmwood Laundry on 1-5-14. Workmans Comp claim was filed. Also a 42 U.S.C & 1983 Civil Rights Complaint was filed U.S.D.C [redacted] – Medical Indifference claim. 6-4-14. As I was an R.C.P member, I was instructed for calling Internal Affairs regarding medical complaint and medical records release to Linda Kowells. Sergeant Gillette told me to no longer call R.A and I explained to him that I'm engaged in civil litigation & I released my protected health care records to R.A and have not received any correspondence regarding medical complaints.

I disregarded his order and called Internal Affairs which I was instructed. Found guilty, placed in disciplinary isolation from Lieutenant Taylor. During my isolation, I was not afforded the 3 1/2 hours of out-of-cell time mandated by California Code of Regulations Title 15, and The Inmate Orientation and Rulebook page 29, 35 and 90. I filed a Writ of Habeas Corpus and a Federal Civil Rights Complaint, case # [redacted] and U.S.D.C [redacted] on 7-7-14. My life was threatened while on Court Transportation Bus. Lt [redacted] and [redacted] got onto the bus right outside the Sally Port and said we will beat your ass, bitch. We are old school say something now punks. I reported this to Mental Health on 8-19-14. I suffer from P.T.S.D Anxiety and on anti-anxiety and pain medications.
MY 3rd INFRACTION WAS ON 9-16-14, while standing in PILL CALL LINE, an INSPECTION TEAM, ESCORTED by LT [REDACTED] AND PO [REDACTED], I ASKED WHAT DEPARTMENT THEY WHERE FROM AND SAID THE HEALTH DEPARTMENT. PO [REDACTED] GOT IN MY FACE AND WAS YELLING AT ME, THEN I WAS THEN TRANSFERRED TO THE MAIN JAIL SOUTH, 2-16 WEST, KNOWN AS THE SNAKE PITS. ON 9-29-15, I RECEIVED 5 DAYS LOSS OF GOOD-TIME CREDIT BY LT [REDACTED], AFTER THE FILING OF A GRIEVANCE FOR HIS MISCONDUCT ON 7-7-14. I APPEALED TO CAPTAIN HOYT AND CHIEF OF CORRECTION JOHN HIROKAWA, YET WAS DENIED.

While housed in 2-16 west, the conditions are OVER-CROWDED, COLD SHOWERS and MOLD. I FILED A WRIT OF HABEAS REGARDING CONDITIONS OF CONFINEMENT. I SIGNED UP FOR THE SUBSTANCE ABUSE CLASSES IN 7-B NORTH AND WAS MOVED IN DECEMBER 2014. ON 12-30-14, I FILED A GRIEVANCE AND SENT THE "ACTUAL GRIEVANCE FORM" VIA "LEGAL MAIL." THE GRIEVANCE 4-15 [REDACTED], WHICH WAS AN ARSADS TO TRUSTEE POSITIONS IN 7-B WHERE ONLY HISPANIC WHEN PO [REDACTED] WORKED. THE GRIEVANCE RESPONSE WAS TO NOT SEND "GRIEVANCE FORMS" VIA "LEGAL MAIL." THE REASON WHY I SENT IT BY THAT METHOD, SEE SANTA CLARA D.O.C POLICY AND PROCEDURES - SECTION 14.05-3 (III)(B) WHICH STATES THAT:

"IF THE GRIEVANCE PERTAINS TO A PARTICULAR EMPLOYEE, THE INMATE MAY SUBMIT THE GRIEVANCE TO ANOTHER EMPLOYEE."

However, I was instructed NOT TO SEND "GRIEVANCE FORMS" VIA "LEGAL MAIL" ON 1-9-15, WRIT OF HABEAS WAS DENIED FOR FAILURE TO EXHAUST ADMINISTRATIVE REMEDIES. I WAS ALSO GRANTED CIVIL PRO-PEA PRIVILEGES. JUDGE JULIA ALLOGGIAMENTO DIRECTED ME TO WRITE AN APPEAL LETTER TO THE DIVISION COMMANDER IN ORDER TO EXHAUST MY ADMINISTRATIVE REQUIREMENT IN ORDER TO RE-SUBMIT THE DENIED GRIEVANCE.
ON 1-18-15, I SENT AN "APPEAL LETTER" TO DIVISION COMMANDER HOYT VIA "PRO-PAK, INDISSENT, LEGAL MAIL". THE LETTER WAS FOR COURT PROCEEDINGS, AND ON 1-27-15, DEPUTY [REDacted] ISSUED ME A MAJOR RULE INFRACTION FOR SENDING AN "APPEAL LETTER" FOR ADMINISTRATIVE EXHAUSTION REQUIREMENTS. LT. [REDacted] FOUND ME GUILTY FOR DISOBEDIEN CITY ORDER FROM STAFF AND PRESENTING FALSE INFORMATION OR LYING. I WAS GIVEN 10 DAYS DISCIPLINARY ISOLATION. I APPEALED TO DIVISION COMMANDER HOYT VIA "APPEAL LETTER". I WAS DENIED AND ISSUED ANOTHER INFRACTION FROM DEPUTY [REDacted] ONCE AGAIN, I WAS PUNISHED FOR SEEKING ADMINISTRATIVE REDRESS FOR JUDICIAL REVIEW. MY APPEAL TO CAPTAIN HOYT AND CHIEF OF CORRECTIONS WAS IGNORED AND DENIED.

I FILED A 42 U.S.C. § 1983 CIVIL RIGHTS COMPLAINT FOR VIOLATING MY 1ST AMENDMENT RIGHT TO PETITION GOVERNMENT FOR REDRESS OF GRIEVANCE, RETALIATION, AND ACCESS TO THE COURTS. PLEASE NOTE THAT LT. MEYERS FINDS ME NOT GUILTY FOR SENDING AN "APPEAL LETTER" VIA "PRO-PAK, CONFIDENTIAL, INDISSENT, LEGAL MAIL," AND DIVISION COMMANDER HOYT CONCURRED. ALL OF MY COMMUNICATION TO DIVISION COMMANDER HOYT IS FOR COURT REVIEW AND I HAVE NOT RECEIVED ANOTHER INFRACTION FOR SENDING "APPEAL LETTER." PURSUANT TO SANTA CLARA D.O.C. POLICY AND PROCEDURE SECTION 1.57; 14.01; 14.03; 14.05; 14.09; 17.13 AND SANTA CLARA D.O.C. INMATE ORIENTATION AND RULEBOOK, INMATE SEEKING ADMINISTRATIVE OR JUDICIAL REVIEW WILL NOT BE RETALIATED AGAINST FOR MAKING COMPLAINTS ABOUT CONDITIONS OF CONFINEMENT OR TREATMENT FROM STAFF.

I'VE CONTINUED TO EXERCISE MY RIGHTS ONLY TO BE MET WITH RESISTANCE, RETALIATORY RESPONSE, DISCRIMINATION BASED ON RACE, THREATEN
With physical harm, placed in punitive housing, denied residential placement in C.A.S.U - Custody Alternative Supervision Unit for my civil litigation activities, lied to by staff, and failure of superiors to investigate my grievances and complaints. This has lead to my increased mental-health P.T.S.D. anxiety attacks, which I suffer two/three times a week. Go [REDACTED] is discriminate and does not follow sanitation procedures. He only used Hispanic Trustees which I filed a grievance regarding these issues. He fails to supply the units in 3rd East with brooms, mops, and cleaning supplies on a daily basis; pursuant to policy and procedures, throws away extra food and is hostile towards me for bringing these issues to his attention.

On 9-23-15 and 10-12-15, my life was threatened with physical harm from [REDACTED] and [REDACTED]. Grievance was filed yet was denied as unfounded. I have witnesses, all documents to support these claims I've mentioned in this summary brief. I'm seeking an investigation and legal help. I've exhausted all Administrative remedies. Filed Claims Against the County; filed wards and civil rights complaints. I'm seeking monetary damages, mental health help and advocacy; medical relief for back pain, disability assistance, housing and vocational training in order to become a productive member of society, a parent to my children and a husband to my wife.

The foregoing is true and correct to the best of my knowledge, signed under penalty of perjury on this day of
12-15-15

[Signature]
12-15-15
Inmate [REDACTED] who is incarcerated in Santa Clara Department of Corrections - Main Jail continues to experience retaliatory and inappropriate conduct from [REDACTED] and [REDACTED]. These officers violate policy and procedure which states that employees may not use profane, demeaning, insulting or threatening language. On 9-23-15, 10-12-15 and 1-3-16, [REDACTED] and [REDACTED] did not treat inmates with respect by using profane language while addressing inmates. Inmates have a right to expect that they will be treated respectfully, impartially and fairly by all personnel.

Example, [REDACTED] told me that he would beat my “ass,” that my paperwork went to “shit,” to him, “Jailhouse Lawyer suicidal,” and I’m a “fagot/maggot.” [REDACTED] told Elmwood Transfers to roll your “shit” up. Grievances have been filed for these incidents yet nothing ever happens and the grievances are rejected. Nothing has changed from the murder of Michael Tvima and as a mental health inmate, I’m afraid of the staff or correctional officers retaliation for reporting these issues. Also cleaning supplies are not provided on a daily basis.

I declare under penalty of perjury that the foregoing is true and correct, signed on this day of 1-5-16.

[Signature]

1-5-16
The purpose of this letter is to reveal the continued non-compliance of Santa Clara D.O.C., retaliation, harassment and threats from jail officials. This is a timeline of events from the death of mental health inmate Michael Tyree.

1) September 23, 2015 Correctional officer [redacted] and [redacted] threatened to beat my ass. Grievance filed tracking # [redacted] which was denied. Witness [redacted] pen # [redacted]

2) October 12, 2015 [redacted] stated to me that my paperwork won't do shit to him referencing Grievance # [redacted] Filed Grievance and appeal letter which also was denied. Grievance # [redacted] Claim filed [redacted]

3) November 12, 2015 Claim against county denied regarding the above incident. Filed lawsuit in Civil Superior Court in Santa Clara, awaiting case #

4) December Capt. Hoyt and Internal Affairs denies any wrong doing from staff. [redacted] and [redacted] using profane language while addressing inmates - Grievance filed and rejected

5) January 2016 [redacted] and [redacted] violated conduct by using profane, dehumanizing, and threatening language while addressing inmates. Again Grievance filed and denied. Filed discrimination Grievance against [redacted] for only using Hispanic, trusted. Again all allegation are denied when reported, I guess to no surprise when they besides denied killing Michael Tyree.
6) Also note that pursuant to policy, sanitation duties is to be done on a daily basis yet staff seem to do them at their own determination yet the rules state on a daily basis floors will be swept and mopped daily. I've suggested a time slot from 7AM to 9AM would be permissible for all call and lunch runs between 9-10 and 10:30 PM court call.

7) I requested to speak with mental health and while I was escorted with 96 [REDACTED] 96 [REDACTED] made the comment what 'Jailhouse Lawyer suicidal' and called me a faggot. [REDACTED] This was reported to mental health. Pursuant to Santa Clara County Inmate Orientation and Rulebook states that I have a right to expect that I will be treated respectfully, impartially and fairly by all personnel.

8) Housing units are overcrowded, inmates with active tuberculosis are being housed with inmates who are negative, remands are not being exchanged and washed with regular clothing exchange schedule. Between Sunday and Wednesday I no longer get breakfast for fear of retaliation by 96 [REDACTED] who works c-team shift B/C claim.

The foregoing is true and correct to the best of my knowledge, signed under penalty of perjury on this day of 1-12-16

Mr. [REDACTED]
Santa Clara D.C.-main Jail
150 West Hedding St.
San Jose, CA 95110-1718
1-12-16
To all interested parties,

This is a declaration and affidavit that I, [redacted], declare under penalty of perjury that the events which [redacted] has shared are true and correct to the best of my knowledge, signed this day of [redacted], 2016.

Sincerely,

[Signature]

[Date]

1-5-16

To all interested parties,

This is a declaration and affidavit that I, [redacted], declare under penalty of perjury that the events which [redacted] has shared are true and correct to the best of my knowledge, signed this day of [redacted], 2016.

Sincerely,

[Signature]
DETAILS OF GRIEVANCE. PRINT! BE SPECIFIC:
Pursuant to Santa Clara Inmate Orientation and Rulebook page 17: Sanitation duties are not being met. Flies are to be swept and mopped daily. Toilets, urinals, sinks, basins, and showers will be cleaned daily. Vents are clogged, no air circulation. Exposed plumbing, and sewage back-up. Cleaning supplies will be provided accordance with Cal OSHA, M.S.O.S Specification.

WHAT SOLUTION ARE YOU REQUESTING? Follow policy and procedures/conditions of confinement.

Your Signature: [redacted] Date: 1/23/16 Time: 8:00 AM

Received from Inmate on:
Day: [redacted] Date: 1/23/16 Time: [redacted] Officer: [redacted] Team: [redacted]

RESPONDING OFFICER'S STATEMENT (Please print): 406 Book states that on 1/10/16 the Trustees cleaned the area Laborer and Handbook was distributed weekly on 1/10/16.

[✓] Resolved [ ] Refer to Level II

Officer's Name: [redacted] Team: [redacted] Date: 1/25/16

SUPERVISOR'S ACTION: This issue has been remedied by [redacted].

[✓] Resolved [ ] Refer to Level III

Supervisor's Name: [redacted] Team: [redacted] Date: 1/31/16

SHIFT LIEUTENANT REVIEW: [✓] Concur [ ] Reversed

SIGNATURE: [redacted] Date: 1/31/16 Time:

SUPPORT SERVICE RESPONSE: Unit Assigned: Date Assigned: /
Date Due: /

Response by: [redacted] Title: Date: / Time:

FACILITY COMMANDER/DESIGNEE REVIEW: [✓] Concur [ ] Reversed

SIGNATURE: [redacted] Date: / Time:

RESPONSE RETURNED TO INMATE: Date: 1/31/16 Time: 1:40 By: [redacted]
Main Jail
Main Jail South
North County Jail

SANTA CLARA COUNTY DEPARTMENT OF CORRECTION
INMATE GRIEVANCE FORM

INMATE NAME: [REDACTED]
BOOKING NUMBER: [REDACTED]
HOUSING UNIT: 340 East

DETAILS OF GRIEVANCE. PRINT! BE SPECIFIC:
1/27/16, inspection was conducted, yet no cleaning supplies were found. Pursuant to Rule Book, daily cleaning supplies are to be found. Today on 1/30/16, this grievance was submitted to the department on notice of failing to provide sanitation requirements, from 1/28/16 to 1/30/16.

WHAT SOLUTION ARE YOU SEEKING?
Daily supply of sanitation equipment pursuant to policy.

Your Signature: [REDACTED]
Date: 1/30/16 Time: 9:00 PM

(RECEIVED FROM INMATE ON:

DAY: SAT  Date: 1/30/16
TO:  Officer: [REDACTED]  Team: [REDACTED]

RESPONDING OFFICER'S STATEMENT (Please print):

CLEANING SUPPLIES ARE MADE AVAILABLE AS NEEDED.

X Resolved [ ] Refer to Level II

Officer's Name: [REDACTED]  Team: [REDACTED]  Date: 1/30/16

SUPERVISOR'S ACTION: Cleaning Supplies are distributed on a weekly basis. It is your responsibility to request more in between when needed

☑ Resolved [ ] Refer to Level III

Supervisor's Name: [REDACTED]  Team: [REDACTED]  Date: 2/3/16

SHIFT LIEUTENANT REVIEW: [ ] Concur [ ] Reversed

SUPPORT SERVICE RESPONSE: Unit Assigned: [REDACTED]  Date Assigned: [REDACTED]

Date Due: [REDACTED]

Response by: [REDACTED]  Title: [REDACTED]  Date: 2/3/16  Time: [REDACTED]

FACILITY COMMANDER/DISGNEE REVIEW: [ ] Concur [ ] Reversed

SIGNATURE: [REDACTED]  Date: 2/3/16  Time: [REDACTED]

RESPONSE RETURNED TO INMATE: Date: 2/3/16  Time: [REDACTED]

Distribution: White-Administration  Curry-Inmate (Final Disposition)  PDG-Inmate (Initial Receipt)

5865 REV 7/02
DETAILS OF GRIEVANCE. PRINT! BE SPECIFIC: PERSUASIVE TO SANTA CLARA INMATE ORIENTATION
and Rulebok Page 17. Sanitation clothes are not being met. "Floors are to
be swept and mopped daily. Toilets, urinals, sinks, basins and showers will be cleaned daily.
Vents are clogged, no air circulation, exposed plumbing, and sewage back-up.
Cleaning supplies will be provided according with Cal. O.S.P.R.M.S.0,5 specification.
WHAT SOLUTION ARE YOU EXPECTING
Follow policy and procedures/onditions of confinement
Your Signature: [redacted] Date: 1/23/16 Time: 8 AM/PM
(Do not write below this line. Use additional sheets if necessary)
Received from Inmate on:
Day: Sunday Date: 1/23/16 Time: _____ Officer: [redacted] Team: B
RESPONDING OFFICER'S STATEMENT (Please print): At 6.30 a.m. states that on 1/23/16
The Trustees cleaned the tier and supplies were passed out.
(\) Resolved [ ] Refer to Level II
Officer's Name: [redacted] Team: B Date: 1/23/16
SUPERVISOR'S ACTION: You are given cleaning supplies and tools to clean. It is
your responsibility to keep your area clean. Please request
mop and broom when needed from deputy.
(\) Resolved [ ] Refer to Level III
Supervisor's Name: [redacted] Team: B Date: 2/13/16
SHIFT LIEUTENANT REVIEW: [ ] Concur [ ] Reversed

SIGNATURE: ____________________________ Date: ___/___/___ Time: ____________________________
SUPPORT SERVICE RESPONSE: Unit Assigned: ____________________________ Date Assigned: ___/___/___
Date Due: ___/___/___

Response by: ____________________________ Date: ___/___/___ Time: ____________________________
FACILITY COMMANDER/DESIGNEE REVIEW: [ ] Concur [ ] Reversed

SIGNATURE: ____________________________ Date: ___/___/___ Time: ____________________________
RESPONSE RETURNED TO INMATE: Date: 1/23/16 Time: 1740 By: [redacted] 04/01/16
Distribution: White-Administration Canary-Inmate (Final Disposition) Pink-Inmate (Initial Receipt)
To West Bradley St, 10th Floor
Attn: LA Doris Londei - Blue Ribbon Chino
Santa Clara County Bd. of Supervisors

Total Postage Required
Postal Due: 2/1/93
Retained for Additional Postage

San Jose, CA 95110-1178
Isso West Bradley St
Santa Clara D.C. Main Sta.
Good afternoon,

- The Clerk of the Board’s Office received the attached correspondence. This document is being forwarded to you for appropriate action. The original document will be on file in the Clerk of the Board’s Records Unit for a maximum of 2 years from the date received.

Thank you,

Lori Nunez
Board Records Assistant II
Office of the Clerk of the Board
70 W. Hedding Street, East Wing, 10th Floor
San Jose, CA 95110
(408) 299-5001
My name is [REDACTED] and I'm currently incarcerated in Santa Clara D.O.C. Main Jail. The purpose of this letter is to inform you of continued retaliation from the Department. I've utilized the grievance and appeal procedures only to be penalized, denied and retaliated against for exercising my 1st Amendment right to petition Government for redress of grievances.

I've explained and demonstrated from the Santa Clara D.O.C. policy and procedures the exact nature of the department's violations only to be denied and ignored any relief. Most if not all my grievances have been denied. This is widespread and systemic.

I've sent you copies of my complaints to the Sheriff Office at 55 West Younger Ave and 70 West Hedding St, 10th Floor. The Blue Ribbon Commission in San Francisco also has copies of my issues.

Please contact me via letter or visit to confirm that you have received my correspondence.

The foregoing is true and correct to the best of my knowledge, signed under penalty of perjury. This day of 2-16-16

Mr. [REDACTED]
Santa Clara D.O.C. Main Jail
150 West Hedding St
San Jose, CA 95110-1918

2-16-16
DETAILS OF GRIEVANCE. PRINT! BE SPECIFIC: ON 9/23/15 AT BREAKFAST, C-TEAM OFFICERS STATIONED AROUND CAGE THREATENED ME AND SEVERAL OTHERS WITH PHYSICAL HARM. ONE OFFICER STATED "YOU GUYS DON'T KNOW US." OTHER OFFICER STATED "YOU HAVE C-TEAM PICKED UP, WE WILL BEAT YOUR ASS." I WAS IN LINE CAUSING NO TROUBLE, MY LIFE WAS THREATENED.

WHAT SOLUTION ARE YOU RECOMMENDING?: DISCIPLINARY ACTIONS

Your Signature: [redacted] Date: 9/23/15 Time: 10 AM/PM

Recipient from Inmate on:
Day: WE Date: 9/23/15 Time: AM Officer: SIEGEL #0732 Team: A

RESPONDING OFFICER'S STATEMENT (Please print): FORWARD TO C-TEAM FOR RESOLVING

THE ABOVE MENTIONED INCIDENT/MISCONDUCT DID NOT OCCUR.

[✓] Resolved [] Refer to Level II

Officer's Name: [Redacted] Date: 9/23/15

SUPERVISOR'S ACTION ON 9/24/15, I INTERVIEWED INMATE [Redacted] STATED THE ABOVE COMPLAINT BUT WAS UNABLE TO IDENTIFY THE DEPUTY WHO THE INMATE WAS TALKING TO. HE SAID HE HADN'T DONE ANYTHING WRONG. I SPOKE TO DEPUTY LOZADA. LOZADA SAID HE TOLD AN INMATE NOT TO REMOVE THE PLASTIC TRAY FROM THE CHOW HALL, LIKE EVERYONE ELSE. HE SAID HE, NO OTHER DEPUTIES MADE THE THREATENING COMMENTS.

[✓] Resolved [] Refer to Level III

Supervisor's Name: [Redacted] Date: 9/23/15

SHIFT LIEUTENANT REVIEW: [ ] Concur [ ] Reversed

SIGNATURE: [Redacted] Date: 9/23/15 Time:

SUPPORT SERVICE RESPONSE: Unit Assigned: [Redacted] Date Assigned: 9/28/15

Date Due: 10/12/15

Response by: [Redacted] Title: [Redacted] Date: [Redacted] Time:

FACILITY COMMANDER/DESIGNEE REVIEW: [ ] Concur [ ] Reversed

SIGNATURE: [Redacted] Date: 9/14/15 Time:

RESPONSE RETURNED TO INMATE: Date: 9/15/15 Time: 2 PM By: [Redacted] 9/16/15

Distribution: White-Administration Canary-Inmate (Final Disposition) Pink-Inmate (Initial Receipt)
TO: DIVISION COMMANDER

FROM: [Redacted]

RE: APPEAL LETTER FOR DENIED GRIEVANCE

DATE: 12-19-15

This is an appeal letter for grievance # which correctional officer [Redacted] only uses Hispanic trustee/unit worker while he is on shift. He also denies us sanitation cleaning supplies on a daily basis. What's even more disturbing is the fact that (all) of my grievances and appeals are denied. This is the second occurrence of discrimination by Santa Clara D.O.C. officers. (See grievance # date 12-30-14).

The foregoing is true and correct to the best of my knowledge, signed under penalty of perjury on this day of 12-19-15.

[Signature]

12-19-15
October 20, 2015

Mr. [Redacted]
CEN# [Redacted]/PFN [Redacted]
Main Jail Complex
150 West Hedding Street
San Jose, CA 95110

Dear Mr. Blake:

I received your letters dated October 1 and October 14, 2015, which is appealing the response to Grievance # [Redacted].

Grievance # [Redacted] states that you believe several deputies threatened you with physical harm. Please be assured that I take all claims of this nature very seriously. After a thorough investigation, including interviewing witnesses, it has been determined that there is no evidence for these claims. Therefore, the answer to Grievance # [Redacted] still stands.

Sincerely,

[Signatures]
Captain Hoyt
Main Jail Division Commander

BH:evv

cc: Legal Resource Coordinator
October 27, 2015

PFN: [redacted]  
885 N. San Pedro St.  
San Jose, CA  95110

RE: [redacted]  
Date of Loss: 9-23-2015  
Our Claim No.: [redacted]  
Board of Supervisors' No.: [redacted]

Dear [redacted]:

Our office investigates incidents and claims alleged against the County of Santa Clara.

On October 16, 2015 you filed documents with the Clerk of the Board of Supervisors, who sent them to our office for review and action. We acknowledge receipt of your documents and have setup a file for follow-up activity.

The adjuster handling this file is: Ted Althausen. You may reach him at the above address and at his direct telephone number (408) 441-4345. Once our review process is complete, you may expect a formal written response to your claim submission.

Very truly yours,

ESA Liability/Property Claims Department

TA: m

Laurie Smith  
Sheriff  
December 1, 2015  
Main Jail South–345E  
885 N. San Pedro Street  
San Jose, CA 95110  

Dear Mr. [Redacted],  

Internal Affairs received your Inmate Request Form, requesting a copy of complaint 2015-5401, regarding I.A. complaint filed on 10/20/15.  

Internal Affairs does not have any complaint number 2015-5401, additionally we do not have a complaint from you filed on October 20, 2015.  

The most recent complaint we have from you was filed on September 23, 2015:  

“On 09/23/15 at breakfast, C-Team officers stationed around cage, threatened me and several other inmates with physical harm. One officer stated, ‘You guys don’t know us.’ Other officer stated, ‘Yeah, C-Team fucked up – we’ll beat your ass.’ I was in line causing no trouble, getting my breakfast. I felt my life was threatened.”  

Complaint was closed Unfounded. Sheriff’s Office Administration reviewed this and concurs with these findings.  

Sincerely,  

[Signature]  
Laurie Smith, Sheriff  
By Lieutenant N. Valenzuela #1841, Internal Affairs  
(408) 808-4930  

cc: Case File  

California State Penal Code Section 832.7 states that all disciplinary action taken against a Deputy Sheriff in the State of California is confidential. The Attorney General of the State of California has declared that the release of any confidential information relating to either an internal investigation or the related disciplinary action would constitute a criminal offense punishable by up to six months in county jail. Based upon the confidential nature of this internal investigation under Section 832.5, you are only being provided with the outcome of the investigation.
December 1, 2015

Santa Clara County Department of Correction - Main Jail
150 West Hedding Street
San Jose, California 95110-1718

Re: Date of Loss: September 23, 2015 and October 12, 2015
ESA Claim No.: [Redacted]
Board of Supervisors No.: [Redacted]

Dear Mr. [Redacted]

NOTICE OF REJECTION OF CLAIM

Notice is hereby given that the claim you presented on November 2, 2015, was rejected on December 1, 2015.

By this letter, the County of Santa Clara does not waive its right to assert that claimants have failed to comply with the claim presentation and statute of limitation requirements contained in the California Government Code and the California Code of Civil Procedure.

WARNING

Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a court action on this claim. (See Government Code section 945.6). The six-month time limit referred to in this notice applies only to claims or causes of action that are governed by the Government Claims Act. Additionally, the Government Claims Act contains certain exceptions.

You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

Please also be advised that, pursuant to California Code of Civil Procedure sections 128.7 and 1038, the County will seek to recover all costs of defense in the event an action is filed in
this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Very truly yours,

ORRY P. KORB
County Counsel

MELISSA R. KINIYALOCTS
Deputy County Counsel

MRK:tl

c: Al Rubens, ESA Claims Manager
    Ted Althausen, ESA Claims Adjuster
I, Tam Lobach, say:

I am now and at all times herein mentioned have been over the age of eighteen years, employed in Santa Clara County, California, and not a party to the within action or cause; that my business address is 70 West Hedding Street, East Wing, 9th Floor, San Jose, California 95110-1770. I am readily familiar with the County’s business practice for collection and processing of correspondence for mailing with the United States Postal Service. I served a copy of the NOTICE OF REJECTION OF CLAIM by placing said copy in an envelope addressed to:

[Redacted]

Santa Clara County Department of Correction - Main Jail
150 West Hedding Street
San Jose, California 95110-1718

which envelope was then sealed, with postage fully prepaid thereon, on December 1, 2015, and placed for collection and mailing at my place of business following ordinary business practices. Said correspondence will be deposited with the United States Postal Service at San Jose, California, on the above-referenced date in the ordinary course of business; there is delivery service by United States mail at the place so addressed.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct, and that this declaration was executed on December 1, 2015, at San Jose, California.

[Signature]

Tam Lobach
CLAIM AGAINST THE COUNTY OF SANTA CLARA

Please submit the completed form to the Clerk of the Board of Supervisors, 70 W. Hedding St., East Wing, 10th Floor, San Jose, CA 95110

Please attach additional pages as needed.

FOR CLERK'S USE ONLY

1. Claimant's full name: [Redacted]
   □ Minor

2. Claimant's telephone number:

3. Claimant's mailing address: 150 West Hedding St., San Jose, CA

4. Mailing address to which notices are to be sent, if different from 3:

5. Date of the incident or loss: 9-23-15 & 10-12-15

6. Location of the incident or loss: Santa Clara D.O.C. Main Jail

7. Describe how the incident or loss happened and the reason why you believe the County of Santa Clara is liable for your damages:
   [Redacted]

8. Describe the injury, damage, or loss: Harassment & Threat of Physical Harm

9. If a public employee is involved in the injury, damage, or loss, provide name if known: [Redacted]

10. Name of witness, if any:

11. If the claim is for less than $10,000, state the total amount of the claim: $7,000.00

List the items totaling the amount of the claim:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

12. If the claim is for more than $10,000, is the amount over $25,000? Yes [X] No

[Redacted]

Date: 10-15-15

Signature of Claimant or Representative

Any person who, with the intent to defraud, presents any false or fraudulent claim may be punished either by imprisonment or fine, or both. See section 72 of the Penal Code.
GOVERNMENT TORT CLAIM FORM

(PLEASE TYPE OR PRINT ALL INFORMATION REQUESTED)

CLAIM AGAINST: [Redacted] (NAME OF PUBLIC ENTITY).

1. CLAIMANT'S NAME: [Redacted]

2. CLAIMANT’S MAILING ADDRESS: 150 West Hedding St

   San Jose, CA 95110-1718

   (CITY) (STATE) (ZIP CODE)

3. AMOUNT OF CLAIM: $50,000.00

IF THE AMOUNT CLAIMED EXCEEDS TEN THOUSAND DOLLARS ($10,000), THE AMOUNT OF THE CLAIM SHOULD BE UNSPECIFIED AND CLAIMANT SHOULD INDICATE THE TYPE OF CIVIL CASE:

☐ LIMITED CIVIL CASE ($25,000 OR LESS)

☒ NON-LIMITED CIVIL CASE (OVER $25,000)

4. ITEMIZATION OF CLAIM: (How was the amount claimed above computed; list items totaling amount set forth above, including damages for pain and suffering, if applicable). IF YOU HAVE SUPPORTING DOCUMENTATION FOR THE AMOUNT CLAIMED (BILLS, RECEIPTS, ETC.), PLEASE ATTACH THREE (3) COPIES TO THIS CLAIM.

<table>
<thead>
<tr>
<th>ITEM</th>
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<tr>
<td>1.</td>
<td>Violation of Santa Clara C.C. Policy 14-03-03(b)(11)</td>
</tr>
<tr>
<td>2.</td>
<td>1st Amendment Retaliation</td>
</tr>
<tr>
<td>3.</td>
<td>Penal Code 147</td>
</tr>
<tr>
<td>4.</td>
<td>Civil Code 328x, 329a</td>
</tr>
</tbody>
</table>

(CONTINUE ITEMIZATION ON SEPARATE SHEET, IF NECESSARY)

5. ADDRESS TO WHICH NOTICES ARE TO BE SENT IF DIFFERENT FROM LINES 1 AND 2:

   [Redacted]

   150 West Hedding St

   San Jose, CA 95110-1718

   (CITY) (STATE) (ZIP CODE)
6. DATE & TIME OF ACCIDENT OR LOSS: 9-23-15 & 10-12-15

7. LOCATION OF ACCIDENT OR LOSS (INCLUDE CITY, COUNTY, AND STREET ADDRESS, INTERSECTION, ROAD NUMBERS OR MILE MARKER):
Shoreline, San Francisco, CA 95110, 1918

8. HOW DID THE ALLEGED ACCIDENT OR LOSS OCCUR? STATE ALL FACTS WHICH SUPPORT YOUR CLAIM AGAINST THE PUBLIC ENTITY:

DURING BREAKFAST, C.C. [REDACTED] AND [REDACTED] THREATENED ME WITH PHYSICAL HARM. THEY STATED THAT I WOULD LOSE MY ASS.
ON 10-12-15 AFTER I HAD A CONVERSATION [REDACTED] STATED THAT "MY FIGHTING WENT AT 11 A.M." THIS IS A VIOLATION OF THE CITY OF SAN FRANCISCO, 14.03-03.7(11) AND REPEALATION OR 1ST AMENDMENT.
(CONTINUE ON SEPARATE SHEET, IF NECESSARY) AMENDMENT.

9. DESCRIBE INJURY / DAMAGE / LOSS: HARRASSMENT, INJURIES OF HAIR, EYEBROWS

(CONTINUE ON SEPARATE SHEET, IF NECESSARY)

10. NAME OF PUBLIC EMPLOYEE (S) CAUSING INJURY / DAMAGE / LOSS, IF KNOWN: [REDACTED]

11. SIGNATURE OF CLAIMANT OR ATTORNEY/REPRESENTATIVE:

[REDACTED] DATED: [REDACTED]

12. DAYTIME TELEPHONE NUMBERS (PLEASE INCLUDE AREA CODE)
CLAIMANT ( )
ATTORNEY/REPRESENTATIVE ( )

NOTICE

SECTION 72 OF THE PENAL CODE PROVIDES:

"EVERY PERSON WHO, WITH INTENT TO DEFRAUD, PRESENTS FOR ALLOWANCE OR FOR PAYMENT TO ANY STATE BOARD OR OFFICER, OR TO ANY COUNTY, CITY, OR DISTRICT BOARD OR OFFICER, AUTHORIZED TO ALLOW OR PAY THE SAME IF GENUINE, ANY FALSE OR FRAUDULENT CLAIM, BILL, ACCOUNT, VOUCHER, OR WRITING, IS GUILTY OF EITHER A MISDEMEANOR OR FELONY AND MAY BE SUBJECT TO IMPRISONMENT AND/OR A FINE."
CLAIM AGAINST THE COUNTY OF SANTA CLARA

Please submit the completed form to the Clerk of the Board of Supervisors, 70 W. Hedding St., East Wing, 10th Floor, San Jose, CA 95110

Please attach additional pages as needed.

FOR CLERK’S USE ONLY

1. Claimant’s full name: [REDACTED] □ Minor

2. Claimant’s telephone number: ________________________________

3. Claimant’s mailing address: 150 WEST HEDDING ST, SAN JOSE, CA

4. Mailing address to which notices are to be sent, if different from 3: ________________________________

5. Date of the incident or loss: 9-23-15 & 10-12-15

6. Location of the incident or loss: SANTA CLARA D.O.C. MAIN JAIL

7. Describe how the incident or loss happened and the reason why you believe the County of Santa Clara is liable for your damages: [REDACTED]

8. Describe the injury, damage, or loss: HARASSMENT & THREAT OF PHYSICAL HARM, ANXIETY ATTACK, VIOLATION OF POLICIES AND PROCEDURES - 14.03-03-(9)(11) 2013/14

9. If a public employee is involved in the injury, damage, or loss, provide name if known: [REDACTED]

10. Name of witness, if any: ________________________________

11. If the claim is for less than $10,000, state the total amount of the claim: 50,000.00

List the items totaling the amount of the claim:

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</table>

12. If the claim is for more than $10,000, is the amount over $25,000? Yes [X] No __________

Signature of Claimant or Representative __________________________________________

Date 10-15-15

Any person who, with the intent to defraud, presents any false or fraudulent claim may be punished either by imprisonment or fine, or both. See section 72 of the Penal Code.
GOVERNMENT TORT CLAIM FORM

(PLEASE TYPE OR PRINT ALL INFORMATION REQUESTED)

CLAIM AGAINST ___________________________ (NAME OF PUBLIC ENTITY).

1. CLAIMANT'S NAME: ___________________________

2. CLAIMANT'S MAILING ADDRESS: 150 WEST Hedding ST
                             (ADDRESS)
                             San Jose CA 95110-1718
                             (CITY) (STATE) (ZIP CODE)

3. AMOUNT OF CLAIM: $ 50,000.00

   IF THE AMOUNT CLAIMED EXCEEDS TEN THOUSAND DOLLARS ($10,000), THE AMOUNT
   OF THE CLAIM SHOULD BE UNSPECIFIED AND CLAIMANT SHOULD INDICATE THE
   TYPE OF CIVIL CASE:

   ☐ LIMITED CIVIL CASE ($25,000 OR LESS)
   ☑ NON-LIMITED CIVIL CASE (OVER $25,000)

4. ITEMIZATION OF CLAIM: (How was the amount claimed above computed; list items totaling
   amount set forth above, including damages for pain and suffering, if applicable). IF YOU HAVE
   SUPPORTING DOCUMENTATION FOR THE AMOUNT CLAIMED (BILLS, RECEIPTS, ETC.),
   PLEASE ATTACH THREE (3) COPIES TO THIS CLAIM.

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<td>1st Amendment Retaliation</td>
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<td>Penal Code 147</td>
</tr>
<tr>
<td>3</td>
<td>Civil Code 325x.22</td>
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   (CONTINUE ITEMIZATION ON SEPARATE SHEET, IF NECESSARY)

5. ADDRESS TO WHICH NOTICES ARE TO BE SENT IF DIFFERENT FROM LINES 1 AND 2:

   ___________________________ (NAME)
   150 WEST Hedding ST (STREET OR P.O. BOX NUMBER)
   San Jose CA 95110-1718 (CITY) (STATE) (ZIP CODE)
6. DATE & TIME OF ACCIDENT OR LOSS: 9-23-15 & 10-12-15

7. LOCATION OF ACCIDENT OR LOSS (INCLUDE CITY, COUNTY, AND STREET ADDRESS, INTERSECTION, ROAD NUMBERS OR MILE MARKER):
   San Jose, CA 95110 - 1718

8. HOW DID THE ALLEGED ACCIDENT OR LOSS OCCUR? STATE ALL FACTS WHICH SUPPORT YOUR CLAIM AGAINST THE PUBLIC ENTITY:
   During breakfast, I was threatened with physical harm. They stated "If you didn't do it, we will let my ASS on 10-12-15 after I was a witness. Go to jail."
   The issue was not resolved. I am a victim of
   (CONTINUE ON SEPARATE SHEET, IF NECESSARY)

9. DESCRIBE INJURY / DAMAGE / LOSS: Harassment, threat of prosecution
   (CONTINUE ON SEPARATE SHEET, IF NECESSARY)

10. NAME OF PUBLIC EMPLOYEE (S) CAUSING INJURY / DAMAGE / LOSS, IF KNOWN:
    (CONTINUE ON SEPARATE SHEET, IF NECESSARY)

11. SIGNATURE OF CLAIMANT OR ATTORNEY/REPRESENTATIVE:
    DATED: 11-15-15

12. DAYTIME TELEPHONE NUMBERS (PLEASE INCLUDE AREA CODE)
    CLAIMANT
    ATTORNEY/REPRESENTATIVE
    ( )

NOTICE

SECTION 72 OF THE PENAL CODE PROVIDES:

"EVERY PERSON WHO, WITH INTENT TO DEFRAUD, PRESENTS FOR ALLOWANCE OR FOR PAYMENT TO ANY STATE BOARD OR OFFICER, OR TO ANY COUNTY, CITY, OR DISTRICT BOARD OR OFFICER, AUTHORIZED TO ALLOW OR PAY THE SAME IF GENUINE, ANY FALSE OR FRAUDULENT CLAIM, BILL, ACCOUNT, VOUCHER, OR WRITING, IS GUILTY OF EITHER A MISDEMEANOR OR FELONY AND MAY BE SUBJECT TO IMPRISONMENT AND/OR A FINE."
December 1, 2015

Santa Clara County Department of Correction - Main Jail
150 West Hedding Street
San Jose, California 95110-1718

Re: Date of Loss: September 23, 2015 and October 12, 2015
ESA Claim No.: [REDACTED]
Board of Supervisors No.: [REDACTED]

Dear Mr. [REDACTED],

NOTICE OF REJECTION OF CLAIM

Notice is hereby given that the claim you presented on November 2, 2015, was rejected on December 1, 2015.

By this letter, the County of Santa Clara does not waive its right to assert that claimants have failed to comply with the claim presentation and statute of limitation requirements contained in the California Government Code and the California Code of Civil Procedure.

WARNING

Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a court action on this claim. (See Government Code section 945.6). The six-month time limit referred to in this notice applies only to claims or causes of action that are governed by the Government Claims Act. Additionally, the Government Claims Act contains certain exceptions.

You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

Please also be advised that, pursuant to California Code of Civil Procedure sections 128.7 and 1038, the County will seek to recover all costs of defense in the event an action is filed in
this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Very truly yours,

ORRY P. KORB
County Counsel

MELISSA R. KINIIYALOCTS
Deputy County Counsel

MRK:tl

c:    Al Rubens, ESA Claims Manager
      Ted Althausen, ESA Claims Adjuster
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA

PROOF OF SERVICE BY MAIL

I, Tam Lobach, say:

I am now and at all times herein mentioned have been over the age of eighteen years, employed in Santa Clara County, California, and not a party to the within action or cause; that my business address is 70 West Hedding Street, East Wing, 9th Floor, San Jose, California 95110-1770. I am readily familiar with the County’s business practice for collection and processing of correspondence for mailing with the United States Postal Service. I served a copy of the NOTICE OF REJECTION OF CLAIM by placing said copy in an envelope addressed to:

[Redacted]
Santa Clara County Department of Correction - Main Jail
150 West Hedding Street
San Jose, California 95110-1718

which envelope was then sealed, with postage fully prepaid thereon, on December 1, 2015, and placed for collection and mailing at my place of business following ordinary business practices. Said correspondence will be deposited with the United States Postal Service at San Jose, California, on the above-referenced date in the ordinary course of business; there is delivery service by United States mail at the place so addressed.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct, and that this declaration was executed on December 1, 2015, at San Jose, California.

[Signature]

Tam Lobach

1223374
TO: Division Commander Hunt
From: [Redacted]
Date: 10-23-15
RE: Appeal of Grievance # [Redacted]

On 10-12-15, while walking to dining hall, [Redacted] stated to me, "Your paperwork isn't going to do shit to me," referencing Grievance Tracking # [Redacted]. As of all my grievances, [Redacted] responded from staff are lies all the way to the facility Commander. There was witnesses to the events that I've reported. [Redacted] and [Redacted] of D-Team was standing next to [Redacted] when he made that statement.

I'm requesting a copy of the investigation report (Redacted) as I'm the attorney of record for court proceedings. The foregoing is true and correct to the best of my knowledge. Signed under penalty of perjury on this day of 10-22-15.

Sincerely,

[Redacted]

Santa Clara, DCC-Main T-01
155 West Willows St
San Jose, CA 95110-1718

10-22-15
ON 9-23-15, Correctional Officer [REDACTED] and [REDACTED] made threats of physical harm during breakfast with statements such as “you got C-Team fucked up - will beat your ass” for no apparent reason. I filed a grievance tracking # [REDACTED] which was denied. Then on 10-12-15, % [REDACTED] stated to me that “my paperwork went to hell to him,” referencing my grievance I filed. I filed another grievance regarding that incident for prison officials may not retaliate against or harass me for exercising right of access to courts or for complaining to supervisor about guards misconduct. (see Woods vs Smith, 60 F3d 1161 (1995)).

The right of access to the Courts is an aspect of the First Amendment right to petition government for redress of grievances. % prison statement had a chilling effect on my right to petition which is impermissible, and that the filing of grievances is protected conduct under the Constitution.

I seek monetary damages and the punitive actions. The foregoing is true and correct, signed under penalty of perjury on this day of 10-14-15

Sincerely,

[Signature]

10-14-15

MR. [REDACTED]
SANTA CLARA D.A.C. MAIN JAIL
150 WEST HEDING ST.
SAN JOSE, CA 95110-1112?
INMATE'S NAME: [Redacted]  
BOOKING NUMBER: [Redacted]  
HOUSING UNIT: 345 EAST

DETAILS OF GRIEVANCE: PRINT! BE SPECIFIC!  
Pursuant to Santa Clara County Personnel and Labor Code, employees may not use unreasonable, insulting or threatening language. To [Redacted] and [Redacted] violated these requirements when [Redacted] told [Redacted] to stop barking and cleaning. Request to [Redacted] hold an inmate to stop barking.

Another inmate had a right to be treated respectfully, courteously and fairly by all personnel. (See 455 Investigation #147)

WHAT SOLUTION ARE YOU RECOMMENDING:

Your Signature: [Redacted]  
Date: 1/17/16  
Time: 11:00 AM

** (Do not write below this line. Use additional sheets if necessary) **

Received from Inmate on: [Redacted]  
Day: [Redacted]  
Date: [Redacted]  
Time: 11:11 AM  
Officer: [Redacted]  
Team: A

RESPONDING OFFICER'S STATEMENT (Please print):

[ ] Resolved  [ ] Refer to Level II

Officer's Name: [Redacted]  
Team: A  
Date: / / / 

SUPERVISOR'S ACTION:

[ ] Resolved  [ ] Refer to Level III

Supervisor's Name: [Redacted]  
Team: A  
Date: / / / 

SHIFT LIEUTENANT REVIEW:  [ ] Concur  [ ] Reversed

_________________________
SIGNATURE:  
Date: / / / 
Time: / / / 

SUPPORT SERVICE RESPONSE: Unit Assigned:  
Date Assigned: / / / 
Date Due: / / / 

Response by: [Redacted]  
Title: [Redacted]  
Date: / / / 
Time: / / / 

FACILITY COMMANDER/DISFEE REVIEW:  [ ] Concur  [ ] Reversed

_________________________
SIGNATURE:  
Date: / / / 
Time: / / / 

RESPONSE RETURNED TO INMATE:  
Date: / / / 
Time: / / / 

Distribution: White-Administration  
Canary-Inmate (Final Disposition)  
Pink-Inmate (Initial Receipt)

© 2016 REV 7/02
SANTA CLARA COUNTY DEPARTMENT OF CORRECTION
INMATE GRIEVANCE FORM

INMATE NAME: [REDACTED]
HOUSING UNIT: 345 EAST

DETAILS OF GRIEVANCE: PRINT! BE SPECIFIC!

Now with [REDACTED] and [REDACTED] of C-Team.
Now with [REDACTED] is retaliated by waking me up looking for an
inmate that is not in 345 East. Locked me in the cells as if we
are locked down, and exhibiting hostile and aggressive attitudes.
I feel threatened, and my anxiety is triggered by these actions.
I work as a Team Writer for Unit 3 and I had extra...}

WHAT SOLUTION ARE YOU RECOMMENDING?: Speak with Mental Health

Your Signature: [REDACTED]
Date: 12/11/15 Time: 0 AM PM

Received from Inmate on:
Day: Monday Date: 12/11/15 Time: 1900 Officer: Cabrera #1444 Team: C

RESPONDING OFFICER'S STATEMENT (Please print): AT NO TIME HAS INMATE BEEN
THREATENED BY CUSTODY STAFF. ALL INMATES WERE INSTRUCTED TO GET ON THEIR
BOOKS FOR COURT AND THE CAGE WAS OPENED WHEN IT WAS TIME TO PROGRAM. YOU ARE NOT
USING IN TRUSTEE DUTY AND YOU ARE NOT ENTITLED TO EXTRA CLOTHING. MENTAL HEALTH

[ ] Resolved [ ] Refer to Level II HAS BEEN CONTINUED SO THEY CAN COME AND TALK
WITH YOU.

Officer's Name: Cabrera #1444 Team: C Date: 12/11/15

SUPERVISOR'S ACTION:

[ ] Resolved [ ] Refer to Level III

Supervisor's Name: [REDACTED] Team: [REDACTED] Date: [REDACTED]

SHIFT LIEUTENANT REVIEW: [ ] Concur [ ] Reversed

SIGNATURE: [REDACTED]
Date: [REDACTED] Time: [REDACTED]

SUPPORT SERVICE RESPONSE: Unit Assigned: [REDACTED] Date Assigned: [REDACTED]
Date Due: [REDACTED]

Response by: [REDACTED] Title: [REDACTED] Date: [REDACTED] Time: [REDACTED]

FACILITY COMMANDER/DESIGNEE REVIEW: [ ] Concur [ ] Reversed

SIGNATURE: [REDACTED]
Date: [REDACTED] Time: [REDACTED]

RESPONSE RETURNED TO INMATE: Date: [REDACTED] Time: [REDACTED] By:
Distribution: White-Administration Canary-Inmate (Final Disposition) Pink-Inmate (Initial Receipt)
**Example of High Risk Misconduct**

**Santa Clara County Department of Correction**

**Inmate Grievance Form**

<table>
<thead>
<tr>
<th>INMATE'S NAME</th>
<th>BOOKING NUMBER</th>
<th>HOUSING UNIT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>1/9</td>
</tr>
</tbody>
</table>

**Details of Grievance:**

Print! Be specific:

Transportation bus outside San Jose Part of the Unit of male and female. To use profane, demeaning, insulting and derogatory language and body language toward me and other inmates as we exit the bus. Was called at 5:46am, called after 5:50am. Smoking pencils were old school. Kicking employee premises of Unit 7-7-14 at 5:36pm.

**What Solution are you recommending?**

Full Transit ban. More than 1 day.

**Your Signature:**

**Date:** 1/11/17 **Time:** 9:36 AM/PM

(Do not write below this line. Use additional sheets if necessary)

**Received from Inmate on:**

**Day:** 1/11 **Date:** 2017 **Time:** 9:36 AM **Officer:** [Redacted] **Team:** [Redacted]

**Responding Officer’s Statement (Please Print):**

---

[ ] Resolved [ ] Refer to Level II

**Officer’s Name:**

**Team:** [Redacted] **Date:** [Redacted]

**Supervisor’s Action:**

---

[ ] Resolved [ ] Refer to Level III

**Supervisor’s Name:**

**Team:** [Redacted] **Date:** [Redacted]

**Shift Lieutenant Review:** [ ] Concur [ ] Reversed

---

**Signature:**

**Date:** [Redacted] **Time:** [Redacted]

**Support Service Response:** Unit Assigned: Date Assigned: [Redacted] 

Date Due: [Redacted]

You are correct that we entered the Transportation bus and addressed you and two other inmates. However, aside from that fact, your account of the situation is false. The three of you were yelling profanities through the bus windows at numerous passersby, which consisted of adults and young children. Upon witnessing these shameful behaviors, we entered the bus, quoted the foul and inappropriate language we heard you speak, and admonished the three of you to cease immediately.

Response by: [Redacted] **Title:** [Redacted] **Date:** 9/12/91 **Time:** 10:10 AM/PM

**Facility Commander/Designee Review:** [ ] Concur [ ] Reversed

If it were not so important to dress-down your behavior immediately, we would have recorded your custody info and followed up with infractions regarding the numerous rule violations we witnessed.

**Signature:**

**Date:** 1/12/81 **Time:** 10:30

**Response Returned to Inmate:** Date: [Redacted] **Time:** [Redacted] **By:** [Redacted] (Initial Receipt)
San Jose, CA 95110
To West Haddings 5th Floor
Attention: LA District Counsel - Blue Ribbon Commission - Chair
Santa Clara Co. Board of Supervisors

January 12, 2016

First Class Mail

US POSTAGE PAID
Permit No. 429
ZIP 95113

February 15, 2016

Attention: LA District Counsel - Blue Ribbon Commission - Chair
Santa Clara Co. Board of Supervisors

San Jose, CA 95110

150 West Haddings
ST

February 15, 2016

Attention: LA District Counsel - Blue Ribbon Commission - Chair
Santa Clara Co. Board of Supervisors

San Jose, CA 95110