

FDRAG
South East Station
P.O. Box 15731
Washington DC 20003

To:

FLORIDA DEATH ROW ADVOCACY GROUP
FDRAG

*Working to maintain and improve living conditions
on death row in Florida*



FDRAG NEWSLETTER
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The opinions of published writers in the Newsletter do not necessarily reflect the opinions of FDRAG or its members.

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Following are some resources from the Prisoner Support Directory, published by the Partnership for Safety and Justice, Updated Sept, 2009. They can be contacted at:
825 NE 20th Avenue, #250, Portland, OR 97232
(503) 335-8449 <http://www.safetyandjustice.org/>

Innocence Project of Florida, Inc.

1100 East Park Avenue, Tallahassee, FL 32301
Phone (850) 561-6767, Fax (850) 561-5077
The Innocence Project of Florida regrets that we do not have the staff or capability to handle casesthat do not involve biological evidence or DNA.

Jack Dicks Medical Coalition

3062 Beacon Field, San Antonio, TX 78245
Advocacy for prisoners who need, and are not receiving, appropriate medical care.

American Civil Liberties Union

Capital Punishment Project www.aclu.org/capital/
201 West Main St. Suite 402, Durham, NC 27701
A branch of the ACLU that deals with death penalty issues.

The National Prison Project of the American Civil Liberties Union Foundation located at:

915 15th St. NW, Suite 700, Washington DC, 20006
handles class action suits involving prison conditions and related issues in state prisons.....Does not handle cases on behalf of individual prisoners or post-conviction cases.
Publishes the semi-annual *National Prison Project (NPP) Journal* detailing the work of the National Prison Project, news about prisoner's rights issues, and analyses of conditions of confinement lawsuits. \$2 per year. You can pay with stamps
Make checks out to: National Prison Project of the ACLUF.

Nolo Press 950 Parker Street, Berkeley, CA 94710

Publishes legal self-help materials such as *Legal Research, The Criminal Law Handbook*, and *Represent Yourself in Court*.
Please write for catalog. www.nolo.com

National Lawyers Guild

132 Nassau St., RM 922, New York, NY 10038 www.nlg.org
Cannot give attorney referrals. Publishes Jailhouse Lawyers Handbook in collaboration with Center for Constitutional Rights. Publishes other self-help publications. Jailhouse Lawyers Handbook is a self-help guide for filing civil suits if you are abused in prison. Cost \$2 and can be paid for in stamps/check/money order made out to National Lawyers Guild. Handbook can be downloaded free from: www.jailhouselaw.org.

Center for Constitutional Rights www.ccrjustice.org.

666 Broadway, 7th floor, New York, NY 10012
Offers publications including the Jailhouse Lawyers Handbook.

La Raza Centro Legal, Inc. www.lrcel.org

Lawyer Referral Service and Pro Bono Project
474 Valencia St # 295, San Francisco, CA 94103
Mainly for Spanish-speaking clients. Handles all types of legal problems, civil and criminal. All attorneys located in San Francisco though no geographic requirements for clients.

NAACP Legal Defense and Educational Fund, Inc.

99 Hudson St. Suite 1600, New York, NY 10013
Civil rights law firm that supports minority rights; also has an anti-death penalty project. Publishes quarterly Death Row USA, free to prisoners. www.naacpldf.org

Chicago Books to Women in Prison www.chicagobwp.org

c/o Beyond Media Education,
4001 N. Ravensworth Ave, Suite 204C, Chicago, IL 60613
Working to distribute free books to women in prison.

R.I.S.E. Relations of Inmates Supporting Each Other

RISE is an organization that offers support to the friends and families of the Florida Incarcerated population. Their programs include a carpool connection, Books for Inmates, a Christmas toy drive for children of inmates, assistance to out-of-state families who are visiting Florida inmates, new visitor seminars, and a newsletter, the Sun-RISE Chronicle.

Candy Kendrick is the founder and CEO of R.I.S.E.,
She can be reached at RI+SEFLORIDA@Yahoo.com,
or by phone at (914) 421-6907. The address for R.I.S.E. is:
23184 Allen Avenue, Port Charlotte, Florida 33980

Capitol Defense Handbook In most newsletters, but not all, we have included a copy of a Case Chart, along with a sample sheet. If you will ever be approaching someone for a legal review of your case, you should give them a completed chart. If you don't need the Chart, pass it along to someone who does. Or you can request free copies of the Case Charts from the:
National Death Row Assistance Network of Cure
6 Tolman Rd., Peaks Island, ME 04108.

Director, Claudia Whitman: claudia@ndran.org
You can also write to that address for a free copy of the very informative **Capitol Defense Handbook**, with a Florida insert.

FDRAG would like to thank everyone who has sent us stamps and funds. We want you to know how very much we appreciate the donations. Every dollar and every stamp sent to FDRAG is used entirely for advocacy.

Thank you!!! Thank you!!!

We have finally finished the mailing list. Please help us out and ask the people around you if they want to be on the FDRAG mailing list. Anyone who did not get a copy of this newsletter, and would like to receive one, will need to let us know to add them. Anyone who receives the newsletter but doesn't need a copy, let us know to take your name off. Thanks for your help.

In case you ever wonder...FDRAG prints newsletter pages as soon as they are filled. Since we put together the newsletter over a number of months, there is often more recent information on another page. We just can't wait to print it out until it is completely finished. We apologize for that and ask that you overlook the more dated pieces of information

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Some things to share

Grievances continue to be a real problem. We are often told by the DOC that no one is filing grievances about a certain issue when we know that they are being filed, but are often "lost" or are just never replied to. So we have a suggestion. After you file a grievance through regular channels (as always), send us a copy. FDRAG will make sure that it gets to the right person.

FDRAG is pleased to announce that we will be meeting with Secretary Buss on May 2nd. We know how busy he is and are thankful to him for this opportunity. We would like for you to send us some things to share with him.

- Any grievances that you would like him to see.
- If you have filed any to his attention, but are not sure that he received it/them, send us a copy.
- Send us a list of all the privileges that you have lost over the years.
- List what privileges you would like to have restored, or what you would like for him to consider allowing/changing, etc.
- List anything else that you would like to share with him.
- Keep everything brief, Use bullets with short descriptions, if possible. Long letters or grievances will most likely not be read.
- If it's necessary to include more information, put together a first page with an outline, or bullets of the issues you want to raise and then provide more details as necessary on additional pages.
- As short as possible is still the best way to go.
- File a separate grievance for each issue so that it is easier for us to sort them by category.

FDRAG will hand deliver everything to the Secretary. Send letters, to arrive by no later than Fri, April 30th, to: FDRAG, c/o General Delivery, Raiford, Florida 32083. We encourage you to address the issues that concern you. Also note that the above address is temporary, good for this one purpose only. Please send everything for the attention of the Secretary to that address. Mail sent to that address at other times will not be collected. Thanks!

Also, when you send grievances to FDRAG, let us know if you need to have a copy returned to you. If you don't say one way or the other, we'll assume that you don't need them back. We appreciate not having to make copies. If you have already sent grievances to FDRAG and would like the originals back, please let us know. If you said yes, your grievances will be returned shortly!)

Mail Bag

Requests that came in:

Requests for fans - were granted - money has been sent.
Request for greeting/birthday cards - have been sent
Requests for canteen money - sorry no canteen money available for now

Issues that FDRAG has raised with the DOC

Also see the e-mails included in the newsletter.

UCI:

Hallways not cleaned frequently enough
Showers covered in mold
Procedure on sanitation of barber equipment

FSP:

Inquiries about availability of a new cheaper TV - in this newsletter!
Bad TV reception despite new amplifiers
No meat served when menu states hamburgers, burger Patties, etc

GENERAL:

Adult photos denied in
TP one roll every 10 days, no stock on wings
1/2 bar of soap issued per week instead of one
TV sent out for repair & no reply from Access

LIST OF ISSUES BEING MONITORED or added onto the list for action

Canteen prices too high
Cutting back on food on trays
Food temperature too cold
More hobby craft items that are not children's supplies.
Thanks for sending in contributions for newsletter and TVP info and a big thank you for stamps and donations!!
Let us know which of the issues are still a problem (or which ones are solved!) We appreciate hearing from you.

In NL #28 we gave you the name of a contact at Keefe to use for tracking TV repairs. Cancel that information. If you don't have anyone on the outside who can follow up on the status of repairs for you, then please notify FDRAG as soon as you send your TV out for repair. Don't wait a few weeks. Let us know the TV model, the date it was sent, the repairs needed and the date of original purchase. You also must send Keefe proof of purchase for warranty determination (if you are saying it is under warranty).FDRAG will monitor the process.

For the FDRAG newsletter e-mail distribution list we have included a copy of a form that needs to be used when donating items to UCI death row. If anyone on our printed mailing list needs or wants a copy, let us know.

Oxford University Press
Prisoners' Self Help Litigation Manual
Fourth Edition

John Boston and Daniel E Manville

Prisoners' Self-Help Litigation Manual, in its much-anticipated fourth edition, is an indispensable guide for prisoners and prisoner advocates seeking to understand the rights guaranteed to prisoners by law and how to protect those rights. Clear, comprehensive, practical advice provides prisoners with everything they need to know on conditions of confinement, civil liberties in prison, procedural due process, the legal system, how to litigate, conducting effective legal research, and writing legal documents. Written by two legal and penitentiary experts with intimate knowledge of prisoner's rights and legal aid work, authors John Boston and Daniel E. Manville strategically focus on federal constitutional law, providing prisoners and those wishing to assist them with the most important information concerning legal rights. Over the past decade, prison law and conditions have changed significantly. This new edition is updated to include the most relevant prisoners' rights topics and approaches to litigation. Updates include all aspects of prison life as well as material on legal research, legal writing, types of legal remedies, and how to effectively use those remedies. Certainly the most authoritative, well-organized and relevant prisoner's rights manual available - - the eagerly awaited fourth edition should be purchased by everyone interested in civil rights for the incarcerated.

Features

- With the current issues of prison overcrowding and incidents of prison violence, it is of vital importance for prisoners and their families to possess the knowledge of a prisoner's civil rights. The Prisoner's Self-Help Litigation Manual, 4th Edition, outlines the rights as well as legal remedies for abuses of those rights.
- A best-selling book in all three of the previously released editions, the fourth edition is updated to include the most relevant prisoner's rights topics and approaches to litigation for those currently facing incarceration.
- Prisoners' Self-Help Litigation Manual, 4th Edition is a comprehensive tool for learning about prisoner's civil rights, and providing the necessary information and background to formulate a strong legal self-defense for those rights.
- Written by two legal and penitentiary experts with intimate knowledge of prisoner's rights and legal aid work. Mr. Manville has successfully formulated and argued in his own prisoner's civil rights litigation.
- Expert advice on civil liberties in prison (conditions and practices, property, medical care, freedom of expression, privacy, religion, access to the courts, and more), procedural due process, equal protection of the laws, pre-trial detainees' rights, the court system, actions, defenses, and relief, how to litigate, legal research, and writing legal documents.

Copies are \$39.95. For more information, write to:

Prisoners' Self-Help Litigation Manual
 Oxford University Press, inc.
 198 Madison Avenue
 New York, NY 10016-4314

www.oup.com/us

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 South East Station
 PO Box 15731
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The following pages contain copies of e-mails to and from FDRAG and the DOC regarding living conditions both overall and institution specific.

From FDRAG to Warden Reddish, UCI

We have a few issues to bring to your attention, some new, some old that we are still trying to get someone to deal with.

1. This is a complaint from the south end, bottom floor (and whichever other floors those runners work on) that when they slide the food trays through the flaps, they remove the lids before pushing the trays in. The runners are talking and coughing over the food trays as they pass them to the men, which is unhygienic. Can that be corrected?
2. The food carts are the same carts that are used for dirty laundry. Is that necessary?
3. In the morning, the coffee, milk and juice are often passed out at different times, sometimes as much as a half hour apart. Some food gets colder while waiting for the rest of the meal or some items cannot be eaten until the other items arrive. Can that somehow be fixed?
4. 6 bottom is infested with roaches. Other wings also suffer from rodent infestation throughout the summer and a large part of that is due to the fact that the lids are removed from the trays (sometimes) when they are passed through to the men. The officers will not open the flaps to retrieve the trays and the men are required to pass them back through the bars vertically, which results in food being spilled onto the floor. The clean up process is not adequate to control the problem. This has been a long standing issue. Is it really so hard to have the officers open the flaps to receive the trays, or can they at least pass back the lids so that they can be placed on the trays before they are turned sideways to be passed back through the bars?

And why can the wings not be cleaned on a daily basis? We are told over and over again by the institution that the wings are properly cleaned and we are told over and over by the men that they are not. The men (and we have heard officers say the same thing) complain that the water in the cleaning buckets is never changed and that the runner puts his dirty mop down on one end of the wing and then walks it down to the other end. Period.

Can you not go by the wings after a meal service to see the results of the cleaning process? There are complaints that food is spilled down the bars and stays all over the floors.

5. It appears that the showers were recently painted, but they were apparently not cleaned of the mold before the paint job and mold is starting to grow again on the shower walls. Many of the showers have not seen a good cleaning in many months. The men are not sure which wings were toured by Mr. Cannon during his visit, but he apparently missed the wings with the dirty, moldy showers. A good cleaning on a regular basis would solve these problems. Is it really too much to ask that the staff ensure that the wings and showers are properly cleaned? They don't even have to do the work. The runners do that.

6. As much as the men complain about the food, it has been suggested that a simple fix might make a significant difference. Apparently there used to be heated bricks that were placed in the food carts. In addition there was a cord attached to each food cart, so that when the carts were sitting at various stages of the delivery process, they could be plugged in and food would stay relatively warm. It seems the bricks are no more, and the cords have been cut so that they are no longer usable. As a result, from the time that the food trays leave the kitchen until the time the food is served (which is sometime later) the food only gets colder. Can that be fixed somehow?

7. We are told that UCI does not serve chicken quarters to the men in confinement due to the security risk of the bones. Chicken quarters are served to the men in confinement at FSP, so that argument does not really hold weight. Also, there was never a problem with the bones that precipitated that decision (or if there was an incident somewhere, it was not a problem that occurred on the death row wings).

8. The men at FSP do get 100% fruit juice, according to what they tell us. The men at UCI say that "it may be 100% fruit juice when it starts out, but by the time it is served to us, it's 100% watered down and tastes like watered down Kool Aid."

This food is a real issue and we are so tired of the constant complaints that we receive from the men and the blatant denials by the DOC that anything is wrong. You have told us that you eat the institution tray once a week, but you cannot possibly believe that the tray prepared for the warden is the same tray that is prepared for the men on the row. Your food will at least be cooked and you will get decent portions. We challenge you to go to a random P-dorm wing during meal service and ask who is willing to

give up their tray for that meal. You will get volunteers, trust me. Then taste it. See if you are actually able eat the food on the tray and to tell us that the men are lying and that it's good. Pick a day when they serve the despised "beef pattie".

According to the men at UCI they never receive any actual meat, it's all TVP and soy.

9, The "beef patties" are covered with a smoked sauce of some kind. That sauce is apparently inedible. Can that be removed from the preparation process, or can you order another kind of soy pattie that does not include that sauce?

10. The shavers that they are now required to use (if they can't buy one from canteen) are not being properly sterilized between uses. This complaint has reached us both from the men who have to use the shavers, as well as officers. If the shavers can't be properly cleaned, then you should let the men grow beards if they want to!

Also, on a personal note, the term "feeding process" suggests cattle or pigs. Would not "meal service" be more appropriate when discussing food service to human beings? (That is not a comment that you personally made, but one that we have heard used before).

The last FDRAG newsletter was distributed last Friday and we expect to have more issues to share with you in the coming weeks.

Thank you for your time and we wish you the best,
FDRAG

From Warden Reddish, UCI, to FDRAG

Thank you for the opportunity to look into your complaints. During feeding procedures, the tray lids are removed from the food trays prior to issuing them to the inmate to ensure that all food items are present and that there is no contraband items on the tray.

The laundry carts are not used for food distribution, the information provided to you was false.

In reference to the complaint about food items not being delivered within a timely manner, we closely reviewed the feeding procedure in Death Row and it's evident that the distribution of all food and drink items are conducted efficiently and within a reasonable time frame. We have advised staff not to allow inmates to pass their trays through the bars during the retrieval of food trays and this will be closely monitored.

Your next complaint explains that we have a rodent infestation, however we have had no complaints or

indication from staff or inmates of a rodent problem.

Additionally, the administration tours P-dorm at a minimum of weekly and we have not seen any indication of an infestation either. We have pest control outsourced through a private vendor that sprays P-Dorm on a monthly schedule. If complaints are received, we immediately call the vendor who makes a special visit. Contrary to the statements in the complaint, wings are cleaned daily and after every meal to ensure proper sanitation.

Additionally as mentioned in your next complaint, the showers were cleaned of any mold prior to repainting and they too are cleaned and sanitized daily on a scheduled basis.

In your next complaint you indicated that the heating bricks are no longer being used. This is false, they are used on a daily basis with all warm meals and sent to our special housing units. We have received very few complaints concerning food temperatures in our special housing units, but we will continue to monitor to ensure our meals are properly served.

With respect to your complaint about chicken quarters being served to inmates in confinement units. We do not allow inmates in our special housing units to receive chicken containing bones. The decision to exclude bone-in chicken from our special housing units was made by a previous administration, however the decision has been reviewed by the current administration who agree that this is a good security practice.

The fruit juice issued by the Food Service Department is prepared and distributed in accordance with food service guidelines. The menus for food service are created by nutritionists and there is no supportive evidence that sauce covering the beef patties is inedible. There has been no documented case of anyone complaining of illness following the consumption of that particular sauce. The final complaint is sanitation of shaving equipment. All of our shaving equipment is sanitized by inmate barbers who have been properly trained to use barbicide in accordance with policy and procedure governing inmate hygiene.

Finally, I have never advised anyone that I eat the institution tray once a week. However, I do tour P-dorm often and do observe the feeding procedures and clean up efforts that occur after meal time. Consistently, I, along with the other administrators, find the wings to be clean, orderly, and comfortable.

B. V. Reddish, Warden, UCI

FDRAG: We have been told that the clippers which the men are required to use are cleaned in accordance with "established procedures". Can you please tell us what those "established procedures" are?

Also, the current policy is to provide 1 roll of TP every 10 days and that anyone needing more should ask for it, and that extra rolls will be left with the officers on each wing. We are being told that "a lieutenant" has told the officers that they are not to stock extra TP, which means that there will be nothing to hand out for those who run out. TP is used as napkins, and as paper towels in addition to its' intended use. Can you please tell us the policy regarding extra TP at UCI?

Thank you again, in advance, for your help with these issues.

Reddish, UCI: The inmate barbers are trained in the use of what is commonly known as barbicide to clean and disinfect the barber instruments. A solution is created where the instruments are sanitized in the solution for 10 minutes and then rinsed. The solution is changed out daily. This is a brief synopsis and it's consistent with the guidelines of the Emergency Health and Safety Manual Chapter 20.06.

I contacted Lt. Adkins regarding how we're handling toilet tissue in P dorm. He assured me that we do have extra rolls available. Inmates should contact their dorm security staff on those rare occasions where they run out before their regular issuance day.

FDRAG: Are you saying that the instruments are cleaned for 10 minutes between each use?

Reddish: That's the protocol, the inmate barbers have multiple clipper heads for the clippers, so they're able to soak and sanitize the heads in between inmates.

FDRAG: Please have someone do a good job of cleaning the windows on the wings. They haven't been cleaned in years. Thank you.

FDRAG to Mr. Polk, A.W., FSP

Can you clarify for us the FSC policy regarding use of the law library? We are told that the men do not have direct access to the library and must request things by mail? Is that correct? How does that work? How do indigent men get access to the information that they need to help them fight their cases? Thank you in advance.

Polk: There are a couple of ways to access the Law Library for legal assistance. The most common and normally the quickest access is via correspondence with the law clerks and librarians. The inmate can request copies of legal documents for research etc. through these means. The request for documents etc. is received by the law clerks and returned the next day. Inmates are not charged a copying fee if they are indigent, the department is the respondent, or in criminal court proceedings. Another means of access for legal assistance is personal visits to the library via writ room cells adjacent to the library. In this case the scheduled inmates would be escorted to the non contact cells in the library and request the assistance in person. These visits are scheduled by priority of pending legal deadlines and court action that is time sensitive. Inmates request writ room visits and are evaluated and scheduled based on their immediate need. The Department maintains a list of indigent inmates based on the balance maintained in their inmate accounts. If the inmate is determined indigent and placed on the list he received the copies etc without charge. If an inmate is not determined to be indigent by our standards and does not have funds in their account, the request is still processed and lien is placed on the account and paid when funds are received. At anytime an inmate feels that assistance was not granted or a lien was placed in error they can file a grievance for our review.

I hope that this response clarifies the issue for you however admittedly this is a complicated process. In the event that I have not provided enough information or further confused the subject matter please let me know and I will attempt to clarify. I hope that you have a nice holiday next week. Please do not hesitate to contact me with future concerns or questions.

Tue, Mar 22, 2011

From FDRAG to Ms. Jowers, Assistant General Counsel

FDRAG: What exactly is the current policy regarding the men on death row posting information on the internet? We know there is a rule against posting pen pal ads.

FDRAG has a website and we want to include a section called "Faces of the Row". In that section we want to post stories written by the men about their lives, primarily before they arrived on death row. We have stipulated strict guidelines for the stories because we are aware of the no pen pal ads rule. Nothing in the stories that we post will be things used in pen pal ads; physical description, hobbies and interests etc.

Is this going to be in compliance with FDOC regulations?
What is the line that we have to avoid crossing in order to order to stay in compliance with the rules? Thank you in advance for your help in answering this question.

Ms. Jowers: Please see attached Rule 33-602.207, Conducting a Business While Incarcerated, which addresses publication by inmates. Please also see Rule 33-210.101, Routine Mail, which contains the prohibition on advertising or soliciting pen pals. Thank you,

FDRAG: According to the information that you provided, there are 2 restrictions.

1. No conducting business

For the purposes of this rule, a business or profession is defined as any activity in which the inmate engages with the objective of generating revenue or profit while incarcerated, or if they want to write a book it says: An inmate who wishes to submit writings for publication shall provide a written statement to mailroom staff verifying that the inmate is not seeking compensation, nor will he accept compensation for the writings

2. No soliticing for penpals.

The second document outlines the penpal prohibition. No advertising for penpals.

FDRAG is planning to have a section on our website titled "Faces of Death Row" and we want to publish stories about the lives of the man and woman on the row. Who they are as people.

We want to make sure that no one is going to get into any trouble for sending us their stories and having them appear on our website.

They will not be financially compensated for their stories, nor do we advertise for penpals for them. In fact, we will not publish stories that mention the types of things normally found in penpal ads.

Can you confirm that we have correctly interpreted the rules and that what we plan to do does not violate any rule? Or can you refer us to someone who can make that determination?

Also, what is the rule about blogs or other websites that have been set up? Most of them are for information purposes only, but we would like to link those pages to the FDRAG "Faces of death row" page. Can you confirm that blogs and websites (that do not violate the above rules) are acceptable?

If there is anything unacceptable in what we plan to do, can you please clarify for us how the rules translate in "real life"? Thank you in advance for your help with this.

Ms. Jowers: To preface, please note that I cannot give you any legal advice as to how to proceed, but I will attempt to clarify.

They will not be financially compensated for their stories, nor do we advertise for penpals for them. In fact, we will not publish stories that mention the types of things normally found in penpal ads.

If the inmate has informed the mailroom pursuant to 33-602.207, F.A.C., that s/he will not be compensated or seek compensation, this would appear to comport with Department rules.

We want to make sure that no one is going to get into any trouble for sending us their stories and having them appear on our website.

I suggest contacting Asst. Wardens Polk (FSP) and Jeffcoat (Union) before proceeding; I cannot make any guarantees about future disciplinary actions. As long as no rules are violated, however, there would be no grounds for disciplinary action.

Can you confirm that we have correctly interpreted the rules and that what we plan to do does not violate any rule? Or can you refer us to someone who can make that determination?

You have not indicated any action that would be a violation of Department rules.

Also, what is the rule about blogs or other websites that have been set up? Most of them are for information purposes only, but we would like to link those pages to the FDRAG "Faces of death row" page. Can you confirm that blogs and websites (that do not violate the above rules) are acceptable?

If there's no rule violation, it's acceptable.

Please feel free to contact me in the future with any questions/comments etc.

Correspondance between FDRAG and UCI

FDRAG to Warden Reddish: We hope that things are going well for you these days. We have a few questions....

1. What is the policy at UCI regarding access to the law library? How often can any individual go to the law library? What is made available to the indigent men in terms of such things as how many photocopies (# of pages) they are allowed, etc.?

2. Can you tell us if the men on death row are ever served chicken quarters and 100% fruit juice and if not, what the rational is for not providing those food items?

Thank you in advance, as always, for your help.

From A.W. Jeffcoat to FDRAG: Thank you for your e-mail and your questions regarding death row inmates are covered under Florida Administrative Code 33-601.830.

The rules provides that death row inmates shall be permitted access to their personal legal files and law books, to correspond with the law library, to have the law library deliver legal materials to them and to correspond with law clerks. If an inmate has a legal deadline, he is scheduled for a visit to the law library for up to two hours once a week. If an inmate is indigent, he is provided paper, security pens and envelopes to prepare and send legal papers. In addition, indigent inmates have the same access to photocopying services as other inmates. There is no upper limit on the number of copies provided as long as the request complies with our rules and procedures.

Regarding food service, no inmates in a confinement setting are served chicken leg quarters due to security issues with the bone. When chicken leg quarters appear on the menu, an approved substitution is made. All substitutions are in accordance with the Master Menu substitution list which is based on nutritionally equivalent food items per the registered dietitian. Inmates are served 100% fruit juice concentrate and provides the required nutritional value. I hope this response is helpful.

FDRAG: It appears that a number of menu items for the meals served to UCI death row are substitutions to the master menu. Can you please send us a copy of the current UCI death row master menu? Thank you in advance,

A.W. Jeffcoat: To provide you with an accurate response, I have consulted with our Food Service Director. As stated before, our meals are planned and served per our Master Menu. It is clearly stated on the Master Menu that the menu is subject to change due to production problems, product availability, or security issues. Farm produce may also be substituted when available. All substitutions are in accordance with the Master Menu substitution list which is based on nutritionally equivalent food items per the registered dietitian. Death row inmates are fed the same menu items as our confinement inmates

FDRAG: Thank you for this reply, Assistant Warden Jeffcoat.

We are certain that the items being substituted are in accordance with approved procedure.

We would like to know, however, how many of the Master Menu items are being substituted in the meals served to death row and what substitutions are being made for those meal items?

Also, is there a report available showing results of any dietary analysis or evaluation of the current menu?

What we are trying to figure out is:

1. What exactly are the meal items that are being served to the men on death row? FSP serves their death row inmates the food noted on the Master Menu. UCI does not. So which Master Menu items are being substituted and with what nutritionally equivalent items?

2. In order to determine if the overall diet is nutritionally adequate, it would seem to us that the monthly master menu in actual use would need to be analyzed with all of it's elements. Unless there are only 1 or 2 substitutions. Was there ever any type of analysis done by a registered dietician of the actual menu that is currently being served to death row at UCI? If so, can we please have a copy of any reports about it?

If any of this information is available elsewhere, you can just point us in the right direction. We have received information from Mr. Thigpen about the Master Menu diet and nutritional value analysis, as well as a chart about substitution items.

We are interesting in understanding clearly and specifically what is served to the men on death row at UCI.

Surely there is a predetermined and preapproved Master Menu currently in use on death row? Or does the kitchen just decide on a daily basis what substitutions to make? We look forward to your reply. Respectfully, FDRAG

A.W. Jeffcoat: Thank you for your patience. As stated before, the Master Menu is served as written to death row inmates with the exception of the approved substitution of chicken patties for chicken leg quarters. If a substitution appears on a tray other than the aforementioned substitution, it is fed to all our inmates. Substitutions that are made are generally due to production problems or product availability. Farm produce is also substituted when available. The Master Menu being served at UCI is the same menu served at all adult male DC institutions. All substitutions are recorded on our daily production logs which is available for review by the Public Health Nutrition Consultant and central office staff.

FDRAG: Thank you for your reply, Assistant Warden Jeffcoat,

We have contacted Mr. Thigpen about the Master Menu again since we think he told us once that he had the information on ingredients.

We have sent so many e-mails recently, that part of the last one we sent might have been lost, so we resend it below.

Florida Death Row Advocacy Group (FDRAG)
South East Station
PO Box 15731
Washington DC 20003
fdrag.kk5.org

This is a question that we first addressed to Tallahassee. They provided the general answer but suggested that we contact you for the UCI specific interpretation, if that differs from the general.

FDRAG has a website "fdrag.kk5.org" and we want to include a section "faces of the row". We would like to publish stories written by the men about who they are other than death row inmates. We would also like to include links to blogs and other websites like Facebook that have been set up.

We contacted Tallahassee about the rules and determined that there are 2 that apply.

1. They cannot conduct business on the site or request any sort of financial rewards for their postings.

We will not be offering anything business related along with the stories.

2. They cannot solicit for, or advertise for, pen pals.

We have stipulated that the stories they send us cannot include any of the things that would typically be found in a pen pal ad, such as physical description, hobbies and interests (like fishing or skiing) although we feel that discussing the fact that they like to paint would be okay.

According to what we have been told by Tallahassee, the things that FDRAG plans to do do not violate any rules. We do not see that what we would like to do is in violation of anything. But it was suggested that we contact you to make sure that this is in compliance with UCI rules.

So as we understand it, if a blog, or a facebook site, or another website, does not

- a. engage in a business, or more accurately, benefit from any profits that might unintentionally be generated by or from the site, and/or
- b solicit in any way for or about pen pals

then that would not be in violation of any institution rules, correct?

This is the first time, through "faces of the row", that FDRAG has offered the opportunity to the men to post things and we want to be sure that we understand the rules clearly and stay within them. We don't want to get anyone in trouble by publishing their stories, or including their links, on FDRAG's site,

Thank you in advance, once again, for your attention to this request.

FDRAG to Mr. Thigpen, Tue, Mar 29, 2011

We come to you today in search of some information. If the request is better directed somewhere else, just let us know.

We would like to find out what the actual ingredients are for a number of the items on the Master Menu, such as;the turkey hot dogs; the sloppy joes, the chile with bean, the BBQ, etc etc.

You have already provided us with the nutrient analysis report, but we want to know what those menu items actually are. According to what we hear, the men at UCI never get actual meat anymore. It's all soy. Yet the menu says "turkey hot dogs", for example. How do we find out what the actual ingredients are for those turkey hot dogs, and the BBQ,and the sloppy joe's etc, etc?

Can you point us in the direction of where we have to go to get that information?

Thank you in advance for your help with this quest.

FDRAG to Secretary Buss, Tue, Mar 29, 2011

We are sorry to come to you again so soon with another request, but there is something going on at UCI that we have already tried to discuss with the warden to no result. And we are concerned by what we continue to hear. Recently, there was a policy change at UCI and the men are now continually and randomly shuffled around like a deck of cards. It's causing a lot of stress that we feel is unnecessary.

This point was raised both by a convict, as well as an officer. When someone stays in a certain area for any length of time, the officers who work those wings can get to know them, and can sense any changes in mood that might be significant. When the guys are constantly moved around, the officers don't know them and can't recognize those signs.

Also, over the years, people who don't get along have managed to separate themselves. The random moving is putting them back around each other and that's creating tensions.

We have never really understood why the men don't have the opportunity to live on wings with other people whom they respect and can live with. Why can't guys chose the wing they want to be on, and get moved to another when they ask to be moved? There have been wings with 14 guys who know and respect each other, and who have been respectful to the officers. Why break that up? Why not allow those groups to form? Why not encourage it? Why are they forcing the men to live, once again, next to someone they spent years trying to get away from?

Someone who rubs them the wrong way? We can just get up and go somewhere else if we are that situation. But they live there year after year after year.

We would ask you to put a stop to the shuffling while you look over this situation. Give people the right to be around others who have their same lifestyle. Quiet wings.

boisterous sports loving wings, old friend wings.

We thank you advance for reading our e-mail and considering our concerns, and we look forward to meeting with you in the near future. All the best, FDRAG

FDRAG to A.W. Mr. Polk, FSP

We need you to answer a question, if you would be so kind. Are the men served chicken quarters as noted on the master menu? Or not? Are they served 100% fruit juice? Or not? If yes, what kind(s) of juices?

We are processing the results of the food survey that was conducted late last year. We will be in touch again in the near future with more questions/concerns that are raised by the results.

Thank you in advance for your help with this.

Polk: In regards to you recent inquiry the following response is offered. Chicken leg quarters are served weekly. All fruit juices are concentrated from 100% juice. The flavors are apple, orange and fruit punch. Please let me know if you need further information

Wed, Mar 23, 2011 at 6:54 PM

FDRAG to Secretary Buss,

We are contacting you regarding the upcoming end of smoking in prisons.

According to the statement issued about this, smoking cessation aids will be provided when/if needed. Can you please let us know what aids will be made available for this purpose and how those on death row can access those aids?

We sincerely appreciate your time and attention to this matter. All the best, FDRAG

Terrell, Tallahassee: We have been asked to respond to your concerns on the smoking cessation program. A Nicotine Transdermal System (patches) will be made available to all inmates wanting to participate in the cessation program, and the program will be made available through the Office of Health Services. If you have additional questions or concerns, please contact me.

From FDRAG to Bill Bosco, Group Vice President-Southeast Region, Keefe Group

We have noticed in e-mails from you and other Keefe

employees, that you refer to the men and women whom you deal with as inmates. Inmates is a term used by the department of corrections to refer to people housed in their care. Keefe is not part of the department of corrections. The people who purchase your products are your customers, they are people like me and other friends and family members of DOC inmates.

We feel that use of the term inmates is a reflection of the way that Keefe feels about their customers and that attitude permeates itself into the way that Keefe responds to complaints and concerns. You may have exclusivity right now, but we hope that will not always be the case. When the day does comes that there is competition, Keefe will lose some of their customers to companies with a better business/customer attitude.

I know it would not be an easy thing to change, but we would like for you, at least when dealing with your customers in Florida, that you refer to them as Mr. or Mrs. XYZ. Of course you need the DOC number when you are sending actual communications to them at the DOC, but you do not need to refer to them that way in your correspondence to them, or to us. The only place where the DOC number needs to appear is on the envelope.

Also, is it possible to provide us with a contact who has the authority and ability to research problems that come up with regards to TVs that have been sent out for repair? We provided everyone with a contact in our last newsletter, but that individual does not respond to letters from customers, or to calls from FDRAG. As it currently stands, anyone having a problem is obligated to contact FDRAG, and we are obligated to contact you, personally. That does not seem to me to be the best use of our time and resources. So if there is anyone whom they can write to, who will actually investigate and respond, or if there is anyone else we can call, let us know. Not that we are not happy working with you. Things actually get done when we contact you. It just seems that you might have more important things to do.

Thank you in advance and all the best, FDRAG

Terrell, DOC Tallahassee - A Coby Converter box costing \$39.99, and a Skyworth 13.3” television costing \$179.99 have been approved and will be placed on the Death Row order form.

FDRAG To Bill Bosco - We hope that all is going well for you these days.

The next FDRAG newsletter is due to be completed in about a week, and we would like to include the name and contact information for someone at Keefe who can receive, research and respond to questions from the men

and women on Florida's death row who have to send their TV's out for repair. Is there anyone we can include as a resource for that?

Also, we are told that the Skyworth 13.3" TV has been approved for death row by the DOC. Can you send us information about the set? Also, can you provide us with information about where the sets were purchased?

Thank you in advance for your time and attention

From Keefe

Skyworth Clear LCD TV 13"

- 13" LCD Screen (with LED back lit panel) with Digital Tuner
- Clear Ear Buds included
- Warranty: 180-Days (6 full months) parts and labor
- Cable Ready
- CC3 - Closed Caption 3
- On Screen Display in English and Spanish
- No Sleep Timer
- Clear Stand
- Hard Wired cord, ETL approved
- Lightweight, 6 lbs

FDRAG to Tom Tomblin of US Foods: Great chatting with you just now. As I mentioned, we are trying to get information (specifically the list of ingredients) for the TVP that is provided to the Florida Department of Corrections. The AMD product number is 165-105. We appreciate your help with this.

Tomblin: U.S. Foodservice is just the distributor on this product. To insure you receive the most accurate data, suggest you contact ADM directly. I have confirmed the manufacturer ID you have is correct. Our contact is: Food Ingredient Sales, Inc. foodingredientsales@aol.com P. O. Box 232, Tucker, GA 30085-0232 770-938-3849, 770-939-8412 fax

Thigpen, DOC: Please find the attached specifications for the product. US Food states the ADM product #165-105 meets this specification and is the product they are shipping us.

VEGETABLE PROTEIN PRODUCT: VPP allowed (concentrate only) in accordance with Title 7 CFR 210; unflavored; uncolored; cooked meat appearance when hydrated; 3/8" irregular strips; 18% protein by weight when fully rehydrated or formulated; must meet USDA-FNS requirements for Alternate Protein Products (APP) for the National School Lunch Program and School Breakfast Program (NCNP); 50 lb bag

Warden Reddish, UCI: Your correspondence to Secretary Buss has been forwarded to my office for a response. For security reasons, I can't reveal to you the exact process we use to rotate the housing assignments for Death Row inmates in P dorm. However, I can tell you that the process was set up to enhance institutional security. Some of the reasons that you cite in your e-mail as benefits to not moving the inmates, can actually become threats to our security. For example, when staff and inmates become over familiar with each other, staff complacency and inmate manipulation is sure to increase.

Additionally, Chapter 33 provides specific language and protocol to follow for inmates who seek protection from other inmates. The mere fact that inmates are housed with is to be expected, however this doesn't mean that they shouldn't respect the rights and privileges of others. Our mission to protect the public and ensure the security of P dorm outweighs any inconveniences that the periodic moves have created for the Death Row inmates.

Wed, Mar 30, 2011 FDRAG to Mr. Polk, FSP

It has come to our attention that the men on G wing do not have hot water in their cells. Is that true? What options do they have for making coffee, or tea, or for "cooking" the soups and other products that are available through the canteen?

Also, we have a form that is used to donate items to UCI (see attached). What is the process for donating things to the men on death row at FSP? Thanks

AW Polk, FSP: Please accept my apology for the delay in responding to your inquiry. I wanted to take the time to confirm my response. G wing inmates (death row) do have access to hot water in their cells. There have been a few recent issues with some of the cells that have been repaired or are in the process of being repaired. We have yet to have a long term issue with the hot water that caused an inability to prepare the items mentioned. Our staff are pretty good at handling some of these minor issues without delay. There have been no grievances filed regarding this issue.

Donations are handled through my office. I receive sports equipment etc. frequently. No items can be donated to a specific individual. I have not developed a form as my peer at UCI has. We do not receive many donations so it has not been an issue. If there are questions regarding donating an item, the donor can simply contact me.

We appreciate your comments about the newsletters!!

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Wed, Apr 6, 2011 FDRAG to Mr. Terrell, Tallahassee

We are a bit confused and would like clarification. According to our reading of the proposed rule, below, death row will be allowed 2 cans of smokeless tobacco per week. http://www.dc.state.fl.us/secretary/legal/ch33/notices/33-401.401nrd.pdf According to our reading of the link below, as of Sept 1st they will not be allowed to have any tobacco products at all (including smokeless) http://www.dc.state.fl.us/secretary/press/2011/04-05TobaccoCessation.html Will death row be allowed to purchase smokeless tobacco products after the no smoking ban goes into effect in September? Thank you for helping us to understand what is to come.

Mr. Terrell, Tallahassee

The Notice of Rule Development dated March 25, 2011 is correct stating that inmates in death row housing shall be limited to purchase and possession of no more than two packages of smokeless tobacco products per week.

Friday, April 01, 2011 FDRAG to AW Polk, FSP

I'm contacting you on behalf of FDRAG. We've heard about the new rule to provide 1 roll of TP every 10 days and that anyone needing more should ask for it, and that extra rolls are stocked on each wing. We are being told that there is no TP in stock at the wings, which means that there will be nothing for those who run out. TP is used as napkins, and as paper towels in addition to its intended use.

Can you please tell us the policy regarding extra TP at FSP? Thank you, in advance, for your help with this,

AW Polk, FSP: Thank you for the opportunity to address your inquiry. Many times when our processes changes we experience a large volume of questions regarding the aforementioned changes. Every inmate is provided the opportunity to exchange TP rolls every ten days pursuant to our policy. We keep an additional amount of about ten rolls on the wings should the inmates need an early exchange. In the event that this additional supply is exhausted we have a supply officer that checks with the housing units daily to replenish their supply. There should not be any occasion whereas an inmate is without appropriate supplies. Colonel Tomlinson is personally monitoring our adherence to this change. I am confident in his ability to insure compliance. Please do not hesitate to contact me with further inquiries.

Tuesday, April 05, 2011 FDRAG to AW Polk, FSP

I'm contacting you on behalf of FDRAG. It has been brought to our attention that the TV reception in FSP is very poor. Apparently a commercial grade amplifier was bought, paid by some inmates themselves. However the device has apparently never been connected as it seems maintenance is not able to hook up the amplifier. Can you please look into the matter and let me know, or direct me whom I need to contact?

Thank you in advance for your time and help.

AW Polk, FSP: Thank you for your interest and concern for the inmates that are housed in our Death Row unit. The TV reception here has been an ongoing issue. We have exhausted all local means and continue to look for new information and potential improvements. The amplifiers that you inquire about have been installed since October. There were four 30 watt amplifiers donated. They are fully operational. The problem varies with the local weather conditions. As of last week the inmates were receiving 27 channels. It is our understanding that the digital signal that television stations that are now operating have an effective range of about 40 miles. We are located approximately 50 miles from the nearest television station. Due to the distance from the station our signal fades in and out as the weather changes. Some days are better than others. We have found, through our research, that foggy days are the best and on sunny days the signal varies. This issue exists in the local community also. Many local residents (in the City of Starke) experience the same tendencies. The signal will momentarily fade out however returns normally within seconds. Our Maintenance Dept routinely inspects the cabling to insure that the system is operating to full capacity. Mr. Sutton has been vigilant in handling the problems as they arise. We will continue to research this issue and if an resolution presents itself we will attempt to take advantage. Once again, I appreciate your concern and I hope that if you have any other concerns you will feel free to contact me.

We are only printing what is changing, or being proposed.

April 15, 2011

RULE NO.: 33-601.830 RULE TITLE: Death Row PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to add an approved MP3 player and ear buds to the list of items death row inmates may possess.

RULE NO.: 33-601.724 RULE TITLE: Visitor Attire PURPOSE AND EFFECT: The purpose and effect of the

proposed rulemaking is to specify that only religious head coverings are permissible.

NO.: 33-601.725 TITLE: Permissible Items for Visitors
 PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to remove sunglasses, tobacco, and tobacco-related products from the list of permissible items and to add a photo identification card and a notarized authorization to the list.

- ~~(a) One unopened pack of cigarettes or cigars and one lighter (bic type lighters and matches are prohibited); however, smoking materials are not permitted if a designated outside smoking area is not available.~~
- ~~(b) One unopened, sealed package or can of smokeless tobacco, to include chewing tobacco and moist or powdered snuff.~~
- (c) One (1) photographic identification card.
- (g) If the visitor is an authorized adult as defined in Rule 33-601.713, F.A.C., one (1) copy of a notarized authorization to supervise a minor.

More e-mails have been sent by FDRAG as follow up to various DOC responses. We need to get this newsletter out to give everyone time to get us the information we need for the visit with Secretary Buss. More to come.

In this issue, we are including the rules for one of the most popular, yet difficult, solitaire games (my favorite). To get started, neighbors might can share suits out of decks. The easiest level is 8 sets of one suit, medium level is 4 sets of 2 suits and the toughest is 2 sets of 4 suits (2 decks of cards). Try it the easiest way first if you can!

Mon Apr 11, 2011 Tommy Zeigler - Chief's daughter: Fla. death row inmate innocent THE ASSOCIATED PRESS ORLANDO, Fla. -- The daughter of a former central Florida police chief who helped convict a furniture store owner of the murders of three relatives and a handyman 35 years ago says she believes the death row inmate is innocent.

Christine Cooper said Monday that she believes that Tommy Zeigler was wrongfully convicted of the Christmas Eve 1975 deaths of his wife, in-laws and a handyman at his Winter Garden store.

Cooper, the daughter of former Oakland, Fla. police chief Robert Thompson, spoke at a news conference outside the Orange County Courthouse in Orlando, along with a private investigator who says she has a new theory on the case.

The private investigator, Lynn-Marie Carty, says Zeigler was framed for the murders because he spoke out against corruption in Winter Garden.

Spider Solitaire



Rules: This solitaire uses two decks (104 cards). You have 10 tableau piles. 54 cards are dealt to these piles (6 cards are dealt to first four piles and 5 cards to the remaining ones). Top card of each pile is face up, all others are face down.

The object of the game is to build 8 sequences down in suit within the tableau (each running from King to Ace) and then move them to 8 foundations.

Top cards of tableau piles are available to play. You can build tableau piles down regardless of suit, ending at Ace. You can not build a King on an Ace. One card at a time can be moved from pile to pile. Groups of cards in sequence down by following suit may be moved as a unit.

When any of tableaus are empty you can fill space with any card or group of cards.

When you have made all the available plays on the board, deal one card on each tableau pile from the remaining card stock. All gaps (empty spaces) in the tableau have to be filled before the deal.

There is no redeal.

Strategy: Not every game of Spider Solitaire can be won, but you have better odds of winning if you plan your strategy well. Below you will find some simple rules that can increase your odds of winning.

Build sequences of cards by following suit.

Whenever you have a choice to make, prefer building in suit (“natural builds”). Natural build may be moved as a unit to be built elsewhere. This allows you to expose a hidden face down card, which you may now turn over, or expose an empty tableau pile.

Try to expose face-down cards as quickly as possible

Uncovering face-down cards leads to a new set of possible moves. Besides, it is a way to make an empty tableau pile.

Try to make empty tableau piles as early as possible.

Move cards from tableaus that have fewer cards. Use empty tableau piles as temporary storage when rearranging card sequences into “in-suit” builds as far as possible. Move cards to empty tableau piles to turn over more cards.

Build on higher-ranked cards first.

Among the “out-of-suit” builds, start with those of highest rank. The reason for this is apparent. You can not move “out-of-suit” build as a unit to another tableau pile. So this build is of no use except as a temporary storage space for cards from other tableau piles. If we start with low card, the build will be ended with an Ace very quickly and then it will be useless. Starting from higher cards allows us to get maximum advantage from it.

Get as many cards exposed and arranged in suit order as possible before dealing the next 10 cards from the stock. Otherwise your odds of winning are significantly reduced. As soon as you remove a suit, rearrange the remaining cards into “natural builds”

Use empty tableau piles as temporary storage space when rearranging cards.

Spend some time practicing this strategy and soon you will find yourself winning Spider Solitaire faster and more often.

ADM info

See attachment

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Wed, Apr 13, 2011 FDRAG to Warden Reddish, UCI
We are contacting you today regarding a number of issues.

1. We are hearing a rumor (hopefully) that TV sets will no longer be able to be mailed out for repairs if they are not under warranty? We assume that is incorrect.
2. Thank you for agreeing to have the food trays passed back through the bean flaps after meals. There is a slight bit of tweaking in the process that we would like for you to consider implementing. Currently the runners remove the lid from the tray before passing it in. There is talking and coughing going on over the uncovered trays, which is very unhygienic. Is it possible to have the trays put through the bean flap with the lid? The recipient can then remove the lid, check the contents and return the lid to the runner immediately following verification. This would eliminate the problem.
3. We have been told by the legal department in Tallahassee that the only rules regarding internet postings by death row inmates is that they cannot solicit for pen pals, or solicit donations of any kind. We are told to contact UCI directly to confirm that this is the current policy in place at UCI.

So can you confirm to us that as long as pen pal ads are not placed by anyone and as long as there are no solicitation for funds, we can include information about the men and women on death row? This would include stories that they write about their lives, as well as links to blogs, websites, Facebook pages, etc. We appreciate the clarification on this issue.

AW Whitehead, UCI

In regards to your below concerns I have closely reviewed and provide the following. Your first issue regarding the televisions is only a rumor. Issue number (2) dealing with tray lids during feeding procedures, the tray lids are removed from the food trays prior to issuing them to the inmate to ensure that all food items are present and that there is no contraband items on the tray. Issue number (3) regarding inmate internet postings for death row inmates. Please review the procedures below that have been set forth by Central Office governing this issue.

DC rule 33-602.207 (2) covers the issue of an inmate submitting writings for publication. It basically states inmates can have a web site posted as long as he abides by this rule which does not allow compensation or him seeking compensation. The inmate has to provide a written statement to the mail room verifying he is not seeking compensation. Additionally if the publications concern the crime itself, the state will place a lien on any earnings regardless of who acquires them.

(the remainder of the reply, which quotes the rule, has been omitted due to lack of available newsletter space.)

FDRAG to AW Whitehead, UCI Thank you for your reply.

1. We understand why the lids are removed before being issued, but the current procedure is very unhygienic. We are asking for a

slight tweaking of the procedure. The tray can be placed on the bean flap with the lid still on it. The server can then remove the lid, the contents can be verified by all parties, and the lid can be retrieved by the

server. This would still allow for the inspection, as required, but it would also ensure that the food is not contaminated before it's eaten. Can that be considered?

2. We have been told that there was a recent incident with a Facebook site and that it was ordered to be taken down even though there was no mention of compensation or penpals. Is that maybe because the individual did not notify the mail room prior to setting up the site (we are guessing, here)?

From our understanding of what you are telling us, we need to ask everyone to send their life stories to the mail room for review. along with a note that they are not going to be asking for any compensation or pen pals. We are not asking for any information regarding the crime for which they were convicted, but rather for a story about who they are as people,, who they are other than a death row inmate.

After receipt, the mail room will issue an approval (or denial) to them to have the life story released. Is that correct? Can we get a copy of the approval or denial from the mail room? That way FDRAG can be certain that we are not publishing anything unauthorized, which we do not want to do.

Thank you in advance for helping us to clearly understand the rules about this.

Thu, Apr 14, 2011 FDRAG to Mr.Terrell, Tallahassee

We understand that death row will be authorized to purchase MP3 players in the near future. We do not understand how they are going to download songs or games to the device. Can you tell us the model number of the player that will be approved? Thank you in advance,

From Mr. Terrell The MP3 player has been recommended and is a player specifically designed for correctional use; however, it has not been approved as of today's date. If the player is approved the processes for purchase and downloading of songs will be disseminated.

FDRAG to Kendra Jowers, Tallahassee,

We have a question for you about the proposed rules regarding visiting privileges. In the new proposed rules 33-601.731 *Revocation or Suspension of Visiting Privileges*

there are a number of references to "if the subsequent offense occurs within 2 years....for the same offense..." and the DOC policy for that is very clear.

Our question: What is the policy if the subsequent offense occurs more than 2 years after the last incident? If seems from our reading of the rule that an offense more than 2 years later would be considered a first offense. Is that an accurate interpretation? Thank you for your help,

A very small part of the new rule proposal regarding visitation privileges suspensions. This is “the meat”.
 RULE NO.: 33-601.731; RULE TITLE: Revocation or Suspension of Visiting Privileges
 PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to clarify the circumstances under which an inmate or visitor’s visiting privileges may be suspended.
 (e) If an inmate is found guilty of an offense listed in subsection (1)(c), the ICT shall suspend the inmate’s visiting privileges for the length of time specified on Form NII-102, Visiting Privileges Suspension Matrix.

FLORIDA DEPARTMENT OF CORRECTIONS
VISITING PRIVILEGES SUSPENSION MATRIX

INMATE VISITATION SUSPENSIONS

The ICT can suspend the visitation of inmates that are found guilty of a Disciplinary Report for the following offenses.

Issue	Warning Notice	3 Months Suspension	6 Months Suspension	12 Months Suspension	24 Months Suspension
➤ Intoxicating Beverage	N/A	1 st Offense	2 nd Offense*	N/A	3 rd Offense*
➤ Sexual Misconduct	N/A	N/A	1 st Offense	2 nd Offense*	3 rd Offense*
➤ Passing Money	N/A	N/A	1 st Offense	2 nd Offense*	3 rd Offense*
➤ Possessing/Using Drugs/Refusing to submit to substance abuse testing	N/A	N/A	1 st Offense	2 nd Offense*	3 rd Offense*
➤ Visiting Violation 9-15	1 st Offense	2 nd Offense*	3 rd Offense*	N/A	N/A
➤ Refusing to participate or removal from a mandatory program for negative behavior			1 st Offense	2 nd Offense*	3 rd Offense*
➤ Possessing recording device			1 st Offense	2 nd Offense*	3 rd Offense*

*Must have occurred within 2 years of previous infraction

SUSPENSIONS FOR VISITORS

Issue	Warning Notice	3 Months Suspension	6 Months Suspension	12 Months Suspension	24 Months Suspension
➤ Attempts/Passes Money to Inmate	N/A	N/A	1 st Offense	2 nd Offense*	3 rd Offense*
➤ Intoxicated/Posses Intoxicating Bev.	1 st Offense	N/A	2 nd Offense*	3 rd Offense*	N/A
➤ Passing/Attempting to Pass Intox. Beverage to Inmate	N/A	N/A	1 st Offense	2 nd Offense*	3 rd Offense*
➤ Violates Visitor Conduct 33-601.727	1 st Offense	2 nd Offense*	N/A	3 rd Offense*	N/A
➤ Commits Criminal Activity	N/A	N/A	N/A	1 st Offense	2 nd Offense*
➤ False Information	N/A	1 st Offense	2 nd Offense*	3 rd Offense*	N/A

*Must have occurred within 2 years of previous infraction

NII-102 (Effective) Incorporated by Reference in Rule 33-601.731, F.A.C.

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Following is information about a food lawsuit that is currently underway in Illinois.

Dear Prisoner,

Over the past two years, the Weston A. Price foundation has received many letters from prisoners incarcerated in the Illinois Department of Corrections, and also from inmates in other states, concerned about the detrimental health effects of the soy-laden prison diet.

As you may know, the case of Harris et al. v. Brown. Case No. 3:07-cv-03225 addresses this very issue. This case is being heard and is currently pending before the Honorable Harold Baker in the United States District Court for the Central District of Illinois. We expect a trial in the latter part of 2011.

The case currently has eight plaintiffs. Our hope is to obtain a permanent injunction against serving soy in the prisons, so that in the end all prisoners – not just those involved in the law suit – would benefit by getting a soy-free diet. We expect that additional lawsuits will follow after the decision.

The right to a nutritionally adequate diet is guaranteed under the United States Constitution/Prison key Law 17: “Obligation of state to provide inmate with healthy environment includes obligation to provide nutritionally adequate food that is prepared and served under conditions which do not present immediate danger to health and well-being of inmates” (U.S. CONST. AMEND. 8” Key Note 8 Ramos V. Lamm 639 F. 2d 559 (1980)

In addition, the United States Supreme Court case of ESTELLE V. GAMBLE mandates adequate medical care. Key Note 6 ESTELLE V. GAMBLE, 97 S. Ct. 285 (1976)

WHAT YOU CAN DO

Under the 1996 Prison Litigation Reform Act, each state prisoner is required to file a grievance and exhaust his grievance procedure all the way through to the end before he can bring an action in the federal court system. In fact, before any lawyer can help you, you must file your grievance, exhaust the grievance procedure and be able to present the proof. There may be prisoners versed in the law who can help you with these procedures.

These are the required steps each prisoner must take and have proof of to file a 42 U.S.C 1983 Civil Rights Complaint:

- File a grievance with the Grievance Counselor. Most state laws provide that the counsellor has a specified number of days (14 days in Illinois) to give you a written response and return your grievance to you. If you do not get the grievance back in this specified time period, write the Counselor requesting to know why.
- The grievance must then be delivered to the grievance officer at the prison’s grievance committee. Again, most state laws provide that the grievance officer has a specified number of days (45 days in Illinois) to respond to your committee grievance. When the grievance officer returns your grievance, it will be signed by the warden and will include a typed-out response and an appeal form on the bottom. On this appeal form is the date the warden signed off on it.
- You should the appeal the warden’s decision to the Administrative Review Board for your state. If you do not send your appeal of the warden’s decision in the mail in the required time limit (30 days in Illinois) you have procedurally defaulted and cannot bring action in court as a state prisoner. **DO NOT MISS THIS DEADLINE OF APPEALING THE WARDEN’S DECISION TO THE STATE REVIEW BOARD.** You have a legal deadline here, as this is the 14th Amendment, and the 1st Amendment right to access the courts under the 1996 Prison Litigation Reform Act.
- Before submitting your appeal to the Administrative Review Board, make two copies of your grievance and the replies submitted by the counsellor, the grievance office and the warden. Keep one with you and send one to a family member or friend for safe keeping. This is important because the facility in which you are incarcerated has a habit of “losing” your grievance.
- Mail the grievance (as legal mail) to the Administrative Review Board (ARB). The ARB has 6 months to respond with an answer to your grievance.
- When you receive the response, again make two copies. Keep one with you and send one to a friend or family member for safe keeping. Attach a copy of the ARB’s written response to your copy of your grievance. You will need these papers for any civil action you file.

WHAT TO SAY IN YOUR GRIEVANCE

First, you need to specify the facts that have resulted in a deprivation of your right to adequate medical treatment. These

facts must be specific to the person(s) involved, the dates, the times, the locations, and the specific conduct that you are grieving.

Second, you need to state how you were harmed by the specific conduct. Were you denied adequate medical treatment? Were you denied your ability to speak? Were you denied nourishing food? Are you experiencing pain or discomfort? Where? How often? Be as specific as possible with the type of harm that you have suffered from the conduct that you are grieving.

Third, specify the type of relief that you want. Do you want medications? Do you want more medical treatment? Do you want a specific type of food (such as a non-soy diet)? Specify what you want to make the grieving conduct stop.

You can cite the following cases in your grievance:

ESTELLE V GAMBLE 429 U.S. 97 (1976) (The Conditions of Confinement.)

DURAN V ANAYA 624 F.Supp.510 (1986) (Deliberate Indifference)

RAMOS V LAMM 639 F.2d 559 (1980) (Deliberate Indifference 8th Amendment)

OUTCOMES FROM FILING A GRIEVANCE

You are protected against retaliation for filing a grievance by the 14th Amendment of the United States Constitution under due process of the law.

If you are harassed by staff or medical personnel for filing a grievance or for requesting proper and adequate medical care, including a soy free diet, you should immediately file a grievance for retaliation by staff for exercising your constitutionally protected right to file a grievance, and seek redress in a court of law. You can cite the following cases regarding retaliation for filing a grievance.

BRIDGES V GILBERT 557.F.3d.541.520 (7th Circ 2009) quoting BART V TELFORD 677 F.2d 622 (7th Circ 1982)

“Prison officials may not retaliate against inmates for filing grievances or otherwise complaining about their conditions of confinement”.

WALKER V THOMPSON 288 F.3d 1005 (7th Circ 2002)

DEWALT V CARTER 224 F.3d 607 (7th Circ 2000)

BABCOCK V WHITE 102 F.3d.267 (7th Circ 1996)

CAIN V LANE 857 F.2nd 1139 (7th Circ.1988)

MEDICAL EXAMINATION

Some people are affected more quickly than others by the soy diet. Soy protein damage the thyroid gland, located in your neck. Your thyroid supplies the chemical signals to your liver and other digestive organs that make your body work right. A lot of prisoners suffer from a disease caused by eating soy. It is called hypothyroidism and is easily detected by a blood test. Symptoms of hypothyroidism include weight gain, brain fog and fatigue.

If you suspect that you have thyroid disease due to the soy-based diet, request to have your thyroid hormone levels checked. You should request a test called a thyroid panel which measures the levels of three hormones in your blood; TSH, T.4 and T.3. If your TSH (Thyroid Stimulating Hormone) values are above 4.2, you need a soy-free diet and medical care to correct your bodily functions. Thyroid hormone treatment is required by taking a pill every day and not eating soy, as soy causes the disease. Eating soy will make the disease worse, especially if you are forced to eat it every day. Request to buy a copy of your test results. This is your right. Be sure to make two copies of the test results. Keep one for yourself and send one to a family member or friend for safe keeping.

If you have a TSH value over 4.2 you should request a soy-free diet for medical reasons. If you are not given a soy-free diet you should file another grievance, following the procedure outlined above.

Even if you do not have abnormal TSH values, the State is required by law to provide you with a diet to sustain your health. However, it is vital to keep records of all your grievances, committee responses and medical records. You should also keep a personal log of your medical problems.

AFTER THE GRIEVANCE PROCESS.

If you have carried out the grievance process described above without results, please send copies of all your records to the Weston A. Price Foundation. Remember, without AN EXHAUSTED GRIEVANCE no attorney can help you while you are in prison.

Once you are out of prison, you do not have to follow the Prison Litigation Reform Act rules. You will have two years to file a lawsuit. Again, it is very important to keep copies of all your grievances, committee responses and medical records. You should also keep a personal log of your medical problems.

DIETARY SUGGESTIONS

If possible, have your loved ones send you enough money to purchase commissary foods. Use your commissary money wisely to purchase healthy foods. Good choices include sardines, tuna, salmon, cheese, summer sausage, Spam (for vitamin D and healthy fats) beet, pork cracklings and plain rice. Avoid sweets, chips, sodas, etc. as these make you more vulnerable to the harmful effects of soy.

Sincerely yours, The Weston A Price Foundation, PMB 106-380, 4200 Wisconsin Ave, NW, Washington DC 20016

ADDITIONAL INFORMATION

The Foundation has been funding litigation involving a challenge to the Illinois Department of Correction's use of soy laden foods in the diet it provides to inmates incarcerated in Illinois. The Foundation has been involved in this suit since June 2009. First and foremost, the Foundation is seeking an injunction against serving soy-laden meals to Illinois prisoners. The fund is also helping eight inmates challenge their being fed soy-laden food by claiming that the feeding of soy-laden food constitutes cruel and unusual punishment in violation of the eighth amendment to the Constitution, and that it is a denial of their liberty in violation of their due process rights under the fourteenth amendment to the Constitution. The lawsuit also alleges that the private corporation and its private doctors, Wexford health services, inc., have been negligent in failing to provide adequate medical care to each of the plaintiffs who are suffering bodily injury and adverse health effects from being fed too much soy.

The case is pending in the United States District Court for the central district of Illinois before the Honorable Judge Baker.

Both the state of Illinois and Wexford have filed summary judgment motions arguing that they should receive a pre-trial judgment in the case because none of the inmates has "exhausted" his administrative remedies. In other words, the State and Wexford are arguing that none of the inmates, before they filed their complaint, properly complained to prison officials about the effects that the soy diet is having on their body. The inmates have opposed these motions for summary judgment and have presented a plethora of evidence that they have indeed, for several years, complained to prison officials about the harmful effects of soy on their bodies, but that the prison officials have ignored these complaints and have done nothing about it. The inmates have also presented a plethora of evidence to the court to show that they have also, for several years, complained to Wexford and its subsidiary doctors about the harmful effects of soy on their bodies and that the Wexford doctors have ignored these complaints.

The matter is pending before Judge Baker on the State's and Wexford's motions to dismiss. we expect a ruling from the court sometime before the end of 2010. If the motions are denied then the case will go forward to a trial on the merits, which likely will go forward sometime late next year.

BACKGROUND

When Rod Blagojevich was elected governor of Illinois in 2002, he immediately made a change in the prison diets. Beginning in January 2003, inmates began receiving a diet largely based on processed soy protein, with very little meat. In most meals, small amounts of meat or meat by-products are mixed with 60-70 percent soy protein; fake soy cheese has replaced real cheese; and soy flour or soy protein is now added to most of the baked goods.

The governor's justification for replacing nutritious meat and cheese with toxic soy protein was financial-to lower the enormous costs of running the Illinois Department of Corrections. However, the likely reason is payback for campaign contributions from Archer Daniels Midland, the main supplier of soy products to the Illinois prisons.

Suffering of Inmates

Early in 2007, the Weston A. Price Foundation began hearing from inmates who were suffering from myriad serious health problems due to the large amounts of soy in the diet. These prisoners had found us through the Soy Alert! section of our website. Complaints include **chronic and painful constipation alternating with debilitating diarrhea, vomiting after eating, sharp pains in the digestive tract, especially after consuming soy, passing out, heart palpitations, rashes, acne, insomnia, panic attacks, depression and symptoms of hypothyroidism, such as low body temperature (feeling cold all the time), brain fog, fatigue, weight gain, frequent infections and enlarged thyroid gland.** Since soy contains anti-fertility compounds, many young prisoners may be unable to father children after their release.

The suffering of these men is intense and medical care is palliative at best. Many have had sections of their digestive tract removed, but all requests for a soy-free diet are denied. The men are told, "If you don't like the food, don't eat it." That means that unless they can afford to purchase commissary food, they must eat the soy food or starve.

Message from FDRAG

Recent events have reminded us of the need to clarify what FDRAG is all about.

FDRAG is dedicated to working to improve the living conditions on death row in Florida.
That is our only purpose.

FDRAG does not have the time or resources to answer every letter that we receive or to deal with every issue that's brought to our attention. But it's nothing personal to anyone.

Know that we do, however, read all of your letters.

We try to list all of the issues that are brought to our attention in the "Mail Bag" section of the newsletter, so that everyone at least knows what we're working on, or which issues have already been raised.

If you write to FDRAG and don't hear back, (if a reply is expected, or required), write again. Let us know it's your second letter and we'll be happy to replace both of the envelopes and stamps that were used.

For those who would like help from FDRAG, we do ask that you contact us directly.

Please do not ask others to ask for our help, except in special circumstances, of course.

When we are contacted directly, we can decide if we can help and how, or why we can't.

We also expect anyone who asks FDRAG to advocate on their behalf to have first made an effort to help themselves. Unless, of course, there are special circumstances,

FDRAG does not, however, seek out issues that need to be worked on. We are far too busy for that. So if we aren't working on an issue that's important to you, it's possible that the issue has not been brought to our attention by anyone else. So let us know about it, or seek help elsewhere, or live with it.

We encourage anyone who has any interest in advocacy to become involved in advocacy efforts.

Join FDRAG, start up another group, or do it alone. Whatever works, we welcome it.

Whenever anyone contacts FDRAG for help, we will always offer whatever help we can.

We are also happy to include information about any advocacy efforts in a future FDRAG newsletter. Send us what should be included and we will publish it; within reason and as long as it's legal, of course!

FDRAG is about working to improve living conditions on death row in Florida.

We do what we can to help, and we will keep doing what we can to help, as long as we are able, and there's a need.

But the truth is that we would love nothing more than for FDRAG to become obsolete.

To get in touch with FDRAG

1. write to us at the address on the bottom of every newsletter page.
2. visit our website "fdrag.kk5.org"
 - find out more about what FDRAG does,
 - learn how to get involved or help as an advocate,
 - learn more about the men and women on Florida's death row, or
 - contact other FDRAG members.
3. call us at (240) 505-1429

Your family, friends and loved ones are welcome to contact us with questions or concerns about anything to do with death row and we will do whatever we can to help. All the members of FDRAG speak English. Some speak other languages as well. If someone needs help in a foreign language, just let us know.

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